

University of Greifswald

Faculty of Arts and Humanities
Department of Political Science & Communication Studies

Chair of International Relations and Regional Studies



DFG International Research Training Group “Baltic Borderlands”



Thou Ought to Deborder:

The Normative Influence of Regional IGOs on Intra-Communal Bordering
in the Baltic Sea Region and the South China Sea Region

Inauguraldissertation

Submitted: Greifswald, October 20th, 2021

by **Martin Kerntopf**

born June 21st 1987 in Ilmenau

In Partial Fulfillment of the
Requirements for the Degree

Doctor of Philosophy

Dean: Prof. Dr. Margit Bussmann

1st Supervisor: Prof. Dr. Margit Bussmann (University of Greifswald)

2nd Supervisor: Prof. Dr. Bo Petersson (Malmö University)

Day of Defense: February 24th 2022

Abstract

To what extent do norms of regional Intergovernmental Organizations (IGOs) have an impact on member states' borders and their permeability? International agreements and regional integration measures quite often highlight how harmonization of mechanisms and procedures related to cross-border interaction within specific communities takes place. As these agreements and measures contain mutual expectations about appropriate behavior, a form of convergence in bordering practices – and therefore effects – is implied. This leads to the assumption that cross-border interaction is gradually increasing and eventually leading to a 'borderless' realm that allows for the free movement of goods, services, persons, and capital. However, the nature of borders or a deeper understanding of the bordering process itself is often not central to the studies of international relations. They represent mere fixtures of international interaction and appear in the public discussion only if sudden restrictions are implemented or if large-scale changes in the international environment affect their functioning.

Specific literature on borders is relatively new and located mainly within an interdisciplinary setting that largely lacks coherency in its ontological concepts or deals exclusively with individual cases. The literature on the normative capacity of (regional) IGOs on the other hand is well matured and one of the cornerstones of international studies. However, here a blatant neglect of borders and bordering is apparent. This situation is aggravated by the circumstance that the field of International Relations by definition is dealing with cross-border interaction.

Apart from the general ontological issue of what borders and bordering processes are from a political science perspective, three main gaps in conjunction with the above question could be identified within the literature. The *first* relates to the general efficacy of the normative influence of regional IGOs on enhancing cross-border interaction through the issuing of specific normative provisions. On this, the relevant literature is divided. Arguments range from an all-permeating relevance of norms as intersubjective understandings that create specific expectations of appropriate behavior to the primacy of rational choices that are targeted to create benefits in most economic and security-related matters. The *second* gap relates to the relevance of domestic precognition in cross-border interaction. It is not clear to what extent dominant normative conceptions at the national level create obstacles to the efficacy of IGO provisions in shaping cross-border interaction. *Finally*, the impact of critical junctures – as kind of catalysts – that shift member state preferences in following communal obligations are being analyzed. Here, the assumption is that these junctures may either enhance or negate IGO provi-

sions dependent on the dominant domestic preferences. Essentially, the approach taken here is a layered one, where each identified gap provides the basis for the following ones.

The analysis itself is divided into a quantitative and a qualitative part. For the former, a new dataset has been created that specifically lists all normative provisions targeting the free movement of goods, services, persons, and capital of the two IGOs selected for this research project. This is an important departure from the usual dichotomous perception of IGO influence used throughout the literature. In conjunction with specific data related to each of the four freedoms, multiple variations of a gravimetric Poisson Pseudo-Maximum Likelihood model are specified. The qualitative approach draws upon descriptive and matching approaches to analyze the impact of dominant domestic norms and critical junctures on the bordering process. For this purpose, a corpus of source material is created that includes government declarations and media articles, as well as the specific IGO provisions on bordering to each of the four freedoms that are central to this research.

The quantitative findings indicate a strong and consistently positive impact of regulative IGO norms while evaluative IGO norms do not provide similar results. The qualitative findings point in a similar direction. As long as IGO norms have a more regulative direction and are obligatory, the effect is less likely to be diminished by contesting dominant domestic norms or critical junctures *vis-à-vis* more evaluative IGO norms.

The results and additional findings of this research have implications for further research. Central to this is the capacity of regional IGOs to exert normative influence on the bordering practices of their member states. An additional finding relates to the interrelatedness of normative provisions. The more these provisions are cross-referencing each other – or are interlocked – the more robust they seem to get. This is a trait that is relevant for policy-makers and IGO bureaucracies if they want to enhance the compliance of their agents. On a methodological level, the here introduced data set on normative IGO provisions provides other researchers with a substantially more fine-grained approach to investigating the impact of specific IGO measures on a particular dimension of cross-border interaction.

Acknowledgment

Even though most of the work related to creating a dissertation happens in solitude, it would not have been possible without the help, support, and encouragement by a considerable amount of people on the way. I want to express in this acknowledgment my deepest gratitude to all who have accompanied me on the way.

First of all, I would like to thank my supervisors Margit Bussmann and Bo Petersson, without whom I would most certainly not have finished this work. Both provided me with invaluable feedback and encouraged me to rethink taken-for-granted concepts. They gave me ample opportunities and encouragement to present my research at conferences and among colleagues and supported me during this part of my academic career. Both also let me have a tremendous degree of freedom in following my wild research interests and adventurous methodological approaches, yet were also able to reign me in if I wandered off to far. I would like to sincerely thank you for your extraordinary patience with me during all these years.

In addition to Margit's and Bo's unwavering and relentless support (I know, it was a stress test), I would like to thank Michael North and Alexander Drost, who were the masterminds behind the IRTG Baltic Borderlands that provided the starting point and spiritual home for this project. Hielke van Nieuwenhuize receives special gratitude for keeping up with my confusing business trip applications. I would also like to thank my fellow PhD students – Teemu Korpijärvi, Vitali Byl, Philip Wagner, Torsten Veit, Stefanie Schuldt, Eric Ladenthin, Franziska Sajdak, Lana Lanina, Paul Gohlke, Friedrich Kühn, and Sven Ristau – with whom I started during this time and had lively discussions on what borders are, how they fit in our respective field of research, and why we should (or should not) go to the literature seminars or the Tuesday evening lectures.

I would also like to thank my colleagues from the Chair of International Relations and Regional Studies – my second home – at the University of Greifswald. I benefited from the discussion in our weekly colloquium with Sebastian Nickel, Levke Aduda, Anja Menzel, Felix Haaß, Mathis Lohaus, Nadine O'Shea, and Natalia Iost. I thank you for a great time, the mutual help regarding teaching, and way too many evenings at the harbor. The same goes to the other colleagues of the department. I have enjoyed the time with you very much. My heartfelt gratitude goes to Doreen Wollbrecht and Steffi Krohn who patiently kept answering my organizational and administrative questions and always extended a helping hand or had an open ear.

A special time for me has been my research stay at Malmö University and I would like to thank Michael Strange, Derek Hutcheson, Magnus Ericson, John Åberg, and Mats Fred for giving me such a good time there and to be able not only to present and discuss

my research project with you but also to give me the opportunity to provide a methods workshop for other colleagues. In addition, I would like to thank Annika Björkdahl from Lund University, who was so kind to take some time for me to discuss the relevance of norms and the nuances of evaluating EU norm transposition.

Last but not least I would like to thank my family and all the friends (both won and lost along the way). As the list would exceed any reasonable number of pages for the acknowledgment I will limit the mentions to a set of very special persons. Thank you, Darius and Olli, with whom I can revel in completely aloof discussions outside my field of research; Semir who always provided a helping hand in renovating our house and with whom I spend many nights at the bonfire; Frieda, who provided the house in the first place, who keeps me grounded, and loves me no matter my stress level; Kati, Raik, and Thea, who reminded me to cherish the here and now; June, who came out of nowhere when I felt lost and who has been a friend ever since; and of course to all the student club members in Greifswald that helped to make the city feel like home. Finally, I want to thank my sons Lukas and Jaron for dutifully providing the recreative distractions that I needed. This is to you.

Contents

Abstract	iii
Acknowledgment	v
List of Figures	xi
List of Tables	xiii
List of Abbreviations	xv
1 Introduction	1
1.1 The Issue of Borders	3
1.2 Relevance	4
1.3 Main Argument	5
1.4 Methodology	6
1.5 Main Findings and Contributions	6
1.6 Structure	7
2 Literature Review	13
2.1 Contextualizing and Defining Borders	15
2.1.1 Early Border Studies	15
2.1.2 The ‘ <i>Borderless World</i> ’ Turn	17
2.1.3 Contemporary Approaches to Borders	17
2.1.3.1 The Geopolitical Approach	18
2.1.3.2 The Institutional Approach	20
2.1.3.3 The Procedural Approach	22
2.1.4 Section Summary	23
2.2 The Relevance of Regional Intergovernmental Organizations	24
2.2.1 Socialization	28
2.2.2 Integration	30
2.2.3 Compliance	31
2.2.4 Section Summary	32
2.3 The Relevance of Norms in Regional Communities	33
2.3.1 Norm Diffusion	34
2.3.2 Norm Dynamics and Contestation	36
2.3.3 Section Summary	37

2.4	Chapter Summary	37
3	A Theory on IGO Norms and Intra-Communal Bordering	39
3.1	A Theoretical Approach to Borders and Bordering	40
3.1.1	Bordering and Status-Functions	41
3.1.2	Competing Normative Claims	42
3.2	The Effect of IGO Norms on Cross-Border Interaction	45
3.2.1	Regional IGOs as Ordering Entities	45
3.2.2	Norms and Subnorms	46
3.3	Norm Compliance and Contestation at the Domestic Level	52
3.3.1	The Relevance of Domestic Norms	53
3.3.2	Compliance and Contestation	55
3.4	The Impact of Critical Junctures on Norm Compliance	58
3.4.1	Critical Junctures and Norms	59
3.4.2	Critical Junctures and <i>Ex Post</i> Norm Rejection	60
3.5	Chapter Summary	61
4	Research Design	63
4.1	Quantitative Approach	64
4.1.1	Case Selection	65
4.1.2	Variables	68
4.1.2.1	Dependent Variables: Cross-Border Flows	68
4.1.2.2	Independent Variables: Gravity and IGO Measures	70
4.1.3	Estimation Approach	74
4.1.4	Additional Notes	76
4.2	Qualitative Approach	77
4.2.1	Subcase Selection	77
4.2.2	Variables	78
4.2.2.1	Dependent	78
4.2.2.2	Independent	79
4.2.3	Corpus Material and Sources	80
4.2.3.1	Primary Material	81
4.2.3.2	Secondary Material	83
4.2.3.3	Expert Interviews	85
4.2.4	Analytical Approaches	87
4.2.4.1	Analyzing the Role of Domestic Norms	87
4.2.4.2	Analyzing Critical Junctures	89
4.3	Chapter Conclusion	89
5	Structure and Scope of EU and ASEAN Normative Provisions	91
5.1	Structure of the Norm Complexes	92
5.1.1	The EU's Norm Complex Structure	92
5.1.1.1	EU Subnorms in Regulations	95

5.1.1.2	EU Subnorms in Directives	97
5.1.2	The ASEAN's Norm Complex Structure	100
5.1.2.1	ASEAN Subnorms	102
5.2	Scope of the Normative Provisions	104
5.3	Discussion and Summary	109
6	IGO Norms and Cross-Border Flows	111
6.1	The Free Movement of Goods	113
6.2	The Free Movement of Services	116
6.3	The Free Movement of Persons	119
6.4	The Free Movement of Capital	121
6.5	Additional Findings	123
6.6	Discussion and Summary	125
7	The Role of Domestic Norms in Intra-communal Bordering	127
7.1	Dominant Domestic Norms and Regional IGOs	128
7.2	Norm Transposition, Compliance, and Timeliness	149
7.2.1	Transposition in the Baltic Sea Region	150
7.2.2	Transposition in the South China Sea Region	157
7.3	Discussion and Summary	163
8	The Impact of Critical Junctures on Bordering	167
8.1	The Baltic Sea Region	169
8.1.1	The 2007 Global Financial Crisis	169
8.1.2	The 2014 Syrian Refugee Crisis	173
8.2	The South China Sea Region	175
8.2.1	The 1997 Asian Financial Crisis	176
8.2.2	The 2007 Global Financial Crisis	178
8.3	Discussion and Summary	180
9	Conclusion	183
9.1	Main Findings	185
9.1.1	The BSR and the EU	185
9.1.2	The SCSR and the ASEAN	187
9.2	Discussion on the Methodological Approach	190
9.3	Discussion on Open Questions	192
9.4	Policy Recommendation	193
9.4.1	Recommendations in Case of the EU	193
9.4.2	Recommendations in Case of the ASEAN	193
10	Bibliography	195

Appendices	225
A Descriptive Statistics, Model Variations, and Robustness Tests	226
A.1 State and Year Flow Heterogeneity	226
A.1.1 The Baltic Sea Region	226
A.1.2 The South China Sea Region	230
A.2 Variance Inflation Factor Test	233
A.3 Maximum Likelihood Fixed Effects Results	234
A.3.1 Baltic Sea Region	234
A.3.2 South China Sea Region	238
A.4 Marginal Effects	242
A.5 Trend Analysis	243
A.6 Lagged Dependent Variable	245
A.7 Crisis Variable	247
B Questionnaire Design	250
C Interview Transcripts	257
C.1 Interview A	257
C.2 Interview B	264
C.3 Interview C	270
C.4 Interview D	281
C.5 Interview E	290
C.6 Interview F	303
C.7 Interview G	314

List of Figures

3.1	The Möbius Ribbon	42
3.2	Unraveled Ribbon	43
3.3	Schematic Illustration of the Freedom Norm Complex	49
3.4	Schematic Illustration of Critical Junctures	60
4.1	Amount of EU Subnorms related to the Four Freedoms	71
4.2	Amount of ASEAN Subnorms related to the Four Freedoms	72
5.1	Relative Distribution of EU Regulations and Directives per Area	95
5.2	Amount of EU Regulations based on Area and Branch	97
5.3	Amount of EU Directives based on Area and Branch	99
5.4	Relative Distribution of ASEAN Subnorms per Area	104
5.5	Amount of ASEAN Subnorms based on Area and Branch	105
5.6	Legalization Dimensions of EU and ASEAN	108
7.1	Stance Towards Regional IGO in the Subcases	148
7.2	EU Overall Directives Compliance	150
7.3	Swedish Directives Sectoral Transposition	151
7.4	Estonian Directives Sectoral Transposition	153
7.5	Sweden Timeliness of Compliance	154
7.6	Estonia Timeliness of Compliance	155
7.7	EU Overall Regulations Compliance	156
7.8	ASEAN Overall Compliance	157
7.9	Malaysia Sectoral Transposition	158
7.10	Indonesia Sectoral Transposition	159
7.11	Malaysia Timeliness of Compliance	161
7.12	Indonesia Timeliness of Compliance	162
A.1	Heterogeneity of Exports in Goods across Countries and Years in the BSR	226
A.2	Heterogeneity of Exports in Services across Countries and Years in the BSR	227
A.3	Heterogeneity of Emigration across Countries and Years in the BSR	228
A.4	Heterogeneity of FDI across Countries and Years in the BSR	229
A.5	Heterogeneity of Exports in Goods across Countries and Years in the SCSR	230
A.6	Heterogeneity of Exports in Services across Countries and Years in the SCSR	231
A.7	Heterogeneity of Emigration across Countries and Years in the SCSR	232
A.8	Heterogeneity of FDI across Countries and Years in the SCSR	233

A.9 Marginal Effects of IGO Norms on Cross-Border Interaction 242

List of Tables

3.1	Norm Typology	51
3.2	Summary Hypotheses	61
6.1	EU Norms and BSR Trade in Goods	114
6.2	ASEAN Norms and SCSR Trade in Goods	115
6.3	EU Norms and BSR Trade in Services	117
6.4	ASEAN Norms and SCSR Trade in Services	118
6.5	EU Norms and BSR Movement of Persons	120
6.6	ASEAN Norms and SCSR Movement of Persons	121
6.7	EU Norms and BSR Movement of Capital	122
6.8	ASEAN Norms and SCSR Movement of Capital	124
6.9	Summarized Results of the Gravity Panel Analysis	126
7.1	Summarized Results of Dominant Domestic Norms Analysis	165
8.1	Summarized Results of the Critical Junctures Analysis	181
9.1	Hypotheses and Results	186
9.2	Hypotheses and Results	188
A.1	Variance Inflation Factor Test for BSR and SCSR OLS Models	233
A.2	BSR Goods: Estimation of Maximum Likelihood gravity models with different fixed effects.	234
A.3	BSR Services: Estimation of Maximum Likelihood gravity models with different fixed effects.	235
A.4	BSR Persons: Estimation of Maximum Likelihood gravity models with different fixed effects.	236
A.5	BSR Capital: Estimation of Maximum Likelihood gravity models with different fixed effects.	237
A.6	SCSR Goods: Estimation of Maximum Likelihood gravity models with different fixed effects.	238
A.7	SCSR Services: Estimation of Maximum Likelihood gravity models with different fixed effects.	239
A.8	SCSR Persons: Estimation of Maximum Likelihood gravity models with different fixed effects.	240
A.9	SCSR Capital: Estimation of Maximum Likelihood gravity models with different fixed effects.	241
A.10	Summarized point increases for Marginal Effects	242

A.11 BSR Trend Analysis	243
A.12 SCSR Trend Analysis	244
A.13 BSR Lagged Dependent Variable	245
A.14 SCSR Lagged Dependent Variable	246
A.15 BSR Cross-Border Flows and the Impact of Crises	247
A.16 SCSR Cross-Border Flows and the Impact of Crises	248
A.17 Lagged EU Services and Persons Norms	249

List of Abbreviations

ACMECS	.....	Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy
AFTA	.....	ASEAN Free Trade Area
ASEAN	.....	Association of Southeast Asian Nations
AU	.....	African Union
BN	.....	Barisan Nasional
BSR	.....	Baltic Sea Region
CEPT	.....	Common Effective Preferential Tariff
CBSS	.....	Council of the Baltic Sea States
CEPII	.....	Centre d'Etudes Prospectives et d'Informations Internationales
EAEG	.....	East Asia Economic Group
EC	.....	European Community
ECJ	.....	European Court of Justice
ECSC	.....	European Coal and Steel Community
EEAS	.....	European External Action Service
EEU	.....	Eurasian Economic Union
EFTA	.....	European Free Trade Association
EMU	.....	Economic and Monetary Union
EU	.....	European Union
FTA	.....	Free Trade Agreement
GCC	.....	Gulf Cooperation Council
IGO	.....	Intergovernmental Organization
ILO	.....	International Labour Organization
IMF	.....	International Monetary Fund
INGO	.....	International Non-Governmental Organization
IO	.....	International Organization
IR	.....	International Relations
NATO	.....	North Atlantic Treaty Organization
NGO	.....	Non-Governmental Organization
NSA	.....	Non-State Actor
OAU	.....	Organization of African Unity
OLS	.....	Ordinary Least Squares
PTA	.....	Preferential Trade Agreements
TFEU	.....	Treaty on the Functioning of the European Union
SCSR	.....	South China Sea Region
UK	.....	United Kingdom

UMNO	United Malays National Organisation
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
US	United States of America
VIF	Variance Inflation Factor
WHO	World Health Organization
WTO	World Trade Organization

Chapter 1

Introduction

“The boundaries that exist at any moment in time are likely to be arbitrary, poorly drawn, the products of ancient wars. The mapmakers are likely to have been ignorant, drunken, or corrupt. Nevertheless, these lines establish a habitable world.” – Michael Walzer (2006, p. 57)

To what extent do norms of regional Intergovernmental Organizations (IGOs) have an impact on member states' borders and their permeability? Borders have recurrently become a fulcrum in the contemporary public debate. Illustrative examples regarding their increasing relevance are plenty. The 2015 European Refugee Crisis for instance has triggered a wildfire of border reinstitutionalization across Europe. In this course, several states turned away from the *European Union's* (EU) principle of solidarity and free movement – largely informing the integration processes of the European framework in the post-1945 era – by reintroducing border controls and checks within the Schengen Area. Thus affecting not only refugees but also travelers and intra-EU citizens that commute between the different countries on a regular basis (Cini and Borragán 2016, p. 2; Ignatieff et al. 2016, p. 5). In a similar light appears the 'Brexit' of the *United Kingdom* (UK) that entailed a political departure from the EU. One of the core arguments of the 2016 Brexit referendum was to limit unwanted intra-EU labor immigration that allegedly created disadvantageous conditions for UK citizens (Dhingra and Sampson 2016; McCormick 2016; Tilford 2016). A claim that not only entailed the reversing of EU citizenship – being established with the 2007 Lisbon treaty – but also the reintroduction of border controls and border checks at the UK's outer borders.

Another example relates to the COVID-19 pandemic. In the initial phase of the outbreak most states – also those of the EU – reacted by unilaterally imposing restrictions on entering their territory. Effectively imposing entry bans on any incoming persons and commodities that were deemed non-essential. Only in the course of the pandemic did a gradual reopening of borders occur and that also in a mostly chaotic and arbitrary manner (Stevis-Gridneff 2021). As the situation is, as of writing, still in progress, the long-term effects on border regimes – especially in the case of regional communities that enjoyed previously far-reaching liberties – are at this point hardly foreseeable.

Yet borders as a linchpin for disputes do not only reappear within bickering state communities but also in more traditional fields of international politics. The involvement of Russia in the Ukraine conflict and the subsequent annexation of the Crimean Peninsula, for example, can be seen as a classical geopolitical form of 'redrawing the border.' This behavior has subsequently caused numerous states to impose multiple rounds of sanctions against Russia to restrain the Kremlin from further escalating the conflict (Bond et al. 2015; Emerson 2014). However, as such punitive measures are set to constrain the movement of selected commodities – be it goods, persons, information, or capital – they are doing nothing else than superimposing additional forms of rebordering.

Similarly, the conflict within the South China Sea region confronts the states of *Association of South East Asian Nations* (ASEAN) with a growing Chinese influence and territorial assertiveness that extends well into the nautical 2-miles zone of other littoral states in the region. With the ASEAN hitherto being unable to implement any kind of successful or concerted measures to counter China's aggressive extension of borders in the South China Sea, the Philippines brought the issue before the *Permanent Court of Arbitration* (CPA) in The Hague, which ruled against China and found that its historical based territorial claims are without legal foundation (Glaser 2012; Graham 2016; W. Johnson 2015).

The last example – even though one probably could continue the list of examples near indefinitely – relates to the recently introduced *General Data Protection Regulation*

(GDPR) of the EU. Primarily set to enforce data protection and privacy rights of individuals within the EU and the *European Economic Area* (EEA), the regulation does, however, under certain circumstances also affect organizations, companies, and individuals outside the EU if they handle data and information relating to individuals within the EU. As a consequence, numerous web-based services used a geo-blocking mechanism to temporarily disable their services to access requests originating from within the EU. Thus relating to a form of (self) restriction based on the potential threat of legal repercussions by EU institutions (Hern 2019). Even though these measures have been used mainly as a transitional tool to fully comply with the new EU measure, it nonetheless is a case of delineation and thus of (re-) introducing (digital) borders.

The examples above serve to highlight two points: *First*, borders as institutions are not necessarily as fixed as is usually perceived. Events – of any kind – can have unforeseeable effects on borders and may be able to profoundly change the bordering process altogether. *Second*, border permeability – that is their function as selective filters – is in a constant flux that largely depends on the international environment and national idiosyncrasies. More often than not these bordering processes are also affected by and through additional actors like international organizations and are based upon specific conceptions about what appropriate behavior might prescribe in a given situation. Thus including a certain normative component. Henceforth, this is called the IGO-norm-border complex.

The goal of this thesis then is to highlight the influence of IGOs on cross-border flows among member states by altering their border configurations through the implementation of (binding) normative agreements. This approach will be illustrated by contrasting bilateral cross-border interactions in two regional settings. For that purpose, the free movement of goods, services, capital, and persons between a set of states will be used as a proxy for the analysis.

The structure of this introductory chapter is as follows: *First*, a brief preface on the issue of borders is provided as a general basis for the following theoretical consideration. *Second*, a summary of the main argument is provided, which will later be elaborated fully in the theoretical chapter. *Third*, the methodological approaches are summarized. *Fourth*, the main findings of this research project are being highlighted. *Finally*, the structure for the following chapters is presented.

1.1 The Issue of Borders

The concept of borders poses a conundrum: In a globalized world with seemingly border-transgressing economies and an almost unhindered flow of information and persons, they have long been perceived as remnants of the past. As relics of a Westphalian state system in which borders and border regimes¹ served the purpose to create and enforce categories and spaces such as territory, region, and nation. Thus constituting a sphere of influence, adherence to certain customs, and the creation of intergroup identification. In this sense,

¹The concepts of regimes, institutions, and, in a broader sense, organizations are overlapping and blurred as they differ mainly in their time-perspective (Krasner 1982). Regimes can be understood as a set of protocols and norms in form of either institutions or institutionalized practices which are publicly enacted and relatively enduring (James and Palan 2007, p. xiv). Border regimes are thus a variation of these general regimes, focusing on a limitation of in- and outflows.

the EU and the free movement of goods, capital, services, and persons² serves partially as an example of how borders seem to be a thing of a bygone area and how to overcome such traditional views of political, economic, and societal enclosure and delineation. On the other hand, borders and border-related issues are still present – as well as sometimes a highly charged issue – as the broached cases above illustrate.

From this set of cursory examples, it becomes clear that borders are not only abstract concepts that merely exist as lines on our maps. They are the sum of social, cultural, and political processes that stretch, overlap, and create new spaces (C. Johnson et al. 2011, p. 61). As such, they represent a complex construct that encompasses the three interwoven dimensions of economy, politics, and society. Borders are shifting, mobile, proliferating, even process-like (Rumford 2014, pp. 15–16), and at the same time diffuse and asymmetrical entities. But what is also entailed in this discussion is a continuous reference to (regional) IGOs as actors who are increasingly taking a stance on border-related issues, their configuration, and the conflicts connected to them. The general *modus operandi* for such IGOs to cope with these issues is the implementation of binding agreements between all affiliated parties that refer to certain standards of appropriate behavior or – in general – a set of behavioral and regulative norms which then governs and regulates border-related interaction principles among the conflicting parties. Anderson and O’Dowd (1999, p. 594) argue in this regard that “[t]erritorial borders both shape and are shaped by what they contain, and what crosses or is prevented from crossing. The ‘container’ and ‘contents’ are mutually formative.” Following the line of this argument logically, the transnational integration and globalized interconnectivity induced by (regional) IGOs then appear as kind of a similar formative process between an overarching container in form of the respective regional organization and the subordinated containers in the form of member-states.

The review of relevant international relations literature has revealed a well-elaborated and matured body of literature on the functioning and relevance of IGOs and the significance that norms have in prescribing expectations of appropriate behavior. However, the analysis of international relations specific literature connected to borders themselves has revealed a considerable lack if it comes to their ontological nature and their functional dependencies (Carter and H. E. Goemans 2018, p. 1). Most of the literature dealing with borders does so – to a greater or lesser extent – based only concerning their location or their relevance from a historic-genetic point of view. This gap then logically extends to the previously opened-up research questions and the connection to the IGO-norm-border complex.

1.2 Relevance

The added value of this research project is twofold. From a public perspective, the phenomenon of borders has been increasing due to aforementioned events like the European Refugee Crisis, Brexit, and the COVID-19 pandemic. This thesis adds to the general discussion on borders and bordering by providing a perspective located mainly within the

²A contested notion as internal and external security of the EU has been reshaped since the early 1990s. Different mechanisms and practices of bordering lead to the ambivalent treatment of intra-EU citizens. As case in point serves the large-scale expulsions of Romanian and Bulgarian Roma from France in 2007 and 2010 (van Baar 2014, p. 88).

realm of international relations studies. This includes an ontological conceptualization but also how intergroup interaction affects them. This will enable the wider public to re-conceptualize their understanding of borders and bordering, as well as to reevaluate the interaction between and among nation-states at the local or regional level on the one hand and regarding international organizations on the other. A quite considerable amount of the conceptions of what a border is, what it means, and how it should be approached stems from this multiscalar interplay. At the individual level, a border is mostly perceived as a given line. Yet such lines can be changed to be more encompassing and eventually to be more permeable. Thus, potentially benefitting a wider set of actors than they were originally conceived. In turn, this then raises the question of who is actually in control of borders and what effect the influence of regional IGOs has on their functioning.

The second form of added value concerns the academic perspective. The thesis sets out to establish a link between the studies of borders, norms, and international organizations. It has been argued that international organizations by distributing binding agreements have a decisive influence on the behavior of states and non-state actors through their capacity as norm entrepreneurs and their expertise on a variety of given topics. Yet this notion is debated and the relevance of norms as vehicles for transporting binding standards to a given community superseded by rational approaches to international relations. Similarly, borders – as noted before – have been absent from most considerations in the international relations literature. However, as the introductory examples have illustrated, there is a recurring connection between the three fields. The exact nature of their relation to each other however is still largely unclear. Therefore, the relevance of this thesis from an academic perspective is to provide not only for an initial ‘marrying’ of these fields but subsequently also provide for additional avenues of research.

1.3 Main Argument

Deriving from the aforementioned literature review, the main argument of this thesis is that regional IGOs indeed have the capacity to normatively influence their member states through their agreements and contracts that relate to the issue of borders and cross-border interaction. These borders themselves have to be understood as a process that depends on predominant normative conceptions within the bordering entities and which are overarched by the regional IGO’s norms. As such, the number of normative provisions targeted at bordering practices of the IGO’s member states should lead to an increase in cross-border interaction. This perspective provides a more dynamic approach to what borders are and how we can make them palpable as the normative link is created through the interplay between IGOs on the one hand and the changing interests of their member states on the other.

However, this normative influence by the regional intergovernmental organizations is assumed to be tempered or even negated by dominant domestic norms that create an unfavorable environment for the regional IGO’s ability to diffuse or even enforce relevant norms. These dominant domestic norms are conceptualized as having an authoritative claim about appropriate behavior for a given state. They are deeply ingrained within the wider public and act together with other norms as a compound norm that are mutu-

ally reinforcing. Thus making it difficult to defy it. These described traits of dominant domestic norms might then lead to forms of norm contestation if the normative provisions regarding prescribed bordering practices clash and therefore turn into re-bordering processes.

Additionally, decisive events or critical junctures might amplify the negative effect such a dominant domestic norm has that stands opposed to the regional IGO. These events – for instance domestic crises or international conflicts – may serve as a pretext for member states to openly challenge the established community rules. It is assumed that the effect of such critical junctures is lessened if the dominant domestic norm is in favor of the regional IGO. Yet opposed dominant domestic norms may also act as a catalyst for norm contestation.

1.4 Methodology

The methodological backdrop for the topic is subdivided into two distinct approaches. In the first step, a quantitative analysis of the normative provisions and their impact on all four cross-border flows is conducted. For this, all the valid normative provisions for the specified time frame are gathered and accumulated. The sources for this are the main IGO agreements and the thereof resulting normative provisions – or subnorms – issued through secondary legislation. This provides for a more concise metric than the usual approach of employing a dichotomous dummy variable. The variable is then used for analyzing the impact of IGO norms on cross-border interaction by specifying a panel gravity model in form of a Pseudo Poisson-Maximum Likelihood regression. This approach has the advantage to be robust for directed dyadic data configurations with zero flow instances. Additional variables related to the gravimetric approach take into account shared currency, language, contiguity, and membership in institutions like the GATT and the WTO.

The second step revolves around a qualitative analysis of selected subcases within each of the regional settings. The goal is to gauge the influence of dominant domestic norms and crises. For this purpose, relevant government declarations and media articles have been systematically analyzed and contextualized to better understand the intentions and directions that decision-makers took concerning the specific bordering process in question. This approach is supplemented by several expert interviews that were set to provide a deeper understanding of the specific subcases in question.

1.5 Main Findings and Contributions

The most decisive finding of this research project is that norms do matter and that normative IGO provisions related to bordering processes have a facilitating effect on cross-border interaction. This finding is valid in the case of regional IGOs issuing a form of regulative norms while possessing the authority to follow up on transposition processes within the member states. If such a pre-condition is lacking, then the efficacy of IGO norms related to bordering is limited and member states are more likely to violate the communal provisions. This is especially the case when IGOs emphasize the usage of more evaluative – thus non-binding – norms, which allows the member states to circumvent

the content without actually violating it. Therefore not only mitigating the provision itself but also hollowing out the authority the regional IGO possesses.

Related is the question about the impact of dominant domestic norms. In both regional cases, instances of norm contestation could be identified. In the case of contesting dominant domestic norms, the gradation of norm contestation is related to the specific form of IGO norms. Provisions with a regulative or law-like approach led only to forms of protracted implementation, whereas those norms that inclined towards a more evaluative form led to outright rejections. In the case of supportive dominant domestic norms, the picture is more mixed. In the subcases with regulative norms, the effect on transposition has been positive while in the subcases with evaluative norms one violation of IGO provisions has been identified even though a supportive dominant domestic norm was present.

This picture solidifies under conditions of crisis. Especially in the case of the weaker and softer organized forms of norm provision, such crises seem to lead more often to norm contestation or even rejection. This also applies to already transposed provisions and several instances could be identified in which a regional crisis provided the backdrop for member states to supersede these provisions through new national laws. Another finding – albeit unintended – is the invigorating influence of crises. In both regions, decisive crises have occurred and in both instances, this caused the member states to focus on stronger and more closely coordinated cooperation through the regional IGO. This also encompassed the creation of a whole new set of bordering-related provisions that were set to facilitate cross-border movement. This finding has been repeatedly confirmed throughout the research.

A more technical contribution in this regard is the provision of a novel dataset that contains a list of disaggregated cross-border interaction-related norms of both the EU and the ASEAN. This is important insofar as the common *modus operandi* employed in previous research on the effect of regional IGOs on a variety of cross-border interactions used a dichotomous dummy variable that related to membership in one of the two above-mentioned IGOs. The new dataset provides a more fine-grained approach to each one of the four freedom areas discussed in this thesis by listing each instance of norms that is related to one of the fields across time. This also includes additional information like the span of validity, treaty and agreement connection, as well as overlap to other norms related to one or more of the four freedom areas. Especially this disaggregation and highlighting of overlaps of specific IGO norms regarding bordering provisions and obligations for the member states provide a novel and useful approach to analyzing the impact of specific norms or norm complexes on specific forms of cross-border interaction that can be utilized for subsequent research. This is especially the case for forms of norm interrelatedness in which specific norms tap into multiple fields of goods, services, persons, or capital flows and thus enabling researchers to assess overlapping effects.

1.6 Structure

The structure of this thesis will be as follows: The *second* chapter discusses the literature on the three fields that form the core of this thesis. To establish a link between these fields of research all of them are introduced separately and their analytical and

theoretical development regarding the previously stated research question will be traced. This includes an in-depth discussion on borders and covers foremost the different steps of border conceptualization in terms of geopolitical approaches, institutional approaches, and procedural approaches.

This broad discussion is then supplemented by a discussion on intergovernmental organizations who – besides states as main border possessing entities – have a key role in the realization of bordering related communal standards of appropriate behavior. The discussion on international organizations, in general, is deemed necessary as their varying task-bound functions create different capabilities in terms of influencing their member states. In this regard, special emphasis will be placed on international organizations as ordering entities that are capable of advancing regional integration by socializing their members. A process that is deemed important to explain the willingness of member states to accept communal debordering processes. However, this is not necessarily a one-way street. More often than not, specific provisions or agendas of regional IGOs are rejected. This will then lead to a discussion of compliance and non-compliance. Nonetheless, IGOs also do possess specific characteristics that are deemed important to fully grasp their scope in terms of border influencing. These include their authority – both in moral and rational-legal terms – their resource control, their pathologies, and their specific organizational culture. Finally, the vast literature on norms is approached. This review is predominantly concerned with norms as a form of linkage between the preceding discussion of borders and IGOs. As such, the section will briefly touch upon the development of norm research in international relations literature and then focus on the issue of norm dynamics in the form of norm contestation and norm conflicts. A more thorough discussion of this issue will then follow in the theory chapter. These three discussions then provide ground for an attempt to amalgamate the concepts of borders and bordering together with those of norms and regional IGOs and to situate this whole complex within the existing canon of international relations theories.

The *third* chapter then draws upon the aforementioned complex and provides a theoretical framework for the analysis with a set of leading questions and corresponding hypotheses. The core of the theoretical chapters elaborates on the interplay between states and IGOs concerning borders understood as normative processes. More specifically, interconnection is established between bordering as a process of sorting through status-functions and IGOs as entities emitting related standards that are subject to normatively charged teleologies, assumptions, and conceptions of the member states. Thereon follows a discussion about the efficacy of bordering related IGO provisions based on the form of issued norms, paired with reflections about the relevance of dominant domestic norms as gatekeepers to norm compliance or facilitators of norm rejections, as well as a discussion about critical junctures that might act as catalysts for specific state behavior.

Subsequently, the *fourth* chapter presents the research design and the methodological approaches taken. As above described, this chapter consists of a quantitative and a qualitative part. In the quantitative part, an approach to quantifying norms is discussed and the method of estimating the norm influence on cross-border interaction is introduced. The specified model employs a gravimetric approach for all four of the research areas of bordering. This chapter also includes considerations concerning the case selection for the

ensuing analysis. More specifically, the littoral EU states of the Baltic Sea Region and those of the ASEAN in the South China Sea Region are used for conducting the research.

The second part of the chapter then begins with the considerations concerning the subcase selection. Not all the member states in the two selected regional settings allow for an in-depth analysis. As such, certain restrictions had to be implemented in the selection process to allow for a high yield of information. Continuing therefrom, the relevant variables for the qualitative analysis are introduced. The dependent variables focus on norm transposition, timeliness of transposition, and norm contestation, whereas the independent variables relate to dominant domestic norms and the critical junctures in the form of crises. Thereon the strategy for creating the corpus material is discussed. Notably how specific government statements and media articles in connection to specific IGO provisions or crises are related to dominant domestic norms. This also takes into account the informational value that expert interviews might yield. Subsequently, the specific approaches for answering the qualitative hypotheses are discussed.

In the *fifth* chapter a discussion of the structure and scope of the EU's and the ASEAN's normative bordering related provisions is being presented as a fundamental precursor for the following analytical chapters. In that, all the respective IGO provisions are being dismantled regarding the free movement areas of goods, services, persons, and capital. This is based on the main agreements and treaties of the IGOs. Thereon follows a discussion as well as the quantification of related subnorms that builds the basis for the quantitative analysis. The main finding in this chapter is the rather heterogeneous distribution of area-specific norms across the two IGOs. Whereas the EU focuses within its regulations mostly on provisions related to the free movement of goods and capital, the EU directives provide the main framework for the free movement of persons and services. The ASEAN on the other hand provides most of its provisions in the areas of free movement of goods and services while the remaining two areas are underrepresented. This 'eye-balling' approach provides already useful information for the subsequent quantitative and qualitative analysis.

Another finding in this is that a specific form of norm interrelatedness seems to be present, especially in the EU directives. This means that quite consistently provisions tap into at least two or more areas of free movement norms. Even though not part of this research this is an intriguing result that could point to a deliberate 'nesting' of provisions to make it more difficult to deviate from them.

The *sixth* chapter then applies the aforementioned quantitative approaches and presents the corresponding results. The analysis reveals a consistently strong impact of EU norms on the cross-border flows for goods, services, and persons within the Baltic Sea Region. The impact on the free movement of capital is not comparable and leads to the conclusion that here the EU norms do not provide enough leverage to increase cross-border investments. In the case of ASEAN norms and their impact on the cross-border flows among the South China Sea states, only the free movement of goods showed the expected results. The results for the other areas of free movement do not correspond with the expectations.

Additional findings indicate for most estimations a non-trend related development as well as a boundedness to previous flows only in the case of free movement of services and persons in the Baltic Sea Region. A lagged variant of EU directives – which have an

implementation window of two years – has been conducted as well, showing a decreasing effect for the two-year lag. Thus indicating immediate effectiveness.

The *seventh* chapter provides the results of the influence of dominant domestic norms on the timeliness and completeness of member state transpositions. For this purpose, a descriptive analysis of the dominant domestic norm in each subcase of the two regions is conducted. As these may change over time, their development is traced and placed in the context of national events or changes in government. This then provides the basis for the analysis of the member state transpositions. More specifically, the thereof resulting national laws will be matched against the content of the underlying IGO provision as well as the timeliness of the transposition process itself. The results indicate that a change in dominant domestic norms resulting in a non-favorable perspective on the regional IGO increases the occurrences of delayed and incomplete transpositions or even non-transpositions. This holds true across the two regions. The reverse perspective – that is a favorable or supportive dominant domestic norm – however only relates in the BSR subcases to a timely and complete transposition. One of the subcases within the SCSR did not provide the expected results.

The *eighth* chapter then places a specific focus on the impact of crises and critical junctures on the adherence of member states to previously transposed IGO provisions related to the four freedoms. For this purpose, two specific instances of crises have been selected for the two subcases in each region. The selection is based on the results of the quantitative analysis as well as on the information that could be gathered through the expert interviews. Here, within a time frame of up to three years after each crisis has set in, all the newly introduced laws of the subcases will be matched against the previously transposed IGO provisions and analyzed to whether these violate standing provisions. This also considers the specific variation of the dominant domestic norm to that point in time. The assumption is that a supportive dominant domestic norm might lead to a more robust adherence to IGO norms under these circumstances, whereas a contesting dominant domestic norm acts as a catalyst for norm rejection. As such, the goal is to find instances in which member states actively and willfully reject already agreed upon provisions and utilize the crisis as a pretext to circumvent disagreeable norms. The findings indicate that in the BSR the two crises fell in a time of supportive dominant domestic norms and no violations could be identified. In the SCSR the assumption only holds true for the contesting variant of the dominant domestic norm, whereas a supportive norm still led to a violation of communal provisions.

Finally, the main findings are summarized and discussed. Thereon follows a general discussion concerning conceptual and methodological issues that might be crucial for subsequent research on this topic. This mainly relates to a more nuanced differentiation of norms in question and how to specifically quantify them in a suitable way that allows for other techniques of analysis to be applied. Finally, the policy dimension will be discussed. Based on the empirical results, it shows that especially regulative norms that stem from binding agreements have a more decisive impact on bordering processes across member states, while more evaluative ones do not necessarily possess that capability. Here, a reconfiguration for IGOs that focus on the latter is advisable. Another relevant issue is that of crises. The analysis has shown that crises may also have a facilitative effect

and thus can be used to introduce new – more binding – norms for the community. This is especially relevant for those IGOs that have regional powers within the neighborhood.

Chapter 2

Literature Review

Deriving from the previously stated epistemological interest of this research project, multiple questions arise. How can regional IGOs change the borders among their member states? Are these norms, that may change borders, uncontested? Are these normative provisions robust *vis-à-vis* formative events like crises or conflicts? Do these events change the perception of these norms and subsequently the borders among member states? What are borders, and how are they connected to regional IGOs and norms?

For establishing a link between these three objects and to identify gaps in the existing body of research, the sections in this chapter will trace the analytical and theoretical development to each of the main research objects. The review of existing literature on this topic follows a layered approach. As borders and bordering constitute the main object of inquiry for this thesis, they form the base layer of this literature review. While the relevant literature is not necessarily considered separately from the other two relevant areas of research, the review is more broadly conceived to provide an in-depth illustration of the research field. The main reason for this approach is that the very nature of borders has been largely neglected in other fields of research, which also includes the field of international studies as a whole. A curious circumstance, as the study of international relations by definition is concerned with border transgressing interaction on various actor levels. Due to that lack of consideration, the respective section will deal more concisely with interdisciplinary approaches to the study of borders and includes a discussion of dominant theoretical approaches. The relevant gap identified relates not so much to empirical approaches – even though multiple avenues for further research exist here as well – but more to the ontological and adjunct theoretical intersections between this topic and the existing international relations canon.

The second layer is created by the review of literature related to (regional) IGOs. The main strands of relevant literature point to their capacities as bureaucratic entities to facilitate cross-border interaction through socialization and the subsequent multilevel integration of member states. These issue areas create a core in what is commonly understood as the regional integration process. In addition, the tools for enforcing compliance are being discussed. Notable research gaps relate mainly to the latter. Of these, one interesting gap is the relevance of bordering-related provisions and their actual effect on cross-border interaction. Another gap relates to the issue of norm conflict between the IGO level and the domestic level. While recent research has taken this issue in terms of populist parties and public antagonism into account, most of the literature reflects on single events but leaves out change over time. This circumstance begs the question of how changed domestic norms might have an impact on the compliance of already agreed upon IGO provisions. Finally, most studies that relate to regional integration and compliance focus nearly exclusively on the EU. Other regional IGOs – while being mentioned – have not been analyzed in a similarly thorough manner.

The final layer is formed by a discussion of norms as vehicles for diffusing standards of appropriate behavior for a given community with a special focus on the interconnection to the previously mentioned IGO influencing capabilities. In connection with the discussion on the cohesion of IGO provisions, the review of the literature on norms will place a focus on the issue of norm dynamics and the related issues of norm conflict and norm contestation that might arise under specific situations of crisis. Notable research gaps

draw on recent research on norm contestation concerning domestic opposition and critical junctures.

Finally, the results of the literature review are summarized and discussed. A special emphasis here will be placed on a discussion of relevant research gaps that relate to the initially postulated research question of this thesis and which will inform the theoretical chapter that follows thereon.

2.1 Contextualizing and Defining Borders

From an academic point of view, borders have been of subsidiary relevance. Not only in the realms of international relations studies but also in disciplines like anthropology, sociology, or geography (C. Johnson et al. 2011, pp. 61–62). Borders have merely been perceived as the “*fixtures and fittings*” of the international system (Williams 2003, p. 27). Yet, aside from their ontological relevance as territorial demarcation, the nature of borders – and especially the political discussion thereof – has changed. Borders are not anymore the product of political processes and statehood in a Westphalian sense.³ Instead, they have become a space of the political and societal itself (Balibar 1998, p. 220). Armin (2004) describes them as open networks or topological spaces of relation which encompass a great variety of implications for the exertion of power and the differentiation between regions and subregions, including societal manifestations such as identity and otherness and the creation of transnational institutional and organizational structures. To ascertain a more coherent picture of the studies of borders in general, the approach to the relevant literature will be more holistic. This is deemed beneficial as it potentially highlights intersections both with the research topic in particular and with the field of international relations studies in general.

2.1.1 Early Border Studies

Early approaches on the research of borders were predominantly concerned with analyzing historical-geographic aspects connected to border locations and the political and socio-historical processes that lead to their formation at the beginning of the 20th century (Ancel 1938, 1940; E. Fischer 1948). Related to the geographical aspect are several models and boundary typologies that take into account the process of demarcation and the relative position of the border to its geographic environment (Boggs 1940; E. Fischer 1948; Kristof 1959). Tracing their origins, these studies came to the fore after major shocks – like in the aftermath of the World War I and II periods – and reflect the reshaping of the European continent, which also had an impact on the colonial territories of European powers (Newman 2006a, p. 174). The main research concepts centered on the evolution of borders and borderlands throughout time, tracing features and forms through the balance of power relations between adjacent states. This led to the understanding of areas of major power influence in a geopolitical sense. A decisive development of this period is the proliferation of the European border concepts as strictly fixed lines to other regions like Africa and Asia (Kolossoff 2005, p. 608).

³This is as key elements of territoriality, sovereignty, and control (C. Johnson et al. 2011, p. 63).

With the beginning of the Cold War period and the concomitant geopolitical deadlock, theoretical advancements in the field were few and far between. Yet this period also led to a vast amount of empirical data concerning the (European) political landscape, which proved to become an important analytical proving ground after the downfall of the Soviet Union and the subsequent – and partial – reconstitution of previous borders and the creation of new ones (Wastl-Walter and Kofler 2000, p. 86). The main focus here lay in the study of transboundary flows of goods, information, and people. Studies recognized borders – as well as different typologies and evolutionary processes of the borderland – and the different flows across them as multidimensional and dynamic social phenomena that lead to interdependence in border regions and a pronounced impact on the socio-political landscape on both sides of the borders (Minghi 1963; Prescott 1965). Some works of this period are important precursors to contemporary research. Richardson (1960, p. 176) for instance discovered a strong relationship between the number of external wars states are engaged in and the number of borders they have. Cobb and Elder (1970) showed that international integration and international interaction are highly related to geographic contiguity. Borders thus play a decisive role in the relationship between states, especially if one considers the interaction between states through their colonial territories.

In the 1970s the political science approach became dominant and the role of borders in international conflicts, territorial changes, and peace-keeping gained attention (Diehl and Goertz 1992). Starr and Most (1976) for instance depict borders as incremental parts of the international system. The structural characteristics and interaction opportunities of this system were analyzed through a more methodologically focused approach, including extensive conceptualization, operationalization, and measurement. This approach is partly based on the one of Richardson, as well as on Cobb and Elder (see Starr 2006, 2009; Starr and G. D. Thomas 2005). However, despite extensive research on borders, their genesis, evolution, and role in conflicts, they were largely still perceived as ‘given’ (Kolossov 2005, p. 609).

During the 1980s and 1990s the discussion shifted its focus from conflicts towards the analysis of transborder regions, their function, and cooperation within them (Church and Reid 1999; Paasi 1986; Perkman and Sum 2002). This is for instance visible the creation of a series of research projects like the *Association of European Border Regions*, the EU funded *EXLINEA* (W. R. Scott and G. F. Davis 2006, p. 5), and the *EUBorderConf* project (Diez et al. 2006) that came to be in the wake of the implementation of the EU transboundary activity regions. The first analyzed cooperation potential within the EU border regions, while both of the latter were concerned with the EU’s role in border conflict regions between Turkey and Greece, Israel and Palestine, Northern Ireland, and Cyprus. The EU also introduced, supported, and financed direct regional programs, with the INTERREG programme being one of the most prominent (Perkman 2003).⁴

⁴See also Wastl-Walter (2000, pp. 93–5) on the aims of the program to further regional economic development and cooperation in several borderland regions of the EU. The program had several stages, beginning in 1989 and with INTERREG IV being in effect from 2007 to 2013 (European Commission 2007). The most recent stage is INTERREG V, which covers regional cooperation between all 28 EU member states from 2014 to 2020 and has a budget of about €10 billion.

2.1.2 The ‘*Borderless World*’ Turn

The turning point for the field that brought renewed attention was – just as for other disciplines and being in line with patterns of early border studies concerning critical junctures – the collapse of the Soviet Union, the subsequent end of the Cold War, and the change from a bipolar to a unipolar international system (Albert 1999, p. 55). Decisive in this regard is the ‘*Borderless World Theory*,’ being advanced by Ohmae (1995, p. 11) and which gave an impulse for a profound discussion on whether the world has or will truly become ‘borderless.’ Ohmae argues that state control of the market – especially if it comes to defending special economic interests – and their economic rigidity leads to inflexibility and inertia in terms of demands and globalized economic development. This process was considered to make the nation-state gradually obsolete as economic ‘*region states*’ would be created (R. N. Cooper 1995). These new entities would then most likely cross former national boundaries and as a consequence lead to an end of the concept of the nation-state itself. This notion also includes the abolishment of jurisdictional boundaries and thus the dissolution of borders and national territory.⁵ As history shows, this did not happen and several scholars (e.g. Diener and Hagen 2009; Konrad 2015; Newman 2006a,b; Paasi 1999, 2011; Simmons 2005) have taken this as a starting point for renewed interest in the concept of borders themselves.

2.1.3 Contemporary Approaches to Borders

The emerging border studies as an interdisciplinary field have “[...] become a major growth industry over the last two decades” (Newman 2006b, p. 144). A development, that is being reflected by an increasing number of interdisciplinary workshops, conferences, and academic publications (*ibid.*, p. 143). The initial question about border theorization, however, ought to be: What exactly is a border? A question that is recurrently brought to the table and proves difficult to be answered (Balibar 2002, p. 75). Deutsch (1969, p. 99) for instance defined borders as “[...] that part of national territory where there is some critical reduction of the frequency of a certain type of transaction.” That such a narrow definition in an increasingly globalized world is difficult to maintain, especially as borders can also be perceived as connectors between multiple sets of actors (A. Cooper and Perkins 2012, p. 59), is reasonable.

To answer the question of what a border actually is, the contemporary discussion of border theories and their different approaches needs to be accounted for. The debate moves – following the renewed momentum in border studies – along the lines of several interdisciplinary approaches, whose theoretical main strands will be outlined in the following subsections. To provide a more nuanced yet coherent reflection of these approaches, each of the following core concepts is introduced and supplemented by different examples.

It should be noted at this point that most of these approaches are not as distinct as the following structure might suggest, as they incorporate similar maxims and modes. Thus creating an analytical borderland of sorts. The order in which the different approaches

⁵To draw lines in connection to the IR field during the same time, the similarity to Fukuyama’s (1992) ‘*The End of History and the Last Man*’ is striking. Not only concerning the title but both works essentially stress a rapid global integration. However, both were subsequently taken over by actual (and counterfactual) developments and have been heavily criticized by the epistemic community.

are presented is based on the degree of the borders ‘fixedness’ and starting with the most rigid in terms of territoriality and border ‘passiveness.’

2.1.3.1 The Geopolitical Approach

After the ‘deterritorialized’ (Scholte 2005) and ‘borderless world’ (Ohmae 1995) impasse, the renewed discussion in border studies employed a rather broad, geocentric, and imprecise definition. Anderson and O’Dowd described them “[...] primarily as external state boundaries” (1999, p. 594) and Baud and van Schendel perceive national borders as “[...] political constructs [and] imagined projections of territorial power” (1997, p. 211). Recent geopolitical studies took into account the proliferation of borders not only at the state level but through all spheres of human interaction as a multiscalar process that extends from the inter-local, the interregional, to the supranational. Thus overcoming the ‘territorial trap’ which accepted a form of unchangeable quality of the territorial state and its borders (Agnew 1994; Parker 2009, p. 586; Starr 2013; Paasi 2014, p. 363). This proliferation of borders is also related to the development in globalization-related flows like information and finances that increasingly transgress national borders and create new border lands across established entities. This relates to supranational organizations but also to transboundary agreements in general.

To a certain extent, this proliferation process is also connected to reterritorialization – the counterpart to the often emphasized deterritorialization – (Brenner 1999; Newman and Sheva 2005, p. 4; Moraczewska 2010, p. 37; Dijstelbloem and Broeders 2015, p. 25), where territory is continually ordered and reordered either along religious or ethnic lines (C. Johnson et al. 2011, p. 62) or no longer bound to the state itself but exceeding it. Thus creating a superordinated border space (Elden 2005, p. 16). The latter can be found for instance in the EU’s formation of ‘soft’ internal and ‘hard’ external borders, including border management and control through agencies such as Frontex. Yet this principle also relates to the creation of border regions within the greater border space. In the case of the EU, an example would be the Danube Euroregion, which spans Romania, Moldova, and Ukraine. It is a non-governmental entity that aims at assisting sustainable development within the region. Similarly, the Visegrád Group acts as a reterritorialized regional agent within the EU that emphasizes a form of kin-state policies (Tóth 2003; Kucharczyk and Mesežnikov 2015). Another example would be the extension of borders through the creation of artificial islands, as currently happening in the South China Sea, through which the adjacent states try to gain access to valuable resources at the sea ground and to extend their territorial control within the region itself.

Concerning sea borders in general, they are a special case of geopolitical bordering. Scrutinizing maritime jurisdiction and sea border security, borders and bordering in this context are mostly discussed in regard to smuggling and illegal immigration (Chambers 2015). In an effort to enforce control and deter illegal immigration, the case of Australia and its maritime security approach – named ‘*Operation Sovereign Borders*’ – illustrates how borderlands increasingly take the form of a security zone far from the mainland and sometimes at the edges of other sovereign states. This example shows how states increasingly create new forms of territoriality – parallel to the reterritorialization process – and try to establish insurmountable borderlands between themselves and others. Despite

the limited scope of the Australian example – due to its isolated location – the general analytical outset might be relevant nonetheless.

Notwithstanding the previous example, some of the current discussions on borders in geopolitics partially deviate from the Westphalian state principle and the supremacy of sovereignty. Sörlin (2013) explores for instance the Nordic-Arctic interconnectedness through a historical narrative of Nordic polar science between 1930 and 1960. Territorial sovereignty is hereby replaced with territorial ‘symbolism,’ as large areas of the Nordic countries are unpopulated and control is difficult to enact (*ibid.*, p. 15).⁶

A form of a subclass to the geopolitical argument is brought forward by critical feminism⁷ that stresses the scalability of the bordering process. The principle is that territory is created – to a certain extent – through bodies (Puar 2007, p. 14; S. Smith et al. 2015, p. 2). Through this, states themselves can be understood as bodies and their relations and interactions with each other in the sense of a community of bodies. However, the analysis is leaving the state arena and turning to the group and individual level and bordering processes between them. Examples would be the shared spaces of doctors and midwives, or between high-income and lower-income housing, being only separated by a street. The analytical approach here is intersectionality, which takes individual traits like skin color, sex, social class, age, etc. into account and combines them into various categories and sets of actors (Childs and Krook 2006; Delgado and Stefancic 2012). This intersectionality of ‘intimate’ geopolitics creates borders and border spaces according to certain individual or cumulated characteristics. The understanding is that (social) elites perpetually recreate borders within societies in everyday life – such as not being applicable for renting a flat due to skin color and sex – that eventually lead to norms of exclusion of minorities or the creation of stigmatized groups (Few-Demo 2014; S. Smith et al. 2015). Critical in this consideration is not so much the sociological turn in geopolitics itself and the embeddedness of bordering in social processes but the concept of intersectionality as an analytical instrument and the (cumulated) categorization it suggests. For every possible case, new category clusters can be employed that would lead to inflated constructs, whose comparability to other cases might be severely limited.

The Ecopolitical approach⁸ to borders is another variation or subclass of the geopolitical approach and has gained new momentum in contemporary times due to climate change and the endangerment of a range of species and natural heritages. The main focus lies on the relationship between natural borders and political ones and relates to the function of these borders as an integrated system, including the transboundary management of socio-environmental systems (Alper and Salazar 2005; Dedina 1995; Kliot 2005; Kolossov 2005; Quintana et al. 2015; Ramutsindela and Noe 2015). This includes the creation of borderscapes⁹ across states or regions along the lines of specific ecological constructs through a coalition of environmentalist NGOs (Alper and Salazar 2005) or the scale at which ecological problems should be considered (Ramutsindela and Noe 2015).

⁶Sörlin’s research focuses on the Nordic-Russian relations in the Arctic itself and in terms of Soviet-Norwegian transboundary research cooperations during the Cold War. Similar discussions that focus on the Arctic as a borderspace *sui generis* are advanced by Lajus (2013) and Bones (2013).

⁷Current critical feminism is not limited to women *per se* but includes every group deemed as potentially unequally treated minority.

⁸Sometimes also described as the biopolitical approach, see Vaughan-Williams (2015, pp. 6–7).

⁹A neologism combining the natural features of landscapes and the effect a specific border has on this ‘scenery’ (Brambilla 2015).

Here, scalability is crucial, as environmental markers are set alongside state markers, to enhance the perception of unique borderlands that can exist either at a subnational or trans-regional level.

2.1.3.2 The Institutional Approach

The institutional approach generally focuses on borders in the form of international or institutionalized agreements, treaties, or regulations related to the ordering principle of borders. This takes into account the function of borders in a certain context but can also be understood in the form of physical institutions that intervene in a border restructuring and altering manner (Albert et al. 2001; Armin 2004; A. Cooper and Perkins 2012; Doherty and T. Doyle 2006; Mezzadra and Neilson 2013; Paasi 1986, 2011).¹⁰

Wastl-Walter and Kofler (2000, p. 85) illustrate these processes and their impact on border regions through the example of European organizations in general and the influence of the EU on integration and expansion processes in particular. Apart from the EU and its predecessor organizations, there is a relatively long tradition of cross-border cooperation that gradually intensified and formed into institutions. One of the first such cooperations was the Euroregion between Germany and the Netherlands in 1958, intending to gain mutual support in solving technical problems.¹¹ The concerted approach extended to cooperation between communal and regional authorities regarding social, economic, infrastructural, and cultural issues (*ibid.*, p. 89). The project was regularly renewed and comprises – in addition to the initial areas of cooperation – initiatives on tourism, education, and energy cooperation (European Union 2012). The same pattern of cross-border cooperation is also applied to other regions within the EU and includes projects like police cooperation and criminal investigation in the Meuse-Rhine Euroregion (Peters et al. 2016); the battling of unemployment and the protection of natural reserves in the Euroregion Pomerania (Malkowska 2016); or even transcending the inner EU cooperation by creating a cooperative framework with Russia in the case of the Baltic Euroregion (Zieliński 2012; Vinokurov and Libman 2012). The goal all these Euroregions have in common is to counter the problems of border-related regional underdevelopment and to mitigate regional disparities (formal and mental) by creating mutual benefits for the participating states, regions, or communities (Medve-Bálint 2013, p. 145). In this sense, the border works more in a connecting than in an excluding manner. The same approach exists for the EU Marco-Regions, albeit their number is considerably lower – only 4 – than that of the Euroregions, and it has a stronger emphasis on state-level cooperation (Dubois et al. 2009; Schymik 2011; Medeiros 2013).

Regarding the general institutional approach towards borders, a similar analytical cord is strung by Simmons (2005, pp. 824–7), who conceptualizes international borders – based upon the definition of institutions by North (1981) – as “[...] sets of rules, compliance procedures, and moral and ethical behavioral norms designed to constrain behavior.” International agreements thus represent jurisdictional rules between states, analogous to constitutional rules within the states themselves or intrastate borders. Here, the ordering principle of an international border is decisive, as its scope does not only cover

¹⁰Including organized entities with an inherent border-related function like border check-points. The question here is if an ‘unmanned’ checkpoint counts as much as a manned one and if then the ordering principle of this institution can be upheld or not.

¹¹Today there are approximately 80 Euroregions that all have a distinct focus and approach to cooperation and sometimes even overlap with other Euroregions.

security and resources, but also transnational economic and societal relations. Simmons illustrates this approach by setting contested territorial borders in context with private economic agents (Simmons 2005, p. 828). If the border is contested, these businesses are prone to abrupt changes in the political behavior of the adjacent states. Thus making the economic settlement questionable in the first place. Following this line of thought further, such conditions might lead to an impoverishment of the whole border region as border institutions become instrumentalized if no solution at the government level can be found on how to deal with the contested territory. Thus preventing the settlement of any meaningful economy on both sides (*ibid.*, p. 830). Similarly, on the intrastate level, institutional intersection is relevant for studies of political behavior (Tam Cho and Nicley 2008, pp. 805–6). Borders represent political-jurisdictional and even cultural delimitations, which reproduce and enforce an identity distinction between outsiders and insiders (Zhurzhenko 2011, p. 75). They thereby structure what they contain and thus create spaces of exclusion and inclusion, restriction and access (Tam Cho and Nicley 2008, p. 805; Paasi 2014, p. 386).

Elaborating further on Simmons' approach, Carter and Goemans (2011, p. 276) highlight the coordinating function of borders and stress that not all border institutions share the same values. This largely depends on the kind of border formation and location, which relates to their coordinating effectiveness. Taking up the role of borders in territorial conflict situations, they argue that the likelihood of conflict is decreased if a new border is drawn along previously existing administrative divides, thus actually building atop previously institutionalized configurations. Similarly, the effect of such institutions on international trade along old and new administrative lines has been investigated, resulting in strong evidence for a heightened cross-border interaction if such borders follow former administrative frontiers (Carter and H. E. Goemans 2018).

Related to cross-border migration control, Müller (2013, p. 353; 2014) argues that “[...] borders [can be] more adequately understood as institutionalised rules about the spatial separation of the exercise of authority.” Deriving from this perspective, Müller proposes three approaches regarding the studies of borders. *First*, to distinguish borders in general and to analyze them regarding their specific functions. *Second*, to analyze how borders are instrumentalized by social and political agents to further or realize their interests.¹² *Finally*, to analyze globalization processes and regional integration, which might influence perception – and thus cause changes – in the border functioning.

The analysis of borders as institutions is not necessarily fixed to (adjacent) states but can also be considered in terms of other actor constellations and thus exceed the territorial-spatial dimension.¹³ Linked to migration control, Gamlen (2014) analyzes the influence diaspora institutions as NGOs might have on state action. Diaspora communities are increasingly perceived as “[...] formal state offices dedicated to emigrants and their descendants” (*ibid.*, p. 182). In this function, they are influential factors in advocating state policies across borders and blurring the line between domestic policies and international relations. They increasingly act as supportive and coordinating agents for the home state through the diaspora community. In this sense, they are borders

¹²A notion that quite closely relates to the critical feminist geopolitical approach of intersectionality by Smith et al. (2015).

¹³Other examples that exceed the limitations of the physical space include supraterritorial constructs like the internet or the global financial system (Williams 2006, p. 2).

themselves but simultaneously form a bridge across remote borders. To a certain extent, the same principle can be transposed to religious institutions and any kind of advocacy group as well.

2.1.3.3 The Procedural Approach

With the growing influence of other disciplines like anthropology and ethnography on border studies (Albert 1999, p. 63), the discussion turned towards borders as permeable asymmetric membranes (Bauder 2015; A. Cooper and Perkins 2012; Hedetoft 2003; Rumford 2014), and thus overcoming the perception of borders as bivariate static entities, that merely keep things in or out. As such, they represent a complex construct that encompasses the three interwoven dimensions of economy, politics, and society. These notions also lead to the understanding of borders as processes (Newman 2006b, pp. 148–150; Amilhat Szary and Giraut 2015; Dijstelbloem and Broeders 2015). These include shifting, mobile, and proliferating borders (Konrad 2015; Rumford 2014). They are also not necessarily fixed to a certain level of interaction. Understood as multiscalar processes, they affect actors from the individual to the global level and are in turn affected across all levels of interaction.

In this course, Balibar (2002, p. 76) points out the ‘polysemy’ and ‘heterogeneity’ of borders, stating that their “[...] multiplicity, their hypothetical and fictive nature ... [does] ... not make them any less real.” They, therefore, apply to different social groups as well and influence their perception of borders (Mezzadra and Neilson 2013, p. 4). Thus, “bordering” emphasizes the process as “[...] a form of sorting through the imposition of status-functions on people and things, which alters the perception of that thing by setting it within a web of normative claims, teleologies and assumptions” (A. Cooper and Perkins 2012, p. 57). Deriving thereof, normative claims about the nature of a person or commodity alter how institutions perceive them and thus influence their status *vis-à-vis* the bordering process. In extension, this concept also allows perceiving borders or bordering as connecting processes, rather than as purely delineating.

Another process-oriented approach is taken by Bigo (2001, Bigo and Walker 2007), who conceptualizes borders in the form of a ‘Möbius Ribbon,’ where the perception of what is inside and what outside depends on (varying) normative perspectives and allows for extensive differentiation regarding border configurations. The merit of this approach is – by understanding borders as gradually shifting processes of varied permeability – that the configuration output has two hypothetical extreme forms: A permeable and a non-permeable configuration, and a gradually shifting spectrum of semi-permeable configurations in between. Thus allowing for a fine-grained distinction between different borders that would not fit into just one category.

The process-oriented approach also relates to borders in motion, which encompasses certain elements of the geopolitical approach like proliferation and multiscalearity of borders. Here borders themselves are not only moving objects, but also related to processes like negotiation, transaction, and interaction (Konrad 2015, p. 11). These mobile borders extend the perception of borders and loosen their territorial fixedness. The underlying principle is that only movement – in terms of people, goods, and ideas – from and to a certain geographic location give borders their symbolic quality and only through this a specific location, including its borders, is created. With the increase of global movement,

these inside-outside construct is increasingly blurred and thus creates a mobile space (Walther and Retailé 2015, p. 192). This is also noted by Amhilat Szary and Giraut (2015). The spatial turn of borders is connected with a more in-depth argumentation about de- and rebordering processes, including the consideration of borders in spatial, political, demographic, and cultural dimensions as a holistic societal phenomenon. Borderity in this context refers to the “[...] *governmentality of territorial limits, [...]*”¹⁴ which describes any technology of spatial or socio-spatial division (ibid., p. 8). A recent addition to the topic has been made by Simmons and Goemans (2021), who argue that the current crisis of the international order is based – at least in parts – on a gradually escalating conflict between the older sovereign territorial order and the expanding liberal international order. Even though their focus rests mainly on an institutional perception of borders regarding migration, the underlying phenomena described is that of a re-bordering process. This critique notwithstanding, the main contribution to this matter is the emphasis on IGOs as a manifestation of the liberal order. Thus, a connection between borders and bordering and the relevance of international organizations can be established.

2.1.4 Section Summary

Concluding the section on borders, it becomes apparent that borders as research objects have gained a rather great deal of attention throughout the last decades in a variety of manners. Most commonly, these perceptions circulate around security-related issues like migration, terrorism, or economic interaction of which most are worked out through case studies. However, a larger trend is discernible, moving from a ‘thin’ description in the sense of jurisdictions and geopolitical interest connected to borders to a ‘thick’ understanding in terms of institutions and reciprocal interconnectedness (Longo 2017, p. 24). Concerning the research interest, the procedural border perception and the emphasis on norms as prime mover – borrowing from the ‘thin’ and ‘thick’ analogy one could call this the ‘permeating’ notion – might be crucial in understanding change in border configurations in general and concerning competing actors in particular. As such borders are prone to shifting webs of meaning, interpretation, and instrumentalization. Theoretically, the discussion of Bigo’s (Bigo 2001, Bigo and Walker 2007) *Möbius Ribbon* and Cooper and Perkins’ (2012, p. 57) notion of variable status-functions provide ground for different functional and perceptual border configurations that implicate a versatile set of bordering characteristics. Finally, the relevance of shocks – as illustrated by the approach of earlier border studies – should be kept in focus as these decisive events or critical junctures seem to have an impact on forms of bordering and shape the discussion about them.

¹⁴Referring at this point to Foucault’s governmentality theory as the basis for their concept of borderity (Foucault 2004).

2.2 The Relevance of Regional Intergovernmental Organizations

This section specifically deals with the role of regional IGOs in terms of bridging entities that are mandated – to a more or lesser extent – to create a favorable environment for their member states to interact and to deal with common issues. Deriving from the previously postulated research interest, the main focus of the literature review on IGOs centers around their capacities to create and to diffuse standards of appropriate behavior for a given community that affect the bordering process between their member states and how processes of socialization and integration lead to an increase of cross-border interaction. An additional emphasis is being placed on the issue of compliance.

Turning to contemporary research on (regional) IGOs, a definitional limitation is necessary. IGOs are here understood as entities created with a common goal by at least three or more states through formal agreements like treaties, statutes, or charters. Their realm of activity includes at least their member states, they have headquarters, a secretary, and a budget provided by their members (Karns et al. 2015, p. 12). Regional IGOs represent a subtype of IGOs, in general, that is characterized by their exclusive regional membership (*ibid.*, pp. 161–162). However, this does not imply that the scope of such regional IGOs is limited to the region itself. Especially the example of the EU shows that such organizations have agendas that not only include adjacent regions but also extend to the whole realm of international politics. In turn, this also means that regional IGOs are themselves affected by global processes and have to continuously adapt to new situations.

The Stanford School around John Meyer discusses the increasing importance of IOs as order-instigating entities (Meyer 2005; Meyer et al. 1997). In that, the rise of IOs is portrayed as a modern myth that partially substitutes national states and corresponding societies.

”What has changed is the nature of sovereignty: the modern organization is an actor, not an instrument. [...] True, it has external owners, stakeholders, and the like, who have partial sovereignty, and to whom the organization is accountable. But the organization itself is the accountable, responsible, and authoritative decision-maker” (Drori et al. 2006, pp. 39–40).

A key focus is placed upon the capacity of modern organizations to change and expand independently of their member states. Most prevalent approaches argue that this form of independent change is in reaction to uncertainties related to functional or task-specific questions. Also, particular social conditions – for instance a broader popular attentiveness to issue areas like poverty, human rights, or climate change – may force organizations to change. Drori et al. (*ibid.*) perceive this form of isomorphism mainly as an abstract reaction in response to a change in prevalent norms and values in core member states. Connected to this is the concept of grown social authority that needs to react to changing ideas and demands of globalization:

”In summary, modern conceptions of markets and social action, as organized on a global scale, have produced the rapid and worldwide diffusion of formal

organization. Activity is seen in terms of very general norms, and the traditional buffering provided by (national) states and other institutions is weakened. There are now global prescriptions on a great variety of issues, from how to structure and manage a national economy to what to teach school-age children, and how to define a family. The global system is a rationalistic one and formalized organization is the standard response” (ibid., p. 41).

This *World Polity* approach highlights international organizations as producers of regulations with regional and national relevance but also emphasizes their capacity to produce world-spanning regulatory models of international politics (Boli and G. M. Thomas 1999; Meyer 2005; Meyer et al. 1997).

However, the perspective of the Stanford School described above is not necessarily undisputed. An alternative perspective is advanced by the Scandinavian branch of organization studies in regard to a globalized world order (Ahrne, Brunsson, and Kerwer 2016; Ahrne, Brunsson, and Tamm Hallström 2007, 2009; Boström and Garsten 2008; Brunsson and Jacobsson 2000). While agreeing that organizations contribute to international politics, they differ in the sense that IGOs are not only agents of international rationalization processes with a predominant western liberal influx but – according to the paradigm – through their actor capacity, they are able and willing to introduce new standards for their respective communities. The guaranteed success in this endeavor – as postulated by the Stanford School – is rejected as success in introducing new standards is never guaranteed or normative, but always precarious. Most notably, success depends among others on the ability to claim adequate legitimacy, which in turn is a fundamental precondition to being perceived as an authority (Dingwerth and Pattberg 2009, pp. 20–21).

The general contemporary theoretical research on organizations can be divided into three main strands that overlap at certain points (*ibid.*). *First*, research on structures and processes within organizations – or the ‘*Internal Perspective*’ – relates quite well to the bureaucratic approach of Barnett and Finnemore (1999) and emphasizes the role of the administrative staff as the core structure that enables organizations to behave like independent actors with a decisive influence on politically relevant decisions. Closely linked to this phenomenon is the capacity to define and spread central normative concepts like ‘development’ or to exert influence on the creation of international agreements and the participating states. A caveat in this regard is the reduction of an organization to its bureaucratic level and the neglect of the influence of other actors, as the organization itself is situated within a complex environment of actors with diverging interests. Here, the organization’s members’ behavior is increasingly deemed to be a crucial influence, especially if the organization acts as a meta-organization, comprising several other organizations (Ahrne, Brunsson, and Tamm Hallström 2007, p. 623; Ahrne, Brunsson, and Kerwer 2016; Ahrne, Brunsson, and Tamm Hallström 2009). For this strand of research especially the institutional approach to borders comes to mind as mainly structures and processes of institutionalization stand in the focus.

Second, the interaction amongst organizations – with their increasing proliferation – has become a crucial research topic (Biermann 2008, 2011; Jönsson 1986; Koops 2013). The starting point here is the autonomous character of organizations and their increasing

set of tasks, contrasted to a limited pool of actual capabilities that is based upon the original organization design. In order to overcome this functional lack and to still fulfill their agendas, organizations started to interact with other organizations that might provide the necessary means. As such, research started to focus on the “[...] *links, relationships and modes of interaction between [...] international organizations*” (Koops 2013, p. 72). These interorganizational relations are based upon a dyadic understanding of relations between two organizations and reflect the turn from a ‘closed-system’ towards an ‘open-system’ perspective, which takes into account the external environment of an organization and the necessity to interact with it (Jönsson 2016). These networked relations are in most cases intended and directed, and thus describe a purposefully structured relation over a certain period. The relational links between the organizations are of formal or informal nature. Formal relates to an institutionalized relation through joint declarations or by the creation of a coordinating committee. Informal relations might occur due to staff interaction or through ad-hoc cooperation that is limited in time and scope (Koops 2013, p. 72).

A spatial research continuation of these network relations is the regionalization of IGO-networks (Gomez and Parigi 2015). Here, the argument is that while internationally oriented organizations try to create relationships across communities, regional IGO networks are fracturing world polity – therefore reintroducing forms of borders – as the underlying network of states within regional IGOs is based upon a geographical selection process. Beckfield (2008, 2010) notes that this fracturing is in part due to the emergence of global organizations like the UN, IMF, and World Bank. These organizations create relations primarily with other organizations, like regional IGOs. The problem is, that these regional IGOs only create relational links to a selected and regionally enclosed group of states, which then causes the aforementioned regional fragmentation (Gomez and Parigi 2015, p. 193). Again, here an overlap to the institutional approach to border studies can be discerned due to the focus on organizations as institutions. However, the interaction level and the mutual dependency of IGOs on specific commodities to fulfill their obligations can also be seen through the lens of the procedural approach to border studies due to the variability in the perception of what potential cooperation partners are suitable and what specific resources are needed. This then provides for a dynamic perception of bordering between IGOs in a network.

Finally, the role of organizations in regard to creating global order closely relates to organizational scope and authority. Due to an increase in resource availability and temporal continuity they have a mounting influence on their member states and their behavior. An especially important point here is their role as norm entrepreneurs and the enforcement of norms like democracy, human rights, or environmental standards (Donno 2010; Epstein 2012). Even though most organizations lack thorough means to sanction misbehavior, they provide and use means of monitoring by revealing and publicizing information on member states that are reluctant to comply with standards of behavior. Thus creating pressure through member states that do comply. However, Donno (2010) shows that this process is not straightforward and does also depend on the geopolitical importance of any given state that refuses to comply, which might limit the organization’s

willingness to enforce its norms.¹⁵ Tied to the normative capability of organizations is also their ability to encourage or block cross-border knowledge transfer and innovation (Jandhyala and Phene 2015). The crucial point is the organization's ability to facilitate regulatory support and to create reliable communication and exchange channels across borders, or if they block these exchanges due to the development of different expectations, rules, and standards. The latter indicates the creation of normative incompatible sub-systems across states or regions and ties onto the aforementioned regional fracturing (Gomez and Parigi 2015).

Related research increasingly points to organizations as being increasingly perceived as mediators in international disputes (Donno et al. 2015; Lundgren 2017; McLaughlin Mitchell 2014). Due to the incorporation of peaceful conflict management in their charters, many organizations created mechanisms to step in if bilateral negotiations might fail.¹⁶ Organizations also have the advantage of their assumed moral neutrality, which makes them suitable mediators between warring actors. Especially organizations with a higher degree of institutionalization (like the EU) have more resources available to invest in a peaceful settling of conflict (Barnett and Finnemore 2004, p. 24; McLaughlin Mitchell 2014, p. 194). Lundgren (2017) also argues that the ability of IGO to credibly signal commitment to a specific action *ex ante*, leads to a modification of the mediation process even before any actual commitment has been implemented. However, the problem of differentiation between mediation among member states or outside states appears, as the organization's incentives to solve the conflict might differ and thus creates a bias in favor of their own member states (Savun 2008).

Connected to that is the understanding of organizations as actors in world politics as provided by Ahrne et al. (2016), who argue that organizations can be more completely comprehended as meta-organizations with states as organized entities as their members. This perception contains the paradox of autonomous actors, consisting of other autonomous actors, which entails certain functionalist and actorhood peculiarities for meta-organization *vis-à-vis* the role and sovereignty of member states that relate to specific strengths and weaknesses (*ibid.*, p. 7). Weaknesses include for instance problems with decision-making and the implementation of reforms. Decision-making is commonly understood as a consequence of organizational authority that is inherited by its member states. Ahrne et al. (*ibid.*, pp. 9–10) suggest that a delegation process with great leeway in meta-organizations is rather difficult as it would entail a loss of authority – and thus autonomy – for the member organizations. Thus, powerful meta-organizations (including the secretaries) are more of an exception to the rule and the delegated mandates are rather strictly circumscribed. Therefore, denying too excessive interpretation. Closely related is the problem of reforms. Especially larger organizations are in constant demand for reforms but rather often fail in their implementation. Meta-organization theory argues that even if organizations succeed in this regard, criticism of member organizations will prevail and be the cause of new reformation attempts. The underlying root of this pe-

¹⁵A contemporary example is the role of Turkey in the Syrian refugee crisis. Turkey is repeatedly accused of violating basic democratic principles (e.g. the immunity suspension of pro-Kurdish members of the Turkish parliament (Yeginsu 2016)), which caused indignation among the European states. But the role of Turkey as a 'gatekeeper' to Europe in the course of the Syrian refugee crisis prevents the EU from taking more drastic measures to reign in Turkish behavior.

¹⁶An example is the *United Nations Law of the Sea Conventions* (UNCLOS) that codifies procedures for conciliation or renditions between parties under Article 287 (United Nations 1982, p. 129).

cular situation is the ‘situatedness’ of organizations between external demands of strong actorhood and internal demands to keep the meta-organization from growing too strong, which in turn might threaten the authority and autonomy of the member-organizations. Despite these weaknesses, meta-organizations have several strengths, of which the transformation of members might be among the most important. The argument here is that due to the prolonged existence of meta-organizations – and despite lengthy processes of decision-making – a successive adding and sedimentation of agreements takes place. This does not only lead to a more ‘organized’ organization itself but makes it more difficult for member organizations to contest long-standing agreements or rules. In addition, there is a process of mutual adaptation through learning. The meta-organization acts as a social forum in which representatives of member-organizations engage. These representatives thus learn how to influence the meta-organization’s decision-making from others, but also how to best comply and implement binding decisions (Ahrne, Brunsson, and Kerwer 2016, pp. 17–18).

The role of international organizations in creating global order while also managing the interaction principles for and among their member states (or organizations) lends itself predominantly to the procedural approach to borders. Through the ordering principle of organizations on a global scale, the different bordering practices between members and other organizations are being approached and potentially altered. Especially the capacity of IGOs to engage in integrative measures and their ability to socialize their members through the advancement of what is deemed good policy is therein a crucial point as it would potentially affect the perception of the relevant status functions dominant in the member states.

2.2.1 Socialization

Turning to one of the main capacities that have been identified through the previous sighting of contemporary literature is the ability of IGOs to ‘socialize’ their member states in a way that provides increased leverage for the IGO *vis-à-vis* its member states. Regional IGOs like the EU, ASEAN, or African Union with a broad spectrum of functional tools engage in manifold problems that confront their member states, as they can bundle the provision of public goods for a given interacting set of states (Acharya 2007; Checkel 2005; Engert 2010). However, this is a rather functionalist perspective on institutionalized state interaction and follows more of a cost/benefit rationale. Taking into account a communitarian perspective as used by Deutsch (1957), a more profound basis of interaction is enabled through high levels of trust. From this perspective, an IGO is not only the expression of shared purposes between member states but also serves as an expression of shared normative values and therefore has the capabilities to influence state behavior more decisively through the implementation of provisions that represent ‘good policy.’ In this sense, IGOs are facilitating states’ reciprocal strategies and mitigating uncertainty, while raising credibility costs of noncompliance and thus countering distrust (Baccini and Kim 2012). Put another way, “[...] *[s]ocialization is thus the dominant mechanism of a norm cascade - the mechanism through which leaders persuade others to adhere*” (Finnemore and Sikkink 1998, pp. 902–5). In that sense, states comply with this socialization as it relates to their identities as members of a regional community.

The identity is then shaped by the cultural-institutional context or environment through which said states act. This environment – assuming a set of like-minded members – then creates a motivational force in form of peer pressure through which a convergence or isomorphism of states and societies ensues. This then leads to what Finnemore and Sikkink call a “*strategic social construction*” (*ibid.*, p. 910). Additionally, Barnett and Finnemore (1999, 2004) have pointed out that IGOs possess bureaucratic qualities if more authority is delegated to them. Due to the reoccurrence of issues and problems that affect several states simultaneously, borders between states are regularly ‘pierced’ by IGOs. They seek to implement measures that affect all member states equally. An approach that is deemed beneficial as a compartmentalized issuing of member state-specific provisions would lead in the long term to an increasing fracturing between the members and thus to a contradiction of the IGO’s general purpose. Therefore, the bureaucratic approach to member state coordination is in itself a tool of socialization and has implications concerning state sovereignty and the perceived relation between agent and principle (Drori et al. 2006; Hawkins et al. 2006).

The concepts of heterogeneity and homogeneity in this case specifically refer to political regime similarity in the context of shared values and the normative principles of democratic regimes. Boehmer and Nordstrom (2008, p. 284) speak in this regard of a preference homogeneity that itself shapes the institutional structure of IGOs. Reversing the argument, the normative output of these structures is more applicable across a community that has similar preferences. Hawkins et al. (2006) already indicated this process by assuming that the degree of delegated authority to agents (IGOs) from their principals (states) is connected to the potentially gained benefits and – coming back to the homogeneity/heterogeneity assumption – their preference heterogeneity. In other words, the higher the benefits and the more similar the preferences, the more authority is delegated. Thus, it is assumed that other forms of intra-group regime homogeneity/heterogeneity do not lead to similar norm acceptance processes and thus hamper intra-communal socialization which is a cornerstone of an IGO’s norm diffusion capacity.

The assumption of this form of interaction rests mainly on the normative logic of democracies having shared inherent equal moral values that provide the foundation for cooperative processes¹⁷ (Elman 1997, pp. 11–12; Warren 2008, pp. 384–385). Logically following this line of thought, such a process would lead to a mutual debordering among states with similar forms of government, if the set of shared values, norms, and moral principles remains stable over time or converges. An assumption that is in part reflected by the Democratic Peace Theory¹⁸ (M. W. Doyle 1983, 2005) and the Democratic Trade Hypothesis¹⁹ (Duc et al. 2004; Erikson et al. 2009).

¹⁷If and how other governmental forms interact due to similarity is questionable. A mutual debordering process between autocratic or authoritarian systems seems unlikely as their principle domestic goal and *modus operandi* relate to the lasting power solidification of the ruling elite. Cooperation might be used for a (mutual) consolidation of power but any form of debordering would thus inevitably lead to a situation of power transition or sharing that is inherently antagonistic to the aforementioned goal (Mattes and Rodríguez 2014).

¹⁸Here especially the dyadic and systemic variations of the theory would apply (Huntley 1996; Rasler and Thompson 2005, p. 32).

¹⁹The *Democratic Trade Hypothesis* is related to the *Democratic Peace Theory* and suggests that the nature of political regimes – in this case democracies – influences bilateral trade. Democracies thus trade more between each other than other forms of government or mixed (democratic/non-democratic) dyads (Duc et al. 2004, p. 8).

This form of IGO induced ‘learning’ and the formation of a homogeneous state basis, however, may veer into vehement and pervasive socialization attempts. A situation that might cause not intended reactions by member states and provoke opposed reactions, leading to a ‘failed norm change’ (Bailey 2008). An illustrative example in this regard is how the EU, the *European Central Bank* (ECB), and the IMF focused on the implementation of austerity measures in the Greek debt crisis, which followed the international financial crisis of 2007 and 2008. With the measures of the Troika creating growing frustration in the Greek society, the public elected a government that repeatedly rejected plans of the Troika to implement even harsher measures, as these would have assumedly crippled the Greek economy due to missing investments in the long run. As such, IGOs may easily come into conflict with the norm of national self-determination of states (Ahrne, Brunsson, and Kerwer 2016).

2.2.2 Integration

Analog to the described socialization processes, the limited spatial setting and field of operation of regional IGOs have certain implications for promoting cross-border interaction. One of the key aspects is their inward focus. IGOs in general are infused by their founding states with certain sets of capabilities and resources to fulfill given tasks (Pfeffer and Salancik 2003). Regionally focused IGOs use these means to create widely beneficial conditions primarily for their member states. This does not only include the dimension of economic relations but also that of security considerations, political unity, and increasingly social and cultural elements. By focusing on the internal community of member states, new borders are recreated at the periphery, leading to sharp delineations between ‘we’ and ‘them.’²⁰ Gomez and Parigi (2015) speak to this extent of fracturing of world polity. Whereas global IGOs focus on creating relationships across different communities, regional IGOs develop centrifugal forces as they are selective with whom to cooperate on which terms and which countries might become members (Beckfield 2008, 2010).

As such, integration theory assumes that regional IGOs are protective when it comes to their members and might be more concerned with fostering and accommodating internal liberalization than facilitating the same for external actors. In the same line falls the creation of customs unions or visa-free traveling zones like the Schengen Area. They are beneficial constructs for IGOs and their member states as they not only create an inner space for unhindered flows but also possess an outward-directed protective function (Schneider 2017). This form of encapsulation affects how other actors – both states and IGOs – can normatively influence the member states of the regional IGO, which acts not only as a filter but also tries to diffuse its own standards of appropriate behavior and means of conducting trade. This form of internationalized government of borders thus leads to a form of ‘gated globalization’ or ‘gated communities’ (Cunningham 2001, p. 382, 2004, p. 346; Andrijasevic and Walters 2010, p. 979).

Acharya coins in this regard ‘norm subsidiarity.’ A process “[...] whereby local actors develop new rules, offer new understandings of global rules or reaffirm global rules in the regional context.” This procedure is used to adapt and alter global norms in accordance

²⁰An exemption may be the free movement of capital in form of FDIs. Several treaties that have been analyzed for this research point to a resolute inclusion of extra-organizational state actors.

with the regional framework to make them consistent with the regional IGO's normative intergroup perceptions. In extension, this can be understood as a bottom-up process of norm creation and diffusion, in which especially non-western state communities can challenge global normative processes (Acharya 2011).

In addition, integration theory is increasingly addressing the issue of crises – as a form of critical junctures – in regard to the foundational principles regional IGOs are built upon. Schimmelfennig (2018) conceptualizes them as “[...] *open decisions-making situations* [...]” that indicate a period of communitarian non-functionality that poses a palpable threat of disintegration. In analyzing the Euro and Syrian Refugee Crisis he finds that the effects or severity to a regional community through exogenous shocks can be attributed to variations in intra-communal interdependence and IGO capacity. The Euro crisis thus has led to deepened integration, whereas the Refugee Crisis led to the contrary. Despite these findings, the underlying causal mechanisms are not fully unraveled. As such, it is not clear how endogenous shocks may contribute to similar findings and how comparable the impact on other policy areas might be, or what role the member states played during these periods.

2.2.3 Compliance

The aforementioned relevance of critical junctures also leads to the question of how far member states are willing – and capable for that matter – to comply with already established IGO provisions. Compliance research in general focuses on the question of how and to what extent the IGO provisions are translated into national law and adhered to. In essence, this research field is concerned with the question of how rather abstract forms of intergovernmental and supranational propositions are translated into policies in action (Adcock and Collier 2001). Albeit excessively entwined with the issue of norms acceptance and contestation – which will be discussed in greater detail in the next section – the research agenda needs to be addressed from an IGO perspective as well.

Research on compliance and non-compliance focuses heavily on the EU and has produced a wealth of literature on this topic. The different strands of research can be categorized into three main approaches that explain why member states comply with IGO provisions. *First*, the enforcement approach argues that a weighting of potential compliance costs versus costs of non-compliance is central to decisions of member states. The size in terms of the population plays – at least in the prevalent EU examples to be found within the literature – in this regard, a decisive role as larger member states have more votes in the EU decision-making process (Börzel, Hofmann, Panke, and Sprungk 2010).

Second, the management approach focuses largely on the administrative and bureaucratic capacities of the member states. The argument stresses that states – especially after a systemic transformation process like the Eastern European states – simply lack the administrative basis and maturity to comply with exceedingly complex EU provisions. Non-compliance with said provisions might not be the expression of political unwillingness but more the symptom of an overtaxed administration (Cirtautas and Schimmelfennig 2010; Sedelmeier 2008).

Finally, the legitimacy approach argues that compliance depends on how legitimate or illegitimate an IGO is perceived. This includes also how closely member states identify themselves as being part of the organization and thus how internalized shared standards are (Börzel and Sedelmeier 2017). Especially this part of the three different research approaches to compliance has gained new track in recent times through a growing contestation to specific norms and in extent to IGOs as their manifestations. De Vries et al. (2021) show that such contestation and challenge by domestic opposition and populist national forces might lead – as a consequence – to lowered compliance with the provisions an IGO is creating for its member states.

Despite these advancements in compliance research, two points stand out. First, compliance is perceived in most instances as a bivariate measure. Either states comply or they do not. A differentiation or more incremental approach is not discernible. Second, most of the literature focuses exclusively on the EU and the respective member states. Even though the EU is standing out through its special status as an intergovernmental-supranational hybrid, the lack of research on other IGOs is striking.

2.2.4 Section Summary

Based on the review of relevant literature connected to the role and relevance of regional IGOs in terms of borders and bordering among their member states several points stand out. *First*, the relevance of specific standards of appropriate behavior within a given community for the effective functioning of a (regional) IGOs is appearing repeatedly and constitutes a whole subbranch of research. In connection to the previous findings on border studies, a connection of borders – or bordering – from a procedural perspective and IGOs can be opened up. Despite this intersection, research on the relative influence of said IGO norms has been remarkably absent. This is especially salient if it comes to larger norm complexes – which can be found quite often in the context of IGO agreements or frameworks – and their specific impact on the interaction between member states. In other words, the normative influence and centrifugal power of regional IGOs are quite often stated, but it is not clear to what extent specific normative provisions have an impact on their member states in general or on the specific borders in particular. The issue of norms thus needs to be addressed more concisely and will follow in the next section.

Second, the relevance of critical junctures like shocks and crises has come to the fore again. The literature has repeatedly illustrated avenues for understanding deeper integration and socialization that ultimately lead to forms of de-bordering between the member states. Yet events like the Brexit or the (brief) withdrawal of the US from the Paris Climate Agreements show that these processes are not necessarily a one-way street and specific circumstances can lead to an unraveling of the various cross-border measures that regional IGOs have created.

Third, the above-described process is highly connected to the aforementioned issue of compliance. In that sense, the socialization aspect, which leads to deeper integration, seems to be unraveled by these junctures. To what extent, and how the political environment within the member states contributes to this process however is unclear.

Additionally, most of the literature that relates to socialization, integration, and compliance focuses dominantly on the EU. Due to its status as an entity *sui generis* that is not necessarily surprising. However, research that applies similar levels of scrutiny and effort in the analysis to other regional IGOs is scarce. Here, a great deal of insight might be added if similar research is being conducted.

2.3 The Relevance of Norms in Regional Communities

In the previous section, the necessity came to the fore that an engagement with norms – not only as an integral component and tool of regional IGOs but also as nexus of the border-IGO complex – is essential for the following theoretical discussion and a general understanding of how IGOs may affect the borders of their member states. Albeit norms have been introduced in an abridged manner before, their apparent role as smallest denominator between regional IGOs and change of borders warrants for a separate discussion of them as the prime mover. This section, therefore, provides a discussion on the role of norms as well as the dynamic processes that are involved in their formation and subsequent proliferation.

Following the ‘ideational turn’ in the 1980s that resulted in discussions about regimes and constructivism, norms reappeared within the discourse of IR theory.²¹ Norms can be understood as “[...] intersubjective understandings that constitute actors’ interests and identities, and create expectations as well as prescribe what appropriate behavior ought to be by expressing rights and obligations” (Björkdahl 2004, p. 8). Other definitions relate to them as “[...] a standard of appropriate behavior for actors with a given identity” (Finnemore and Sikkink 1998, p. 891; Katzenstein 1996, p. 5). Even though the definition of Björkdahl is given primacy over that of Finnemore and Sikkink due to its emphasis on intersubjective understandings – which can also be related to inter- and intra-group understandings – the latter makes an important contribution by stressing that there is a terminological difference between IR constructivists which perceive a norm as a single standard of behavior and the sociological approach that speaks of institutions and emphasizes a rather stable, structured, and interrelated set of practices and behavioral rules. Furthermore, there are different kinds of norms: *Regulative norms* relate to the ordering and constrain of behavior; *constitutive norms* create interests, categories of action, or new actors; and *evaluative* are rather similar to the ordering norms and the resulting rules, but have a quality of ‘oughtness,’ which can be understood more as guiding principles of action. Thus taking into account an evaluative and moral dimension of behavior. A differentiation between these different kinds of norms seems plausible and necessary in terms of gauging the robustness of a normative IGO provision.

²¹Norms were already of concern at the beginning of the 20th century, as indicated by Carr’s notion that “[...] political action must be based on a coordination of morality and power” (Carr 1946, p. 97). This morality has to be understood as social purpose, being fundamental to the pursuit of political goals and thus representing a form of norm-based approach. Only through the behavioral revolution and the difficulties of measuring normative and ideational phenomena did the neglect or “turn away” from norms result (Finnemore and Sikkink 1998, p. 889).

2.3.1 Norm Diffusion

Norms often have their origin at the domestic level and become internationalized through the commitment of norm entrepreneurs. Increasingly, these domestic norms are linked to internationally already existing norms, in order to enhance the probability of successful implementation and to strengthen leverage in domestic debates. This implies a linkage between the domestic and the international but also points towards an ever-shifting web of ideas and norms that either enhance or hinder the establishment of other norms. To understand the dynamics of the norm formation process, Finnemore and Sikkink (1998, pp. 895–905) present a three-stage “*Life Cycle*” model of norms.

The *first* step is the norm emergence. Here, norm entrepreneurs try to convince a critical mass of other actors to embrace the new norm.²² These entrepreneurs – ranging at the actor level from individuals, to states, and IGOs – have a certain notion of what might be desirable or appropriate behavior in their given community and actively pursue the spread of it. The reasons for doing so are either empathy, altruism, or ideational commitment. As such, entrepreneurs frame an issue by raising attention to a specific condition or by even creating issues through ‘naming’ and interpreting (*ibid.*, pp. 895, 897). However, the establishing or birthing of norms has to be perceived in the context of an already existing system or web of norms, which might stand opposed to the new norm, whereof norm contestation might result. The way through which norm entrepreneurs channel a new norm is closely tied to organizational platforms. These are either created specifically for that purpose or norm entrepreneurs use existing (international) organizations that already have complementary agendas. Especially in the latter case the new norm may be changed or adapted to the organization’s existing set of norms and purposes. The reason for this shaping of content is based on the inner structures of the specific organizations, and the personnel that works there, which has a filtering effect on the kind of norms that might be supported. The general importance of existing organizations results from their access to information, inherent authority, and expertise in how to interact with other actors. However, organizations also need to persuade – just as entrepreneurs – other actors as they lack the capability to coerce states – especially powerful ones – to accept new norms. Crucial for the probability of a successful implementation of new norms is the tipping point or a certain threshold, which in most cases entails the institutionalization of the new norm in specific sets of organizations, international law, bilateral foreign policies, or regimes. This tipping point can not be exactly set, but two preconditions seem to be crucial for reaching it (*ibid.*, p. 902). First, the accumulation of a critical mass that supports the new norm. Empirical research predicts that at least one-third of actors within a given system have to adopt the norm for the rest to follow suit. The second question is which actors are going to be included in this critical mass. In most cases this refers to actors without whom the achievement of the norm goal is compromised. As an example, a new norm of reducing high amounts of sugar in soft drinks would be dead on arrival if the biggest soft drink producing states would not be part of the norm supporting states.

²²The critical mass does not necessarily mean a certain majority of a community of a given size. Through modern communication channels also small – but more vocal – groups can gain attention from mass media and thus try to spread a norm.

The *second* stage is the norm cascade. Having reached the tipping point, more actors accept the norm without having to be persuaded or to be exposed to domestic pressure. This relates to certain phenomena like emulation and conformity. Especially the latter is important, as group judgment may exert pressure, which also draws on the role of an actor within a certain social community and how socialization through peer pressure affects behavior and thus identity. This isomorphism²³ is contributing in the formation of shared or compatible identities but also entails sanctioning of diverging or arbitrary behavior. In the realms of international politics this relates to the possibilities of diplomatic praise or censure in bilateral or multilateral negotiations, including reinforcement through sanctions (Risse 2010, pp. 30–33). Additionally, Manners (2002, p. 244) argues that a restating and re-emphasizing of norms serves the purpose of amplifying their importance. As such, the reoccurrence of a specific norm in important agreements (like charters, constitutive treaties, or regulative agreements) is a signal by the IGO to its members that there is not only an inherent importance to the norm but that it even may define – based on the degree of reoccurrence – the self-conception of the whole state actor community.

The *third* step results in a norm internalization by the actors in the form of a ‘taken-for-granted’ quality. This entails an automatism of unquestioned norm conformance but also holds the problem of a missing discourse whether to conform or not.²⁴ Quite closely connected to this phenomenon is the aspect of learning as a form of socialization (Epstein 2012; Levy 1994), by taking into account historical events as reoccurring patterns that might influence political decision processes. In a similar manner does “*strategic social construction*” (or institutional socialization hypothesis) work. A study by Bearce and Bondella (2007) has shown that there is strong statistical support for the hypothesis that the interests of member states of one and the same IGO become more similar over time.²⁵ From the perspective of organizations – or institutions in general – this form of socialization includes the provision of new information, formative believe system, and the coordination of expectations (Levy 1994, p. 281). But organizations also contribute to the emergence of norms through their inner structure and their personnel, which refers to a professional influence. Most organizations recruit their staff from certain disciplines like administrative studies and jurisprudence, which implies an inherent normative professional bias, which in turn has an impact on the selection processes and dealings with new norms (Finnemore and Sikkink 1998, p. 905). The same applies also for the workings of diplomats in international fora, behavioral standards, and ‘track two diplomacy.’ A caveat at this point is the differentiation between compliance and internalization. Not all actors might be prepared to incorporate a certain norm in the form of legally binding ways and thus only comply with specific norms – or pay a “lip-service” – in order to evade the otherwise resulting peer pressure. This phenomenon is regularly observed if it

²³On institutional isomorphism, see also DiMaggio and Powell (1983, p. 150) who identify three mechanisms of isomorphic change: Coercive isomorphism relates to political influence and uncertain legitimacy, mimetic isomorphism is the result of a standard response to uncertainty, and normative isomorphism is associated with professionalization.

²⁴Even though the assumption here is that a change in the environment might trigger a reevaluation of the norm either through adaption or through the introduction of a new norm, which might lead to a new norm cycle.

²⁵However, the study does not elaborate on either overlapping IGO memberships as well as the role of dominant – or agenda setting states – within specific IGOs that might contribute to the formation and solidification of socialization processes.

comes to compliance with Human Rights or environmental protection norms (Dai 2013; Donnelly 2013; Kent 1999; Kinzelbach 2013).

2.3.2 Norm Dynamics and Contestation

Apart from Finnemore's and Sikkink's pioneer work, norms are a reoccurring topic in contemporary IR studies. A cursory overview of examples includes research on the creation of norms and the formation of national identity and socialization in Europe (Checkel 1999, 2005); how the EU increasingly acts as a normative power (Manners 2002; Sjursen 2006); or how norms – in combination with constructivism and culturalism – have an impact on the field of security studies (Farrell 2002). An important contribution is that of Acharya (2011), in which the conceptual tool of norm subsidiary is presented to study norm dynamics. The analytical focus lies on the normative behavior of Third World states and regions amongst each other and the outside world. The norm subsidiarity principle is understood as “[...] a process whereby local actors create rules with a view to preserve their autonomy from dominance, neglect, violation, or abuse by more powerful central actors” (ibid., p. 97). This includes the processes of how new norms are developed and how existing global norms might be interpreted and reaffirmed in a regional context, stressing the importance of powerful external actors and how smaller or weaker states might contest and counter their influence.

The aforementioned retraction from already agreed upon norms or the fundamental aversion thereof brings a new set of issues to the fore that can be subsumed under the phenomena of ‘norm contestation’ and ‘norm conflict’ and also leads to new considerations about norm dynamics between the local and the global. Earlier contributions to this problem can be found by Wiener (2014), Lantis (2017), as well as by Niemann and Schillinger (2017). Norm contestation can be defined as “the range of social practices which discursively express disapproval of norms” (Wiener 2014, p. 1). Resembling both a practice of objection (reactive contestation) and a mode of critique (proactive contestation) that challenges the aforementioned agent-principal inversion (Wiener 2014, 2017). A similar direction on the issue is taken by the notion of ‘antipreneurism,’ a concept that directly relates to norm-contestation and focuses on the phenomenon of directed and purposeful resistance to forms of normative change and maintenance of the *status quo* (Bloomfield and S. V. Scott 2017, p. 13). In most cases this resistance and rejection does not need to be directed only against a specific IGO norm but also against the process of how the given standards are to be implemented.²⁶

More recent contributions provide a differentiated perspective on the issue of norm contestation. Börzel and Zürn (2021) scrutinize the role of material and ideational changes in liberal multilateralism under the auspices of (normative) double standards that create contestation, whereas De Vries et al. (2021) elaborate on the role of the domestic public in opposing international norms. Especially the latter is – in light of contemporary populist movements – an intriguing avenue for research as contesting domestic norms may unravel decades of liberal and multilateral convergence processes. In that sense, the notion of Checkel (2001b, p. 565) applies in which he states that “[...]”

²⁶Research on contesting norms and norm dynamics is relatively new in critical constructivism, hence the different approaches to the phenomena (for a discussion thereof see Lantis 2017; Wiener and Puetter 2009).

historically constructed domestic (identity) norms create barriers to agent learning from regional/systemic norms [and] if these norms become institutionalized, they gain particular staying power and political influence.” In addition, Deitelhoff and Zimmermann (2020) advance the question of norm robustness and how different types of contestation might affect international norms. Specifically, they deal whether contestation in terms of norm application or overall questioning of norm righteousness lead to different forms of contestation.

2.3.3 Section Summary

Summarizing the findings on norm research connected to international organizations, it has shown that the majority of relevant studies share an *ex post* reevaluation of international norm prevalence. However, these studies focus on larger scale events like the Brexit, or the Paris Climate Agreement, and it is as yet unclear how this phenomenon attributes to specific sets of norms or those related cross-border interaction specifically. In addition, most studies also focus on a binary perception of contestation. Either norms are contested or they are not. A differentiation concerning levels of contestation could not be found. Furthermore, it has not been clearly articulated within the wider body of literature on norms and norm contestation what role catalyst events have that lead to a populist or public contestation in the first place. As such, several questions open up. For instance: Do these events enhance domestic contestation or do they lead to a proverbial form of “*rally ‘round the flag effect’*” that heightens the robustness of IGO norms *vis-à-vis* potential contestation and conflict? These points are not adequately covered by the literature and will be discussed in greater detail in the theoretical chapter.

2.4 Chapter Summary

The goal of this chapter was to uncover possible intersections of the three main subjects of research and to identify gaps in the existing research. The mentioned intersections between these topics rest mainly on the approach taken to understand borders and bordering. Whilst the geopolitical approach provides a rather static and non-conceptual understanding of borders, the institutional and procedural approaches allow for more nuanced and dynamic perceptions of interaction between the whole set of research objects. The institutional approach gained track through recent studies, their central function is thus still limited to a mere regulating and delimiting entity. In contrast, the procedural approach provides through its focus on the perceptual dimension of borders and bordering a linkage to the research of norms and fits into the wider conception that can be conveniently connected to social constructivism. Taking this avenue of joining the three research subjects, the role of IGOs as norm constructing and emitting entities and their impact on the bordering processes will be elaborated on more precisely in the theoretical chapter.

Regarding the gaps in research, several issue areas could be identified that occasionally bridge the different layers discussed so far. *First*, the role of regional IGOs in having a normative impact on borders themselves. Beginning with the assumption that IGO norms have enough leverage to instigate change in the cross-border interaction of their member

states the argument of Manners (2002, p. 244) is intriguing as he notes that a restating and reemphasizing of specific norms indicates the importance of these for the specific organizations. Applying this premise to regional IGOs would indicate an increasing debordering process that correlates with an increase in bordering-related norms. So far, the literature has handled the issue of normative influence in two ways. Either the impact of single norms was discussed in form of case studies with limited generalizability or the influence of IGO norms has been captured through a binary variable that merely relates to the general membership of states to a specific IGO and thus captures all normative provisions at once. Here, a more nuanced approach to specific border-related norms across time seems an appropriate way to gauge the normative influence of IGOs on cross-border interaction.

Second, the literature on IGOs as well as on norms has shown that a trend of increasing norm contestation is discernible that essentially relates to conflicts between the norms inherent to the liberal international order on the one hand and opposing norms of expanding populist movements and globalization critics on the other. In that, the role of norms at the domestic level *vis-à-vis* the (continued) acceptance of IGO norms focusing on cross-border interaction is not clear. While the literature does acknowledge the phenomenon, a specific bordering related research approach could not be identified. Additionally, most of the research focuses only on single norms. However, from a sociological perspective, the conception of norms as institutions of multiple interrelated provisions seems more apt to tackle the issue of interrelated forms of normative provisions as a border is a multiscalar process. Furthermore, the main conception of norm contestation throughout the literature is a binary one. A more differentiated approach to how contestation might manifest is not provided for. Here, it might be useful to advance a more nuanced approach to forms of norm resistance to differentiate their impact on bordering processes.

Finally, critical junctures like crises and shocks have gained recent attention throughout the literature. While already relevant in earlier border studies, which noted that interest and thus visibility in borders and bordering-related issues rise after such events, the IGO literature has only come recently to incorporate this phenomenon into the wider research. However, it is as yet unclear whether these events all lead to forms of re-bordering. Schimmelfennig (2018) for instance has shown in two case studies that the impact of two different exogenous shocks has resulted in very different reactions by the member states. Here, a combination with the current research on norm contestation seems beneficial in order to investigate whether contestation is an *ex-post* cause for limited cross-border interaction or if other factors are relevant. The next chapter will continue on these three identified avenues for research while also providing a theoretical approach to the ontological nature of borders and bordering from an international relations study perspective.

Chapter 3

A Theory on IGO Norms and Intra-Communal Bordering

Based upon the epistemological interest stated in the introduction and the findings in the literature review, this chapter focuses on setting up the theoretical framework to derive hypotheses that help to answer the main research question of whether there is something like a normative influence of regional IGOs on the borders of their member states and what could hamper such.

The theoretical considerations presented in this chapter are located firmly within the social constructivist branch of international relations studies. Albeit touching upon other theoretical approaches – mainly that of neoliberal institutionalism – the perception of bordering as a normative process in combination with regional IGOs as norm-diffusing entities makes the placement of this theoretical approach within the wider canon of grand theories relatively straightforward.

The structure of this chapter is as follows: *First*, a theoretical approach to borders and bordering from an international relations perspective is provided. Here, the insights of the literature review are being used to develop a working conception of how various status functions that are attributed to specific border-crossing commodities and groups of persons are subject to normatively charged teleologies, assumptions, and conceptions. This discussion also takes into account the relevance of competing claims concerning the normative evaluation of said status functions. *Second*, the relevance of regional IGOs in distributing these conceptions concerning status functions via the creation and dissemination of standards of appropriate behavior is being discussed and brought into alignment. The theoretical discussion then focuses on the specific norms that are related to cross-border interaction via the four freedoms, while also addressing the role of sub-norms – or subordinated norms – that are being disseminated through additional IGO provisions. These considerations already take into account the specificities of the two regional IGOs that are being used as overarching cases for the following chapters. *Third*, the issue of norm compliance and contestation is being discussed. Especially potential tensions between the regional IGO and its member states as a source for noncompliance are being highlighted. In that course, the role of dominant domestic norms within the member states is of relevance as they provide a blueprint for states on how to act in specific circumstances. *Third*, the relevance of critical junctures is discussed. The core assumption here is that these events can act as a form of catalyst for member states that already sought to renege on previously agreed upon IGO provisions. *Finally*, the considerations of this chapter are summarized and presented in a condensed form.

3.1 A Theoretical Approach to Borders and Bordering

The literature review on borders has shown that a multitude of different approaches to the topic of borders and bordering are available. Most of these overlap but more often than not also contradict each other. This is not necessarily surprising as the field of border studies is highly interdisciplinary and is characterized by a plethora of rather specific case studies. As a consequence, however, there exists no unified or overarching theory of borders in general and not one that is suitable for analyzing the influence of IGOs on border configurations of member states in particular (Newman 2001, p. 137).

The smallest common denominator within the literature body is that borders act as a divide or – occasionally – as a connection between different entities (A. Cooper 2012). To further the analysis in this regard, a theoretical argument of what borders are and in which ways they might be influenced by political actors within a regional setting will be developed in this section. The general reasoning of this approach rests on two different main contributions identified in the literature: The allocation of status-functions through acts of speech in the form of norms (A. Cooper and Perkins 2012) and the merging of cross-level and spatial levels (Bigo 2001).

3.1.1 Bordering and Status-Functions

The work of Cooper and Perkins (2012) relates to the assumption that borders and bordering can be perceived as the process of sorting and assigning certain status-functions to the commodities crossing a border at different points in time through specific and prevailing norms. This status-function may change by being exposed to new or diverging normative claims, teleologies, and assumptions. Therefore indicating a practical activity enacted by exogenous or endogenous actors (*ibid.*, p. 57). These actors could either be states or IGOs at the international level, or non-state actors and political parties at the domestic level. Borders and their ontology are therefore bound to the vagaries of time, space, and – most importantly – group perceptions. Cooper and Perkins present the following argumentative-relational framework for the aforementioned practical activity:

“[...] (1) the word ‘border’ is a placeholder for a number of processes; (2) these processes involve the creation of institutional facts; (3) institutional facts are created through speech acts; (4) these institutional facts are rule governed within a certain context; and (5) the legitimacy of both the speech act and the status imposed to create the institutional fact are reliant on a set of contextual background assumptions that provide sets of ‘truth conditions.’ ” (*ibid.*, p. 57)

Especially the third and fourth points are interesting regarding the influence of norms on the creation and configuration of borders. Norms are, as described in the previous subsection, outcomes of speech acts. Their codification follows in the form of treaties, constitutions, or laws but also in the form of unwritten and societal inherent prescriptive behavioral rules. As such, they are part of semiotics in the form of rhetoric acts. Representing statements about specific objects and events in connection to certain characteristics, expressed in the form of warnings, descriptions, or regulations (Dörge 2004, p. 51). This point is insofar important as the allocation of status-functions of bordering is not limited to states *per se* but to all groups and actors that have the capability and capacity to create and diffuse normative claims about said status-function.

Taking up the mode of the previously discussed dissemination of border-related norms through acts of speech, the production and enforcement of agreements for a given community can be perceived just as such an act.²⁷ In that sense, the agreements and the

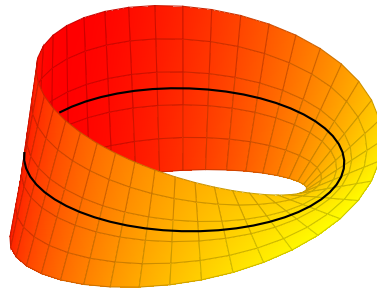
²⁷Acts of speech relates to the concept of different modes of statement and is based on the seminal work of Austin (1962), who argued that not only the ‘utterance’ in a sense of propositions is relevant but the total speech act within its contextual environment has to be considered in order to fully understand

therein contained speech acts are not only a promulgation of new measures but inherently convey the normative stance of the IGO – and therefore the wider community – in terms of the agreement content. As such, these agreements that convey communal standards of appropriate behavior *vis-à-vis* a specific bordering related issue represent therefore the hinge between IGO norms and bordering as a normative process.

3.1.2 Competing Normative Claims

Continuing this line of thought, the perception of what is permitted to cross a border – in a sense what may traverse to the inside and what has to remain on the outside – is grounded in normative claims of varying groups that might be in opposition to each other. Through these concurring normative claims, the environment in which bordering processes take place can not be impartially classified or differentiated. As such, these will – from a theoretical perspective – remain in a form of ‘in between.’ This is approach is reflected in Bigo’s (2001) usage of the Möbius Ribbon. The ribbon (see Figure 3.1) represents a surface with only one side, one boundary, and without any edges. An objective differentiation between inside and outside is thus not possible. Any differentiation or classification is based on a specific perspective, which is informed by status-functions that in turn are created by norms in the form of acts of speech and implemented through laws or agreements. Thus, one can not objectively differentiate between inside and outside. Transposed to the border puzzle, it resembles borders as a process or bordering (or complex environment) and the inside/-out problem as a perceptual issue that is informed by status-functions through the emphasis on different norms which are created through acts of speech.

Figure 3.1: The Möbius Ribbon



The Möbius Ribbon as a theoretical representation of the normative perception of the bordering process.

Bigo argues that a clear-cut differentiation of vertical political levels, from the local to the domestic, and the international becomes increasingly difficult. His core argument focuses on security issues and that security-related perceptions have to include external processes to avert internal threats. This is for instance illustrated in the example of mutual border security between the United Kingdom and France. Both states have their police forces stationed on the territory of the other, to prevent illegal migration through

the passed on information (Austin 1962, p. 52). In this course, Austin coined the term *illocutionary act*, which Searle (1975, p. 344) has further contributed to by providing diversification of the concept. Even though – from a theoretical perspective – the concept provides additional avenues for consideration, it is used in the context of this research solely to demonstrate the connection between IGO norms and bordering processes.

the Calais Tunnel (Rumford 2006, p. 158). Likewise, processes that involve non-state actors who try to take influence at the supranational level can actively circumvent the state level. Yet, the state level is ultimately affected if the IGO is capable of distributing and providing binding legal norms that were informed or even sponsored by non-state actors. As such, there is a conflation or interpenetration throughout all political levels (Bigo and Walker 2007). For the research project at hand, this point is especially interesting as the increased power of IGOs as norm entrepreneurs gradually challenge the traditional claims and normative power of nation states.

The concept of a Möbius Ribbon is additionally transposed to the horizontal dimension. This means that traditional categories of what is inside and outside a border largely depend on the normative perception of a given situation or issue. In extent, the inside and outside perspective can be replaced by a perspective of what is deemed to pass across borders and what is not. The Möbius Ribbon unraveled provides a simplified illustration (see Figure 3.2) with two hypothetical extreme forms of completely permeable and absolute non-permeable borders and a gradually shifting spectrum of semi-permeable configurations in between.

Figure 3.2: Unraveled Ribbon



Simplified illustration of the Möbius Ribbon in form of an unraveled ribbon. Depicting the three types of possible border configurations, with the two hypothetical forms of permeable and non-permeable at both ends and the gradually shifting spectrum of semi-permeable configurations in between.

At this point, the question has to be answered why the permeable and non-permeable border configurations are theoretical. This is best done by providing two explanatory examples. One of the most permeable border configurations for the free movement of persons exists in form of the inner borders of the EU, as formulated in the Schengen Agreement of 1985. Yet this freedom of movement does not apply equally. Having no Schengen Visa, individuals of third-party states or refugees are exempt from this freedom. But also for certain groups of intra-EU citizens, the principle of free movement is restricted. An example is the large-scale expulsions of Romanian and Bulgarian Roma from France in 2007 and 2010, despite enjoying the right of being citizens of the EU (van Baar 2014, p. 88). In a similar manner, completely non-permeable borders are not free from exceptions as well. The closest examples resembling such a configuration in recent and contemporary times were the inner German border and the demilitarized zone between North and South Korea. Across both borders, the movement of people was and is possible. Either in the form of legal crossing, as refugees, or as dissidents. Especially along the demilitarized zone between both Korean states, certain special administrative industrial regions like the Kaesong industrial complex exist. These represent a form of collaborative economic development and entail regular cross-border traffic from the south to the north (Manyin and Nanto 2010, p. 3). The argument here is that socially constructed borders are probably never totally permeable or non-permeable.

An additional point, not mentioned so far in the literature, is the issue of change over time. Normative claims about status-functions are – just like most other claims – subjugated to changes in the interpretation of said norms. As such, a normative change of the status-function through forms of contestation or advanced understanding will consequently have an impact on the status-function of a specific border traversing commodity. This can work in both directions. Specific commodities or groups with a status-function that have been deemed unproblematic at one point in time can at another face increasing restrictions. To put that into perspective, the EU for instance has – as part of the European Green Deal – envisaged introducing a Carbon Border Adjustment Process. In that, products from non-EU states that do not comply with the EU carbon emission standards for that specific commodity are faced with an increase in customs duties (European Commission 2021).²⁸ As such, these commodities face now more limitations in terms of the cross-border transfer due to a change in the EU's normative perceptions regarding environmental protection.

This example represents a point within a spectrum of semipermeable border configurations and could be applied to other cross-border related issue areas as well. The crucial point in this is the flexibility concerning the normative charge of status-functions. As such, bordering related norms are being constantly reevaluated *vis-à-vis* normative claims of the involved (political) actors.

This section has demonstrated how the concept of borders and bordering is inextricably linked to the influence of normative assertions between different actors. An important part is the implementation of the different norm variations through acts of speech and status-functions in the form of laws or regulations, as suggested by Cooper and Perkins (2012). Even though different categories of norms are the basis for the formation and configuration of borders, the assumption is that they all have an effect. Albeit regulative and constitutive norms are probably those who are more visible, as they are expressed in publicly accessible laws, agreements, and constitutions. An important factor for the ensuing analysis then is the interconnectedness of meta- and subnorms in terms of resilience. Concerning borders themselves, their nature – understood as social constructs – and their effect across varying spatial and social levels are processes of intergroup assumptions of what ought to be within and without and what can pass to a given point in time across institutionalized forms of borders. However, a distinct categorization is neigh impossible as the socially constructed character of borders makes it unlikely for absolutes to exist. Borders, therefore, exist only as semipermeable variations and any perception of what is inside or outside depends on subjective perceptions, as illustrated with the Möbius Ribbon by Bigo (2001). The distinction between different norm clusters – and through which forms of speech these norms are conveyed – are deemed an important cornerstone in the following analysis.

²⁸To relativize this statement, environmental protection does certainly play a role but the agenda also serves to restrict access to the European market for competing industries like China. In essence, this part of the programme is an interesting form of technical barrier to imports.

3.2 The Effect of IGO Norms on Cross-Border Interaction

The main aspect concerning the effect of IGO norms on the cross-border interaction among their member states relates firmly to their capacity to issue bordering related norms. In other words: *Does an increasing amount of agreements and treaties of regional IGOs lead to more cross-border interaction across member-states?* To provide the theoretical framework for this research question, the following subsections will highlight the general role of IGOs as ordering entities, their characterization as bureaucracies, and also provide a discussion about bordering related norm complexes.

3.2.1 Regional IGOs as Ordering Entities

Shifting to an international organizations perspective and the role of norms in the affairs among states, it is quite important to point out that “[...] *international law and international organizations [have become] the primary vehicle for stating community norms and for collective legitimation*” and that their capacity to initiate a change of behavior across their member states increases steadily (Risse and Sikkink 1999, p. 8).

In that sense, the question arises why IGOs have such a fundamental influence on the constituting policies of their member-states. The answer lies within the bureaucratic formation of IGOs – or organizations in general for that matter – and their role as (field-specific) experts. As states are confronted with an increasingly complex environment, their managing capabilities are quite often exceeded. To be able to maintain their action capabilities, states thus create IGOs, which pool and bundle abilities, resources, and tasks (Krasner 1982, 1983). This also includes the formation of expert knowledge in a task-specific policy area in which the IGO is engaged. Knowledge in these fields leads to ‘expert authority’ and – combined with ‘rational-legal authority’ – IGOs are therefore able to formulate binding agreements and rules that apply to their members. Therefore providing them with greater influence in formulating or altering constitutive guidelines that prescribe frameworks of action for their members (Barnett and Finnemore 2004, p. 24). In a sense this reflects notions of governance as a “[...] *institutionalized form of co-ordinated action that aims at the production of collectively binding agreements*” (Lavenex and Schimmelfennig 2009, p. 795) and which is the “[...] *sum of the informal and formal ideas, values, norms, procedures, and institutions that help actors [to] identify, understand, and address trans-boundary problems*” (Weiss and Wilkinson 2014, p. 211). Reiterating the norm cascade concept mentioned in the literature review, IGOs are norm entrepreneurs that introduce sets of norms or ‘soft laws’ based on their expert knowledge in a given field and thus have the “[...] *ability to shape conceptions of ‘normal’ [...]*”²⁹ (Manners 2002, p. 240; Björkdahl 2004, p. 3). The bureaucratic quality of IGOs, as described by Sikkink and Finnemore (1999, 2004), only amplifies this effect as the approach of an IGO taken to introduce new standards relates quite often to one tool that is applied to all uniformly. If such a tool is applied repeatedly, the assumption

²⁹Crucial to note is that a possible outcome of how exactly norms are implemented or carried out is modulated by additional factors that could potentially constrain compliance. Be it either due to internal conditions (e.g. poverty rates, economic recession, or significant changes in government) or external conditions (e.g. economic and environmental crises, wars, or large-scale immigration).

of Manners (2002, p. 244) is that through this iterative process, the importance of the matter is – from the perspective of the IGO – relatively high and therefore creates an expectancy of the member states to act accordingly.

In turn, the reason for member states to comply with the IGO norms has multiple causes: First, there is an inherent incentive to comply with the promulgated rules within a community as the IGO has – due to the aforementioned expert knowledge – a high legitimacy to create new standards of appropriate behavior. Especially if previously implemented norms have proven to be successful (Drezner 2013, p. 292). The second reason refers to a form of ‘peer pressure’ through other member states during the norm cascade. To a degree, norms derive their power from the number of other states that have accepted them. The more states follow a norm, the greater the social pressure on reluctant states to comply (Finnemore and Sikkink 1998, p. 895). Even though most IGOs lack traditional sanctioning mechanisms, monitoring state behavior and norm compliance leads to a procedure of ‘naming and shaming,’ which creates additional pressure (Hartlapp 2008, p. 25). However, this behavior is not restricted to IGOs alone. Member states might instrumentalize this process to further the overall or – in a more competitive scenario – their own agenda. In that sense, Schimelfennig (2001, p. 48) argued that

[a]ctors who can justify their interests on the grounds of the community’s standard of legitimacy are therefore able to shame their opponents into norm-conforming behavior and to modify the collective outcome that would have resulted from constellations of interests and power alone.

The third reason refers to a centrifugal effect that can be found in the workings of regional IGOs. Mostly due to geographic characteristics, regional IGOs are selective of which states might become members and with whom to cooperate (Beckfield 2008; 2010, p. 1026). As such, regional IGOs are protective when it comes to their members and might develop norms that are specific to the set of member states. This can be for instance seen in the creation of a customs union. They are centrifugal constructs as they not only create an inner space for unhindered trade flows but also possess an outward-directed protective function that recreates sharp borders at the periphery (Schneider 2017, p. 2). This form of encapsulation affects how other actors can normatively influence the member states of the regional IGO, which acts not only as a filter but also tries to diffuse their standards of appropriate behavior that bind the member states closer to each other. In this sense, the bureaucratic effect comes to bear, as the provisions target usually all member states equally. Thus theoretically leading to a decrease in differences in those areas of the member states that have been targeted by the regional IGO. In other words, the issuance of provisions that contain a notion of what is normal behavior, paired with the centrifugal and bureaucratic aspects leads to a debordering process between the member states.

3.2.2 Norms and Subnorms

Continuing the line of reasoning related to the capacity of IGOs to diffuse standards of appropriate behavior for their member states, the question of what norms in this specific context actually are and how they can be unraveled needs to be clarified. This applies even more so to the question of norms related to bordering as this specific process has been

largely subsumed under the moniker of regional integration. Yet integration happens on a multitude of levels and is as such a too blunt instrument for the envisaged analysis. Most empirical studies subsume the integrative influence of regional IGOs with a mere dummy variable that theoretically encompasses the entirety of normative provisions that are based on the bureaucratic and centrifugal capacities as described above (Hirsch and Dixon 2021, p. 539). Here, a more detailed differentiation is deemed necessary, to provide a detailed analysis in the following chapters.

Based on the categorization of Manners (2002, p. 242) – which rests on the *acquis communautaire* and *acquis politique* that constitute the body of the EU’s laws and policies – five core norms that have been successively introduced into the European framework can be identified. The earliest is the *peace norm*, which constitutes a principle cornerstone of foundational documents like the *Schuman Declaration* of 1950 or the preamble of the *European Coal and Steel Treaty* (ECSC) of 1951. The *liberty norm* appeared in the preambles of the *Treaty establishing the European Community* (TEC) and the *Treaty on European Union* (TEU) in 1992.³⁰ The other norms are democracy, rule of law, and human rights, set out in Articles 11 and 177 of the TEC, as well as in the membership criteria of the Copenhagen European Council of 1993 (*ibid.*, p. 242).³¹

In the context of cross-border interaction, especially the liberty norm – understood as a guiding principle – is important and provides the basis for combining resources across the member states of the European Community as expressed in the preamble of the Treaty of Rome in 1957. This already encompassed the facilitation of cross-border cooperation – albeit with an economic tinge – in terms of eliminating customs duties, and the abolition of obstacles to the free movement of persons, services, and capital (Article 3 (a, c), TEC 1957). This set of norms has been updated and refined over several follow-up agreements and is now an inextricable part of the EU’s self-conception. As the EU serves in many ways as a paragon for other regional IGOs, it is not surprising that a form of mimetic isomorphism in terms of norm endorsement and appliance takes place. However, this took place in an attenuated form and was heavily adopted to regional idiosyncrasies (Acharya 2011, p. 97). Yet this makes processes of adoption and normative similarities not less significant. Quite to the contrary, it allows for applying the EU framework to other organizations. As such, similar approaches are visible in the formation of the *ASEAN Economic Community* and its formal declaration to eliminate a significant part of intra-regional tariffs, while simultaneously attempting to maintain full sovereignty of all member states in terms of taxes, citizenship, and monetary policies (Verhezen et al. 2016, pp. 3–4; Laursen 2010, p. 259).

Remaining with the example of the ASEAN, a set of core norms can also be identified. However, these are fundamentally different from those of the EU. For instance, the *ASEAN Way* – which is constructed as “[...] *ground rules of inter-state relations within the ASEAN community with regard to conflict and its termination, [...]*” – empha-

³⁰In fact, liberty already appeared – together with peace – in the preamble of the *Treaty establishing the European Economic Community* (or *Treaty of Rome*) of 1957. The contextual and content design however formed only gradually and was extended several times. This is especially apparent in terms of democracy, rule of law, and human rights norms, which were introduced to distinguish the West European political community from Soviet Eastern Europe.

³¹Manners also discusses four ‘minor’ norms that relate to social solidarity, anti-discrimination, sustainable development, and good governance. Even though important, their role in terms of deciphering a norm disaggregation is at this point limited and thus will be omitted from further considerations (2002, pp. 242–243).

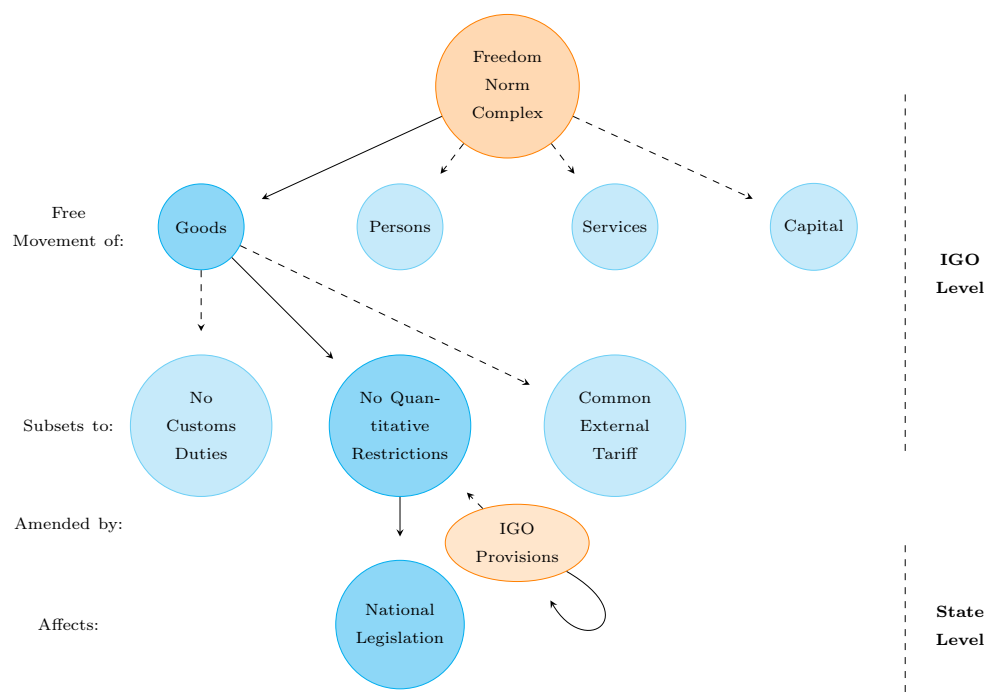
sizes consultation, consensus, and non-interference among its members (Acharya 2014, pp. 5, 43), favoring informality and organizational minimalism. Yet due to several crises – like the Oil Crisis in the 1970s or the Economic Crisis in the early 1990s – a constant “[...] *defining and redefining [of] Southeast Asia’s regional identity and developing norms of collective action [...]*” took place (*ibid.*, p. 7). A process that eventually led to a conceptual reorganization along the lines of an economically driven and value-based community. This also includes a normative realignment, producing a new set of guiding norms. These are chiefly enshrined in the *ASEAN Economic Community* (AEC) and focus on integration, competitiveness, enhanced connectivity and sectoral cooperation, equitable outcomes, and global engagement (Verhezen et al. 2016, p. 3). Especially the integration norm is of specific importance for considering debordering processes, as it – quite similar to the EU – proclaims a gradual abolition of dividing and delimiting conditions within the Association and thus enables the rise of the free movement norms.

In both cases, a form of a cross-border liberalization process took place that became increasingly differentiated as more and more areas of cross-border interaction were subsumed under it. The result – on an abstract level – is here understood in an aggregated form as the *Freedom Norm Complex*.³² This complex is composed of different subsidiary norms or subnorms and rules that specifically address bordering processes in terms of goods, persons, services, and capital. Figure 3.3 provides a schematic illustration for the area of free movement of goods as it is used within the EU. Here, the free movement of goods consists of norm branches – or subsets – like the elimination of customs duties and quantitative restrictions, as well as the introduction of a common external tariff. The elimination of quantitative restrictions then contains numerous IGO provisions that either supersede or influence the national legislation of the member states. Additionally, these IGO provisions can be issued repeatedly on the same subject, thus regulating the effect on the specific target area. In a sense, this is closer to what sociologists call norm institutions than the political science notion of a ‘unitary’ norm (Finnemore and Sikkink 1998, p. 891). The other areas of free movement have similarly differentiated subsets that are again informed by the structural design of EU agreements.

Norms about border configurations are thus constituted as subsidiaries or subnorms of the respective free movement norms. In turn, these subsidiary norms establish a basis for national regulations and laws, being implemented according to the agreed-upon framework at the intergovernmental or supranational level. Additionally, these provisions can be modulated according to necessity through further provisions by the regional IGO, which reflects the restating and reemphasizing of norms as described by Manners (2002, p. 244). This enables the IGO to react to new circumstances, adapt its regulations to the changing needs of its member states, or to retrospectively close loopholes that would allow for diametral behavior. As such, the four freedom norms can be perceived as a form of metanorms, which are in turn a compound construct of multiple subnorms that are to a certain degree interrelated. A more detailed elaboration of these bordering related subnorms will follow in Chapter 5 for the cases to be analyzed.

³²The complex could also be dubbed the ‘*Liberty Norm Complex*’. Especially, as the EU’s predecessor organization actively embraced the notion of ‘liberty’ as a delimiter towards illiberal practices of the East European socialist states. However, as ‘liberty’ therefore has an inherent ideological connotation, the framing of such a concept through such a term does not seem apt.

Figure 3.3: Schematic Illustration of the Freedom Norm Complex



Example illustration of the Freedom Norm Complex vertical norm cascade for the EU norms on the free movement of goods.

The second issue area relates to the kind of norms that are disseminated through the above described process. Assuming that the regional IGO is generally able to wield norms as instruments to provide common goods uniformly, the kind of norm to bring about this goal does play a crucial role in determining assertiveness. Following the framework forwarded by Finnemore and Sikkink (1998, p. 891) and Katzenstein (1996), norms can be subdivided into three specific norm groups that entail different levels of binding quality (see Table 3.1).³³ This differentiation rests mainly on concepts of agreement language or vocabulary, with specific phrases or signaling words indicating varying levels of expected or demanded commitment (Linderfalk 2007). Before a typology of norms can be approached, it is necessary to briefly discuss ways of norm identification. Reiterating the specification of norms as (sets of) rules that prescribe appropriate behavior, in the form of treaties or agreements, they commonly follow a fixed linguistic structure or composition.

“Parties (a) hereby establish (b) the global goal on adaptation of enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change, (c) with a view to contributing to sustainable development and ensuring an adequate adaptation response in the context of the temperature goal [...]” (United Nations 2015, p. 9, Art. 7(1))

³³Norm taxonomy is inconsistent and the differentiation into regulative, constitutive, and evaluative norms resembles the smallest common denominator. Quite often only regulative and evaluative norms are considered and the type of constitutive norms is treated as an expression of the former two (Dekker and Wessel 2004).

In the above example, it is indicated who is issuing the norm (a). In the case of (regional) IGOs, issuer and recipient are quite often congruent, as they regulate and structure the relations among their members or set joint objectives. Generally, however, parties are those who consent to be bound and for whom the treaty is henceforth effective (United Nations 1969, p. 333). The binding quality of a treaty is indicated by (b) and varies across different types of agreements but specific clauses and terms are common in expressing the degree of legally binding commitments. For example, terms such as ‘intend’ or ‘may’ indicate non-binding or soft legal obligations, whereas ‘shall’ indicates a hard obligation (Schenker 2015, p. 7). Finally, the issue area (c), refers to what the agreement targets. In the case present, it refers to the reduction of vulnerability to climate change. As the binding quality signifier is relatively ambiguous, the commitment to implementing the norm as expressed by the signatories can be understood as relatively weak. Essential is that every variation of community – be it several individuals, subnational groups, or states in the form of IGOs – create its own sets of appropriate behavior, which may lead to contestation and conflict, as described earlier.

Considering the norm typology, the first distinct type relates to *regulative norms*, which order and constrain behavior. These are often understood as legal norms, as they have a law-like character for those who signed agreements that contain these norms and thus establish an obligation.³⁴ Due to this explicit focus on ordering and constraining behavior, their binding quality is – compared to the other norms – relatively strong and defiance of regulative norms by any actor can lead to the aforementioned ‘naming and shaming’ or specific sanctions. Regulative norms in an IGO setting are for instance found in ‘*Charter of the Fundamental Rights of the European Union*’, in which it is specified that:

“*The Member States **shall support** the Union’s external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity and **shall comply** with the Union’s action in this area [...]*” (European Union 2016, p. 30).

Second, *constitutive norms* describe the dimension of creating new actors, categories of action, or interests. This entails for instance the creation of a new institution like the ‘*European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union*’ (Frontex). The agency was founded in 2004 by Council Regulation (EC) 2007/2004 as

“*[...] a specialised expert body tasked with improving the coordination of operational cooperation between Member States in the field of external border management **should therefore be established** in the shape of a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union [...]*” (European Union 2004).

Interestingly, the ‘*Treaty of Amsterdam*’ (1997, p. 17) already lay the foundation for Frontex by introducing new competencies to the EU itself to ensure the management

³⁴The step from regulative or prescriptive norms to legal (juridical) norms is quite small and sometimes the line is blurred. The main difference is that legal norms include forms of organized sanctions (Kanska 2005).

of external borders. In this case, the binding quality of the norm is rather strong and persistent as competency allocations to the newly founded agency have steadily increased. Yet the signifier ‘*should*’ relates to the rather weak evaluative norms, indicating that at the time a specific creation of the agency still constituted a prospect.

Finally, *evaluative norms* are stressing questions of morality (Wiener 2007, pp. 49–50). They refer to a certain ‘oughtness’ of how actors should behave or institutions should work (Rosert 2012, p. 601). Concerning their binding quality, they represent the ‘weakest’ form of norms as they do not entail specific standards of appropriateness but have merely a suggestive character that does not allow for effective monitoring or sanctioning of deviating behavior by an institutional agency.³⁵ The UN ‘*Paris Agreement*’ on climate protection provides two illustrative examples:

1. “*Developed country Parties **should** continue taking the lead by undertaking economy-wide absolute emission reduction targets.*”
2. “*The least developed countries and small island developing States **may** prepare and communicate strategies, plans and actions for low greenhouse gas emissions development reflecting their special circumstances*” (United Nations 2015, p. 4).

In both examples, the expressed obligations of the agreement are exceptionally soft and do not refer to any sanctioning measures. As such, the binding quality is very low and outcomes of norm implementation might vary immensely. Important to note, however, is the circumstance that different types of norms can be mixed and that they exist in offset relation with others. Evaluative norms for instance might be the first impulse that leads to the implementation of constitutive norms, which may then entail evaluative or regulative norms. In a sense, this describes another form of ‘norm cascade’ and special attention has to be given to the constructive relationship among them.

Table 3.1: Norm Typology

<i>Type</i>	<i>Characterization</i>	<i>Binding Quality</i>
Regulative	<ul style="list-style-type: none"> • Ordering and constraining quality (law-like) • Includes demands or obligations • Can be reinforced through monitoring and managing measures • Refer to ‘have to’ or ‘shall’ conditions • Functional 	Strong
Constitutive	<ul style="list-style-type: none"> • Create new actors, categories of action, or interests • Overlap with regulative and evaluative norms • Binding quality depends on specific context 	Mixed
Evaluative	<ul style="list-style-type: none"> • Suggestive character • Non-binding • Refer to ‘ought to be,’ ‘may,’ or other ‘possibility’ conditions • Signals intention • Commonly used as ideational sets in the initial phase of a norm cascade • Moral quality 	Weak

³⁵Even though some of them might indicate possible sanctioning mechanisms or procedures. It should also be noted that despite the implicit hierarchical increment between ‘hard’ regulative and ‘soft’ evaluative norms no real deducible norm effect is possible. Different studies have hinted that ‘soft’ norms sometimes may have a greater impact on policies than the allegedly ‘harder’ variants. A differentiation between these kinds thus serves purely ontological reasons.

Based on these considerations, the implementation of predominantly regulative norms related to bordering through an IGO should have a more pronounced effect and thus lead to a general debordering process between the member states. However, the literature is in this regard not in agreement. Some scholars argue that evaluative norms may also lead to similar effects like the more restrictive regulative norms as the incentive to conform with community provisions is based on shared core values that have enough leverage to compel the state actors (Wiener 2017; Winston 2018). In general, a categorization of strong regulative and weak evaluative norms – or referring to robustness for that matter – may be misleading as the conceptualization of all these different attributes and connected teleologies is not used coherently (Hirsch and Dixon 2021).

As such, it is difficult to ascertain the primacy of regulative versus evaluative norms in terms of their effect on bordering practices. Even though the specific norms to be analyzed will be scrutinized in that regard, it is subordinated to the general goal to gauge the impact of norms on bordering and will therefore not be specifically addressed in the hypothesis. Concluding this section, the main argument is that the repeated issuing of these subnorms in specific issue areas, combined with the above described bureaucratic approach of IGOs, should lead to more pronounced effects in terms of bordering between the member states. Therefore, the hypothesis related to the above noted research question reads as follows:

Q1H1: *The more cross-border liberalizing norms a regional IGO issues through agreements, treaties, and other provisions, the higher the cross-border interaction across the member states.*

3.3 Norm Compliance and Contestation at the Domestic Level

The above section argued how regional IGOs can incrementally bring their member states to accept an increasing collection of provisions that lead to a debordering process, which in turn will lead to an increase in cross-border interaction. However, this reasoning leaves out the normative environment at the domestic level of these member states. As the above described debordering is a multilevel process, it will inevitably also touch upon identity-related bordering and the conception of ‘us’ and ‘them.’ Even though this dichotomy provides a rather abstract backdrop, the implications can have repercussions on other bordering processes like the above-mentioned four freedoms. While this assumption implies a negative impact of domestic processes on the efficacy – thus the increase of cross-border interaction – it may not necessarily be a unidirectional process. The reverse argumentation can lead to the assumption that a more favorable normative environment at the domestic level may lead to a more pronounced adherence to the IGO provisions. These two lines of thought lead to the general question: *Do dominant norms at the domestic level have an impact on the efficacy of IGO norms?* To provide a more nuanced theoretical approach to this question, the following subsections will provide a discussion

on the relevance of domestic norms, as well as on the question of compliance and norm contestation.

3.3.1 The Relevance of Domestic Norms

The aforementioned norm provision through regional IGOs is not necessarily a straightforward process. Member states possess inherent guiding principles, values, and norms as well. Depending on their interests and priority areas these norms are either congruent with those of the IGO and thus enhance the effectiveness of the community norms or they are arbitrary, leading to a diminished efficacy of superordinate norms and – in an extreme scenario – serve as a prelude to an oppositional normative spillover and thus a potential fracturing of the community. The relevance of domestic norms in analyzing the efficacy of IGO or international norms has been a recent addition to the norm research agenda due to the globally widespread populist movements (Börzel and Zürn 2021; De Vries et al. 2021; Deitelhoff and Zimmermann 2020). However, the phenomenon itself – that is contestation of international norms and therefore their salience in the domestic arena – has been present for a considerably longer time (Cortell and J. W. Davis 2000, p. 86).

Reiterating partially on the functioning of norms in the international setting, similar processes hold true on the domestic level. Policy-making – and therefore also decision-makers – act within the context of a prevalent set of norms that create boundaries of what is acceptable and what is deemed inappropriate for that specific cultural community. Just like the norms at the international level, these domestic norms may change over time. Thus creating a situation in which the preferences of the norm-receiving actor are not congruent with those of the sending entity anymore. However, this notion is counterintuitive to the aforementioned socialization processes that are instigated by the regional IGO. Checkel (2001b, p. 579) describes this shift in preferences as a result of participation in the process. Being involved in the workings and adaptation processes of becoming or being a member of a regional IGO provides a deeper insight into its workings and therefore also potential loopholes to evade specific community rules that might prove undesirable or to use the community rules themselves to ward off deeper integration. A contemporary example can be found in the behavior of Poland and Hungary and their stance toward commitment and integration in the EU. Without iterating on the various points of discontent the two member states forward against the EU, the discourse as advanced by Orbán and Kaczyński is characterized by a distinct ‘we’ versus ‘them’ theme that materializes as anti-EU-elitism and pro-people-centrism (Csehi and Zgut 2021, p. 54).

As such, bordering as discussed in the first part of this chapter has to be understood as a multilevel process that is eventually creating friction points. More specifically, the normative claims, teleologies, and assumptions related to the status functions of border traversing entities and commodities of the regional IGO and within the member states can diverge. Therefore, creating a situation in which the domestic norms within a member state cause a rejection of IGO norms. While most of the recent literature related to the rise and consequences of populism for regional integration points to the phenomenon of ‘de-Europeanization’ (P. Müller et al. 2021) as a specific form of turning away from

communal standards through the restrengthening of domestic positions, rejection of fundamental norms, or structural disintegration, they rarely discuss what specific norms – in the sense of IGO provisions – are then exactly rejected and whether these actually relate to the claims made in the first place.

The argument advanced here is that a gradual shift in dominant domestic norms has taken place that can subsequently lead to the above described processes. In terms of bordering, the allocation regarding status functions is drifting apart, leading to a rejection of the current bordering status for specific commodities or entities. To make such a process more palpable, the aforementioned example of the mass expulsion of Romanian and Bulgarian Roma from France in 2007 and 2010 can be applied. Even though the provisions of the EU covered these groups in terms of the free movement principle within the Schengen Area, their status function within France has been altered due to a set of new laws and policies of the Sarkozy administration that specifically targeted them under the pretext of reinforcing security and order. The underlying cause for these actions is probably related to the subliminal resentment within the wider population against such groups and growing support for far-right and populist parties like the *Front National* (Kelley and Edwards 2017).³⁶ The Sarkozy administration clearly used these measures to demonstrate a hard law and order line but also to pander to more conservative and right-wing voters. As such, the alteration of the Roma and Sinte status function was a consequence of a shift in the dominant domestic norms within France and subsequently led to a partial rebordering process and a partial repeal of the communal standard of the free movement of persons.

Having illustrated the effect of dominant domestic norms, the next question then relates to the ontology of such norms. Even though the literature uses this concept, a straightforward definition can not be found as the formation of a dominant domestic norm is inherently bound to a specific state, its corresponding society, and is shaped – similar to the genesis of other norms – by history, self-conceptions, and the constraints of the wider environment (Checkel 2001a, p. 192). As such, a dominant domestic norm is unique, albeit its effects can be similar to those dominant norms of other states. Staying on a theoretical meta-level, such a norm can be described based on three main characteristics. *First*, it is a norm that is providing an authoritative claim about appropriate behavior and serves as the main guideline for decision-makers. In a sense, it represents the *Raison d'État* as it provides the basis for all decisions. This goes even so far that it overwrites the option of choosing more beneficial avenues of action when they run contrary to the specific dominant norm. *Second*, it is deeply ingrained within the wider public of that specific state. As such, the public will match the decision of the government against the norm and will have a critical position on deviant behavior. The wider public acts in that sense as a control instance to ensure that the generally agreed upon course of action is followed. *Finally*, it is not so much a norm in the sense of international relations studies or political science but should be understood along the lines of the sociological notion of norms as institutions. Even though cases might exist in which the dominant domestic norm is only a single instance of a norm, the assumption here is that it is either

³⁶More specifically, the 2003 Sarkozy Law II created a situation in which Roma and Sinte were forced to either apply for a severely limited number of legal halting areas or to commit a crime when placing their mobile homes in undeclared areas (Kelley and Edwards 2017, p. 182).

a compound of different complementary and supplementary norms or at least a specific one that depends on a set of other norms that provide legitimacy or even the logical framework.

An illustrative example of this can be found in the German commitment policy for Israel. As part of the reconciliation process due to the atrocities committed by Nazi Germany against the European Jews during the Second World War, this policy aims to assist the state of Israel and its inhabitants – as the home of the Holocaust survivors – wherever possible. The majority of these efforts focus on political and economic assistance but also include the supply of covert military equipment. Even though the latter causes occasional parliamentary discussions within Germany, it is largely not noticed by the wider public and the general support of the state of Israel is – despite the recurring clashes with Palestinian militias – not questioned or disputed (Serr 2015). It thus constitutes an integral part of Germany’s foreign policy. any other decisions – especially those related to the Levant as a whole – have to be compatible with that commitment policy.

The example highlights how such a norm has been internalized to such an extent that its practicality, rationality, and even morality are not being questioned. Reiterating on the norm life cycle by Finnemore and Sikkink (1998, p. 898), this internalization stage is based on a mechanism of habitualization and institutionalization. As such, a compliance automatism is discernible, which potentially overrides all incompatible decision-making options. This, therefore, diminishes the chance of weighing up the benefit of new norms *vis-à-vis* the already established one. Despite the above depiction of dominant domestic norms as all-permeating and integral constructs, they are prone to change. Albeit not in the sense of sudden alterations but more on the lines of a tectonic shift if considering a stable state. Transitioning from one dominant domestic norm to another therefore can take years or even decades. Exceptions to this process can be found in sudden and fundamental events like global crises, wars, or natural catastrophes that force whole societies to adapt. In essence, these are events that affect the fundamental workings and self-conception of states and their societies.

Summarizing, these dominant norms can either enhance or diminish the efficacy of IGO and communal provisions. The specific impact is dependent on the compatibility between the two levels. In order to refine the approach, the following section provides a discussion on the specific reactions according to the manifestation of the dominant domestic norm *vis-à-vis* the IGO norms.

3.3.2 Compliance and Contestation

Based on the above considerations, the question arises how – and to what extent – compliance and contestation can take place within the general framework of this research project and how it is related to the dominant domestic norms.

As noted in the literature review, research on norm compliance and contestation has seen heightened attention in recent years due to the rise of right-wing populist parties and integration-antagonistic movements across the globe (Börzel and Zürn 2021; De Vries et al. 2021; Deitelhoff and Zimmermann 2020). With that, the bordering between ‘us’ and ‘them’ has again found its way into the wider public discussion, which naturally also affects the aforementioned four freedoms central to this research. Focusing on the role of

the domestic public in opposing international norms, De Vries et al. (2021, pp. 310–313) identify three sources within the wider public that contribute to the above-mentioned dualism. Limited economic benefits and low wages – especially in connection to austerity measures after economic crises – are the main factors that contribute to a perception of being left behind. Cultural and identity aspects then act as a catalyst for political parties that use “[...] *parochialism, nationalism, protectionism, and opposition to immigration [as] a ‘cultural backlash’ against liberal elites*” (ibid., p. 311). Finally, the regional IGO as an institution itself contributes to this phenomenon through its constraining influence on domestic politics, which favors a form of political scapegoating that in turn targets the IGO.

The consequence of these scenarios can be subsumed under the concept of ‘*norm contestation*’ (Wiener 2017) which has been touched upon before briefly and which resembles both a practice of objection (reactive contestation) and a mode of critique (proactive contestation) that challenges the aforementioned agent-principal inversion (Wiener 2014, 2017). A similar direction on the issue is taken by the notion of ‘*antipreneurism*,’ a concept that directly relates to norm-contestation and focuses on the phenomenon of directed and purposeful resistance to forms of normative change and maintenance of the *status quo* (Bloomfield and S. V. Scott 2017, p. 13). In most cases, this resistance and rejection are not specifically directed only against a distinct IGO norm but against the process of how the given standards are to be implemented or to which additional provisions could be necessary.³⁷

As such, contestation is a phenomenon that describes a competition between norms that are introduced by different actors. Based on the definition of norms used previously, the intersubjective understanding that creates expectations is not given anymore. As a consequence, the nominally prescribed behavior diverges, leading to competing behavioral expectations. An illustrating example would be how Germany frequently violates Article XXIV(4) of the *General Agreement on Tariffs and Trade* (GATT) and subsequently the *World Trade Organization* (WTO) (1994, p. 791) since it joined the *European Economic Community* (EEC) in 1958 by raising trade barriers on third party products (Mansfield and Reinhardt 2003, p. 833). However, this does not indicate that specific agreements and norms contained within them are obsolete when actors operate contradictory to them. If states like North Korea violate the non-acquisition norm of nuclear weapons, the international community does not automatically discard the norm altogether but brings about sanctions and maybe even interventions. As such treaties “[...] *enhance the reputational effects that may inhere in general policy declarations, precisely because they link performance to a broader principle that underlies the entire edifice of international law: pacta sunt servanda – treaties are to be observed*” (Simmons 2005, p. 623). In the end, it is a presentational and rational choice, even though forms of norm violation

³⁷Research on contesting norms and norm dynamics is relatively new in critical constructivism, hence the different approaches to the phenomena (for a discussion thereof see Lantis 2017; Wiener and Puetter 2009). In a similar direction – even though not necessarily operating under the nomenclature of contestation – goes the aforementioned concept of ‘*norm subsidiary*’ by Acharya (2011). His discussion highlights how parts of the reactive contestation on a global to regional ratio take place in the form of regional adaptation processes of global norms and their transformation into new standards. These new standards then share relatively few characteristics with the original global norms and mainly provide a cloak for sustaining local idiosyncrasies.

may have a repercussion in the future or could lead to a ‘norm erosion’ (Niemann and Schillinger 2017, p. 34).

At this point, it should be clear that norm contestation is not necessarily a dichotomous variable in the sense that norms are either contested or not. The above example illustrates how more fine-grained forms of resistance can exist. Returning to the research subject at hand and simultaneously bridging the gap to the discussion of dominant domestic norms, the acceptance or resistance of bordering related norms issued by the IGO need to be analyzed while considering prevailing perceptions at the domestic level.

Assuming that the dominant domestic norm of the member state in question is not in conflict with the regional IGO, the core expectation is that a swift transposition of IGO provisions into national law should take place. In the case of provisions with general application – like EU regulations – this step of course is obsolete as no transposition is needed. The amount of time needed to transpose such provisions depends largely on the specific content and scope of what needs to be implemented. In most cases, however, the regional IGO provides a time frame that orients itself on the administrative and bureaucratic capacities of its member states to implement the provision. Deriving from the considerations of a ‘supportive’ dominant domestic norm, the reverse scenario then would point to a situation in which specific provisions are being more readily resisted or even rejected. The causes for that can be – as described above – multifarious and might overlap. Even the specific form of contestation may vary. A first possible scenario is that the implementation of the IGO provision is merely protracted in an attempt to ride specific requirements out. This might be for instance the case when it is clear that the provision in question has only limited temporal applicability. The second scenario is a partial transposition. Here, only specific parts of the obligations are transposed into national law and the contentious parts are left out. Again, this might be due to a limited legal force of the provision or due to the attempt of a member state to masquerade its unwillingness while also trying to avoid naming and shaming. These two forms then constitute forms of norm resistance. Finally, the complete non-transposition qualifies as a form of norm rejection. In this scenario not even the attempt is undertaken to comply with the IGO provisions and is – in consequence – an open challenge to the authority of the regional IGO.

Another crucial aspect is the perception of norms not as static but as dynamic and flexible phenomena, whose leverage and level of influence can change depending on specific characteristics of a given situation. Domestic norms that might have been initially acted in concert with those of the wider community can, therefore – depending on internal and external triggers – turn into contesting norms, which then affect the likelihood of contestation. To illustrate this approach, the concept of domestic economic security can be taken as an example. Membership within an IGO community serves quite often to remove trade obstacles and therefore provides domestic companies with improved access to other markets, which in turn contributes to domestic economic security as profits are expected to rise. However, it is also likely that the external markets increase the competition, resulting in lower margins for domestic companies and thus endangering economic security. This is especially the case if external actors gain a dominant position. A consequence is the introduction of other means of protecting economic development at the domestic level. As an illustrative case serves the behavior of the ASEAN members,

who – despite initial agreements under the 2007 *ASEAN Economic Community* (AEC) programme – have revealed a rather ambivalent inclination to fully remove obstacles to trade in goods. Most notable is the simultaneous debordering and re-bordering process for the free movement of goods that are deemed viable to specific sectors like in the Malayan car industry (Dosch 2017, p. 33). In a sense, the ASEAN framework provides enough protection from outsiders but is being limited by its own member states which have varying protectionist agendas, depending on their current level of economic development. In this sense a shift from supporting domestic norms to opposing norms in the form of reactive contestation took place. As such, the assumption is that as long as domestic norms and the general situation within the country are congruent with those of the wider community and the IGO’s norms, then a positive effect of the latter is more likely.

Based on these considerations, two hypotheses have been conceptualized that capture the different outcomes concerning norm acceptance or norm contestation based on the shaping and direction of the dominant domestic norm.

Q2H1: *When dominant norms at the domestic level exist that contest the bordering related IGO norm, then transposition is protracted or rejected.*

Q2H2: *When dominant norms at the domestic level exist that support the bordering related IGO norms, then IGO norms are transposed in a timely manner.*

3.4 The Impact of Critical Junctures on Norm Compliance

Political systems and related inbound interaction processes are hardly self-contained. Changes in their environment, which consist of additional actors at all levels, or decisive events that might deeply influence and change actor behavior lastingly, have to be considered as a formative influence on border controlling entities and thus the bordering process as well. Events in the form of critical junctures confront actors with extraordinary situations or dramatic changes, demanding immediate action and thus altering processes, relationships, and expectations about interaction (Goertz and Diehl 1995, p. 31; O’Reilly 2013, p. 60; Riddervold et al. 2021, p. 7). Ikenberry has defined such events as “[...] *an extraordinary moment when the existence and viability of the political order are called into question*” (2008, p. 3). To a certain extent, these ‘shocks’ are forcing fundamental changes in an actor’s general behavior to such a degree that previously shared expectations about appropriate behavior might prove insufficient to cope with the new situation and are thus to be replaced by new norms (Duffield 1999, p. 770). Figure 3.4 illustrates this perspective. In this schematic illustration of the process, the policy P_A is assumed to be a policy normatively informed by the regional IGO Norm. A decisive event or a specific trigger can influence the decision-making process, leading to a reevaluation of existing norms and policy P_A . This reevaluation – broadly speaking – relates to a renewed scrutiny of already agreed-upon standards of appropriate behavior in the form of already implemented IGO provisions on the member-state level. The scrutiny thus relates to

the appropriateness of whatever has been agreed upon in that specific situation. For instance, the end of the Cold War led to a reevaluation process in the US, whether it still would be appropriate behavior to expand the nuclear arsenal as it has been during the conflict. In the face of a changed geopolitical environment without the Soviet Union as the main antagonist, this practice was deemed inappropriate not only due to military but also for economic and financial reasons and has thus been changed. Accordingly, a behavior change – and therefore the perception of the standard of appropriate behavior – will lead to alternative forms of policies not necessarily influenced by the regional IGO and as denoted through P_B .

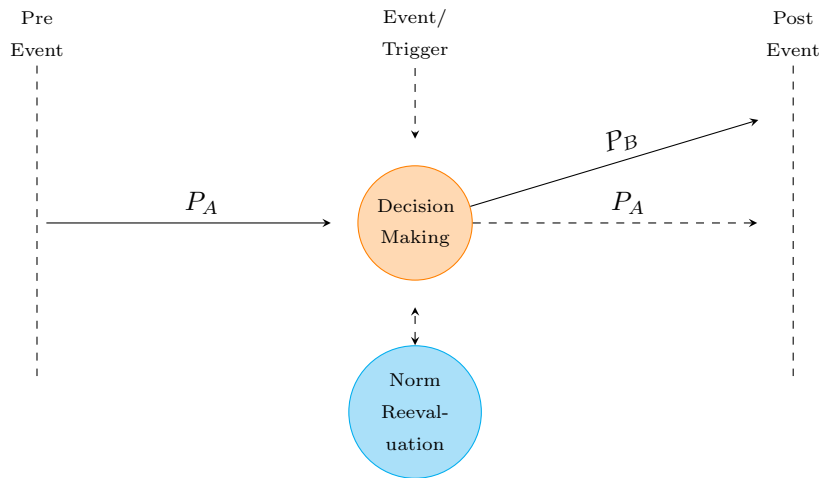
Axelrod (1986, p. 1096) noted in this context that norms can – due to the aforementioned critical junctures – change rather rapidly through the emergence of challenging norms. Interestingly, this time of challenge creates an intense awareness of the existing norm, which makes them even more prone to be retracted. This then leads to the question: *Do critical junctures have an impact on the application of agreed-upon border-related IGO norms?*

3.4.1 Critical Junctures and Norms

An issue is that these critical junctures can come in different ways and might – at first glance – not even be perceived as such. Generally, one could differentiate between exogenous and endogenous events that lead to the aforementioned extraordinary situations that compel alterations in behavior. Familiar variants of these events are forms of natural disasters, acts of terror, of financial and economic crises but also the violent overthrow of established governmental systems or revolutions, the rise of extreme (left or right wing) parties and groups, or the sudden decline of vital economic or industrial sectors. The prime example of such a critical juncture in recent history is the end of the Cold War, as nearly half a century of security policies and established identities got out of step with the changing international environment (O'Reilly 2013, p. 60). This, in turn, led to a reshaping and reconfiguration of the borders of the newly found post-Soviet states but also demanded a recalibration of normative assumptions about these actors. Problematic with these forms of decisive events, however, is how they are perceived. Global warming and the concomitant increase of the sea level has a far stronger impact on a state like the Netherlands or an island like Hawaii than on states like Nepal, as the threat of submergence is far more palpable in the former. As such “[...] even [...] shocks have to be interpreted [...]” internally and assigned with meaning (Widmaier et al. 2007, p. 748).

Crucial is that exogenous and endogenous instigated critical junctures might occur simultaneously or in short succession. Amplifying their effectiveness and increasing the probability of normative reevaluation by changing the normal political intercourse between actors. An abstract example is in this regard the current stance toward migration and the acceptance of refugees in a variety of Western states. With the Syrian civil war, the European Union is confronted with the decisive exogenous event of an unprecedented influx of refugees. This situation, in turn, reinforced the rise and strengthening of populist right-wing parties – like the *Front National* in France, the *UK Independence Party* (UKIP) in Great Britain, or the *Alternative für Deutschland* (AfD) in Germany – which resembles the endogenous shock, as these parties challenge the existing normative sys-

Figure 3.4: Schematic Illustration of Critical Junctures



Illustrated is the impact critical junctures have on the political actors, leading to norm reevaluation and potential norm contestation.

tem of a ‘borderless’ Europe and advocate for national rebordering. This norm change at the national level may subsequently lead to an instance of norm resistance in the form of non-compliance if such groups manage to gain political power and support from the wider public. Thus, eventually leading to reintroducing forms of national isolationism and a reversing of core principles of Western liberal norms as to be found in the form of the EU.

3.4.2 Critical Junctures and *Ex Post* Norm Rejection

Assuming the influence of a critical juncture and iterating on the conception of diverging dominant domestic norms, non-compliance is not necessarily limited to any new form of provisions introduced by the IGO but might also affect *ex-post* already transposed provisions. Analytically this might point towards an instance in which the critical juncture is instrumentalized as a pretense to limit or even renege on specific provisions that have been unpopular in particular member states. As such, the variable of the aforementioned dominant domestic norm plays an important role in evaluating the compliance of member states during such periods. Member states that do have a more positive inclination toward the regional IGO – and thus the normative framework as a whole – seem to be less likely to instrumentalize such an instance in order to limit communal norms. Member states, however, that are characterized by dominant domestic norms that are less favorable or neutral to the regional IGO and its communal norms might use the situation to limit their influence. Drawing on the literature review on the relevance of norms, this instance then can be described as the formative phase of a counter-norm. Based on these considerations, the following hypotheses are postulated:

Q3H1: *When a decisive event occurs combined with a supportive dominant domestic norm, then contestation of IGO norms is less likely.*

Q3H2: *When a decisive event occurs combined with a contesting dominant domestic norm, then rejection of IGO norms is more likely.*

3.5 Chapter Summary

Summarizing the key arguments of this chapter, the hypotheses developed are presented in Table 3.2. The first hypothesis focuses solely on the inherent cohesion of IGO norms that relate to the previously identified forms of cross-border interaction. The rationale – as straightforward as it may be – has a compelling simplicity to it. The more frequently a specific issue area is being addressed by an actor through binding provisions, the more pronounced the effect in terms of cross-border interaction.

Table 3.2: Summary Hypotheses

Focus Component/ Mechanism	Hypothesis
Amount of IGO Norms	H1: The more cross-border liberalizing norms a regional IGO issues through agreements, treaties, and other provisions, the higher the cross-border interaction across the member states
Opposing Dominant Domestic Norms	H2-1: When dominant norms at the domestic level exist that contest the bordering related IGO norm, then transposition is protracted or rejected.
Supportive Dominant Domestic Norms	H2-2: When dominant norms at the domestic level exist that support the bordering related IGO norms, then IGO norms are transposed in a timely manner.
Critical Juncture and Supportive Dominant Domestic Norm	H3-1: When a decisive event occurs combined with a supportive dominant domestic norm, then contestation of IGO norms is less likely.
Critical Juncture and Opposing Dominant Domestic Norm	H3-2: When a decisive event occurs combined with a contesting dominant domestic norm, then rejection of IGO norms is more likely.

The second set of hypotheses takes into account diverging and unfavorable conditions within the member states themselves. Assuming that dominant domestic norms – due to their pervasiveness – command enough authority to prohibit certain behavior of the national decision-makers, the authoritative claims of the regional IGO can be hollowed out and thus lead to forms of norm contestation. Finally, the disruptive function of critical junctures is considered, in which these kinds of events may act as catalysts for arbitrary behavior of the member states if the precondition of an opposing dominant domestic norm is fulfilled.

The overarching goal set to be achieved with these multilevel hypotheses is not only to fill the gaps identified during the literature review but also to provide an initial approach to the issue of borders and bordering from the perspective of International Relations Studies, while also addressing the role of regional IGOs within a globalized world. In order to achieve that goal and to test the above hypotheses with empirical data, the following chapter will provide a discussion of the research design, including the different variables, sources, data, and the overall strategy employed to provide answers for the here postulated research questions.

Chapter 4

Research Design

In this chapter, the research design, including the different methodological approaches and the specific cases selected for the analysis, is discussed. As the different hypotheses demand distinct methodological approaches, the chapter has been split into two parts. The first accounts for the quantitative approach and the second part for the qualitative approach.

Concerning a more detailed structure of this chapter, in the *first* section the quantitative approach for the first hypothesis is presented. This includes the reasoning for choosing the Baltic Sea Region (BSR) and the South China Sea Region (SCSR) as particularly interesting locations of analysis. Subsequently, the variables for the first hypothesis are introduced. As this hypothesis focuses on the impact of the amount of IGO norms on cross-border interaction, the dependent variables are represented by the specific flows related to each of the four freedoms discussed previously. The main independent variables then take into account the actual amount of norms that each of the analyzed IGOs issues regarding each of the four specific freedoms. The estimation approach then introduces the model employed for this research, which follows a standard gravity model but is modified in order to allow for zero-flows.³⁸

The *second* section provides information on the considerations for the qualitative approach that strives to answer the remaining sets of hypotheses. First, the considerations for choosing the subcases are discussed. Due to the idiosyncratic nature of the two overarching regions and their member states, a more nuanced reflection has to follow in order to find suitable example cases. Second, the central variables for the qualitative approaches are discussed. These relate to the norm transposition, the timeliness of transposition, and forms of norm contestation. This also includes a discussion of central independent variables like dominant domestic norms and critical junctures. Subsequently, the corpus material and sources for the qualitative approaches are introduced. Besides the specific provisions of the two regional IGOs in the form of agreements, treaties, and subordinate directives – which are central to this research – sources like government declarations, newspaper articles, and interviews are being presented. Finally, the specific strategies for answering the remaining hypotheses are discussed and the chapter concluded.

4.1 Quantitative Approach

As the main interest of the quantitative approach is to estimate the effect of IGO norms on the cross-border interaction among the member states that are dispersed across a regional setting, it is only natural to employ a methodology based on the gravity model. Analogous to Newton's law of gravity, the model states that the interaction between two objects is related to their respective masses and inversely related to the distance between them. The model has been a staple for analyzing bi- and multilateral flows in economics for several decades and has found its way to other fields of research as well. In their most basic form, the usage of gravity models can be traced back to Tinbergen (1962). In this case, the respective cross-border flow directly depends on the 'mass' of each state in a dyad, changes in the amount of norms that regulate said flow, and is negatively affected

³⁸All data, R scripts, and statistical outputs can be accessed under: <https://drive.google.com/drive/folders/1Thn6qAPq-Did96ediPG8vhAbekeULvrr?usp=sharing>.

by an increasing distance between both states (Baldwin and Daria 2006, p. 2). The basic formulation of the standard gravity model is

$$X_{ij} = G \frac{M_i^\alpha M_j^\beta}{D_{ij}^\gamma} \eta_{ij}, \quad (4.1)$$

whereas X_{ij} is the value of bilateral flow from the origin state to the destination state and G is a constant that would relate in a physical example to the gravitational constant. M_i and M_j describe the respective masses of each state concerning the specific cross-border flow of interest. The value D_{ij} represents the distance between the states, which is usually the length from each capital to the other. The last value η is an error term approximating 1. Even though the basic idea of the gravity model is rather straightforward, this does not impede the reliability of this model. Quite to the contrary, the model – in increasingly complex iterations – has been employed in diverse fields to analyze migrant movement, capital flows, and various forms of international trade (Wölwer et al. 2018, pp. 16–18; Yotov et al. 2016, p. 5).

The structure of this section is as follows: in the next part, the cases of the Baltic Sea Region and the South China Sea Region will be introduced and discussed. The analysis has to be understood as a contrasting approach as the two regions have rather distinct subsets of members and initial conditions. Nonetheless, the overarching principle – harmonization and thus dismantling of intra-communal borders through IGO norms – is similar. Merely the approach of each of the IGOs on how to realize such a goal and what forms of norms – either regulative or evaluative – are being used is distinct. The *second* section introduces the specific dependent variables that will be used as reflections of the four freedoms and relate to the cross-border flows between origin and destination countries within each of the two case regions. The *third* section introduces the independent variables used across the respective literature that serve as masses and friction measures for the gravity models. A special emphasis will be placed here on the specific normative influence of the two IGOs in relation to the four freedoms. Culminating in a count variable, the basis for this specific variable are the various treaties and thereof resulting provisions or agreements. A more in-depth discussion of the approach of how to quantify the respective variables is presented in the next chapter. *Finally*, additional considerations regarding the estimation approach will be discussed. These are mainly related to issues such as multicollinearity, multilateral resistance terms, and endogeneity.

4.1.1 Case Selection

To attain convincing results about the afore-postulated research question, the case selection plays an important role. Regions with similar initial conditions and a similar number of states but different outcome scenarios are of particular interest for research on IGOs and norm-induced changes in border configurations (J. Anderson and O’Dowd 1999, p. 593). For this purpose, two regions based on a most-similar design have been chosen. The first is the BSR and the second the SCSR. Both regions may initially seem not to be the obvious choices for a contrasting juxtaposition, but I try to demonstrate that they share several similarities that justify the choice and provide for a compelling analysis.

The BSR and its states – being Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland, Russia, and Sweden – poses an especially interesting framework as it not only acts as a territorial³⁹ but also as an institutional⁴⁰ intersection, with a varying set of borders, of which most are highly permeable.⁴¹ The end of the Cold War and the subsequent EU enlargement have seen the region become one of the most thriving areas in Europe. These events have not only triggered the development of dynamic economic ties but came along with extensive institutional changes in the former socialist countries (Kern 2011, p. 21). With the already successful implementation of the *EU Strategy for the Baltic Sea Region* (EUSBSR), the region nowadays acts as a blueprint for other European macro-regions,⁴² as the deepened interaction among the neighboring (EU) states of the region has led to successful and sustained cooperation in the areas of environment, economy, infrastructure, and security matters (Schymik 2011, pp. 5, 29). Economically, some states of the region belong to the most prosperous in Europe, having in 2018 an average gross domestic product (GDP) growth rate of 2.7% in relation to the European average of 1.6%.⁴³ Thus indicating a relatively stable growth rate across the involved states (Ketels and Summa 2014, p. 27).

The SCSR and its states – comprising Brunei, China, Indonesia, Malaysia, the Philippines, Singapore, Taiwan, and Vietnam – is similarly interesting as it includes the ASEAN as an influential regional IGO that covers a considerable part of the SCSR. The ASEAN was founded in 1967 through the Bangkok Declaration, conceptualized as a security community in reaction to the Vietnam War (1964-1975) and as a forum for informal exchange between Indonesia, Malaysia, the Philippines, Singapore, and Thailand (Acharya 2014, p. 1). The fall of the *‘Bamboo Curtain’* in Southeast Asia – just as the fall of the Iron Curtain Europe – brought a new stimulus for transnational economic cooperation. The so called *‘Asian Way’*, which emphasizes informality and organizational minimalism, is crucial for the understanding of the workings of the ASEAN group, which is illustrated by ASEAN’s leadership role regarding the peace process in Cambodia in 1991, and the resulting Paris Peace Agreement (*ibid.*, p. 5). Despite these earlier testimonies of success, ASEAN struggled (and still does) with unresolved issues. This is for instance apparent in unresolved border conflicts among its members but also in the organization itself, as further steps to deepen the integration and reform processes have been coming up short.

Common for both regions is the connection of the adjacent states through a large maritime body, a history of long-standing maritime-economic relations, the shared experiences of a systemic divide during the Cold War, roughly the same number of states, and in each case a major regional power that is not included in the main superordinate regional IGO (M. North and Turner 2010, p. 272). Additionally, both regional IGOs were founded only several years apart. Yet they developed in considerably different

³⁹Connecting the European continent, Scandinavia, the Baltic States, and Russia.

⁴⁰Between the EU, the Nordic Council, the *Council of the Baltic Sea States* (CBSS), and since 2015 the *Eurasian Economic Union* (EEU).

⁴¹Contrary to popular belief, the ECSC is not the first IO in modern times that focused on the implementation of debordering processes. The political-economic union between Belgium, the Netherlands, and Luxembourg (BeNeLux) already implemented the free movement of persons, goods, and services in 1948 (Meade 1956, p. 209).

⁴²A macro-region is “an area including territory from a number of different countries or regions associated with one or more common features or challenges.” (European Union 2009, p. 1).

⁴³Source: Baltic Development Forum <http://www.bdforum.org/the-baltic-sea-region-economies-progress-and-priorities-launched-at-bdf-summit-2018/> (Accessed: 31.07.2019).

ways. Where the EU established permeable inner borders for most of its member states through several rounds of binding agreements, the ASEAN is still at the beginning to launch a similar process (Asian Development Bank Institute 2013). A main difference in both of the regions lies in the way what form of norms are implemented by the regional IGO. Whereas the EU emphasizes regulative and legally binding norms in the form of laws and regulations, the ASEAN takes a more evaluative approach, in which the issued norms do not possess binding qualities and rely more on voluntary implementation. As such, a contrasting of both regions under the principle of norm-induced changes in border configurations seems apposite if the restraints of contrasting cases are considered in a more relaxed manner. In abbreviated form, the question that resonates in these considerations relates to the issue if there actually is something like a normative influence by IGOs and under which circumstances it applies despite different forms of norms.

The selection of these two regions as cases has also some practical implications. Through the (roughly) circular proximity of all states to each other, effects of impeded bilateral cross-border interaction due to geographical distance are theoretically minimized, as states are directly connected through a maritime body. In a similar fashion can proximity be applied to the cultural dimension that normally aggravates cross-border interaction. Albeit culturally not homogeneous, all states within each of the regions already have long-standing historical and economic relations with each other. As such, cultural socialization and a cultural exchange already took place and state actors 'know' the others. This should therefore lead to a stronger emphasis on cross-border interactions while mitigating the effect of cultural and linguistic differences. This closeness and the general centrifugal effect of regional IGOs theoretically also controls for the influence of *Preferential Trade Agreements* (PTA) and the impact of regimes or organizations like the GATT and WTO.

An important factor in contrasting these two regions and thus regional IGOs are the institutions themselves. As will be pointed out in the following section, a shared set of characteristics across both regions can be seen. Yet the respective regional IGOs differ profoundly in terms of what kind of norms they diffuse and what mode they use for this diffusion. Without preempting too much on the analysis itself, the EU uses mainly regulative forms of norms in a highly interrelated way, whereas the ASEAN focuses mainly on evaluative norms with a largely singular issue perspective.

Other regions with an influential regional IGO have been considered for the analysis as well. For instance the *Organization of African Unity* (OAU) – later becoming the *African Union* (AU) – was founded in 1963, thus covering a similar time frame but is lacking the geographical dispersion found in the BSR and SCSR. In addition, even though the AU is increasingly developing similar structures as the EU in terms of regional integration, their capacities and capabilities are still rather limited and focus predominantly on conflict prevention and management (Furtak 2015, p. 4). Another possible regional IGO setting is the *Gulf Cooperation Council* (GCC). However, while being characterized by a somewhat circular geographical dispersion that is similar to that of the chosen regions, the GCC itself has been founded in 1981 and is thus considerably younger than other regional IGOs. In addition, the institutional setting of the GCC – even as a forum – is severely limited, thus making it an unsuitable choice (Legrenzi and Calculli 2013, p. 2). A final candidate would have been the Red Sea Region with the League of Arab States as the

regional IGO. The geographical dispersion is relatable to the aforementioned cases of the BSR and SCSR. However, a regional power that is not a member of the regional IGO is missing and the Arab League itself – while having made attempts in recent years to focus more on regional integration through a set of far-reaching reforms – is a decisively intergovernmental organization with a rather limited set of agreements and institutions (Koitzsch 2016).

Concluding the considerations about case selection, the BSR and the SCSR provide ample indication for a contrasting analysis. As the paramount goal of the selection deals with the questions of whether norms have an influence on cross-border interaction and if there is a significant outcome difference based on the type of norms, the selection is informed by the attempt to keep most of the regional idiosyncrasies similar while acknowledging differences in the intra-communal standards of appropriate behavior.

4.1.2 Variables

In the following subsections the dependent as well as the independent variables are introduced. A specific focus here will be placed on the identification and quantification of the IGO norms variable upon which the main theoretical argument rests. The remainder of this part then will engage with the gravity model of cross-border interaction and also provide considerations concerning fixed effects and the issue of endogeneity.

4.1.2.1 Dependent Variables: Cross-Border Flows

In accordance with the general research interest, the main dependent variables relate to cross-border interaction in the form of freedom-specific flows. As four different flows for two distinct regions and sets of states will be employed, restrictions in data availability naturally exist. Nominally, the time frame of interest spans the whole existence of both regional IGOs in order to cover the maximum of their normative dissemination. However, this would aggravate the aforementioned data availability problem even further. Therefore, the general time frame has to be limited accordingly. Most notably, the majority of available data improves in quality – or even only becomes initially available – during the early 1990s.⁴⁴ As such, the analysis has been – where not otherwise indicated – limited to the time frame of 1995 to 2015. The upper end again is limited due to data availability. Even though this reduces the total amount of observations considerably, the employed directed dyadic panel structure of the data provides for a sufficient amount of remaining observations to yield meaningful results.⁴⁵

Trade in Goods Following the conventions of standard gravity model analysis for international trade, the *Trade in Goods* variable takes into account the exports from state A to B in Million 2010 \$US. The data used for attaining information about the trade in goods variable is based on the IMF Direction of Trade Statistics (2016) that

⁴⁴Initially a random forest nonparametric missing value imputation technique (Stekhoven and Bhlmann 2012) has been employed to fill in the ‘gaps’ in the available data. However, missing values were too numerous to provide a basis for a robust imputation and would have led to a highly biased analysis. Additionally, the issue of non-existing states in episodes of the time frame of interest – notably the three Baltic states or the question of how to deal with the German reunification – was an issue that complicated the imputation approach considerably.

⁴⁵The BSR part, with 56 dyadic pairs over 21 years provides 1176 observations and the SCSR part with 30 dyadic pairs over 21 years provides for 630 observations.

covers annual imports and exports between two countries starting from 1947. For the analysis, only the export data is necessary, albeit the final dataset contains dyad-specific import data as well. Monetary values in general have been harmonized based on the 2010 \$US to control for inflation.⁴⁶

Trade in Services The variable to account for *Trade in Services* takes into account the Trade in Services Database of the World Bank. Covering a time frame from 1985 to 2015 while focusing on Mode 1 cross-border trade in services on a bilateral basis (Miroudot et al. 2013, p. 723).⁴⁷ A persisting issue that is endemic for assessing services data is that the quality is not on par with that of the trade in goods data (*ibid.*, p. 723). Especially the nature of services – intangibility and non-storability – makes compilation of this data more difficult and causes inaccuracy of records. While acknowledging the fact that each country may have the ability to specialize in the provision of specific cross-border services, the assumption is that on a holistic level, the inherent service bias – preferences in a country for the provision of specific services while neglecting others – becomes balanced.

Movement of Persons The proxy for the free movement of persons is based on bilateral migration data for each dyad under investigation. However, this data is consistently difficult to analyze due to varying legislation and survey methods that states rely on. As the data is based mainly on reports and registrations of the individuals concerned, it should be regarded as more indicative than explicit (van Mol and de Valk 2016). Besides, data on emigration and immigration is not always fully available. A problem that intensifies the less recent the survey period in question is. For both regions, no unified data set exists that covers the whole time frame. Thus, two different sources for this data are used. The data used for the BSR is based on the OECD database, which covers migration in- and outflows based on the origin country from 2000 to 2015 (OECD 2017).⁴⁸ For bilateral migration movement in the SCSR the data set of the *International Labor Organizations* (ILO) is drawn upon which starts with observations in 1939. Opting for two different sources of migration data is generally problematic as different forms of data acquisition at the state level have been used. This means that the quality of migration data is often limited (Abel 2010). Several initiatives and projects have been launched to overcome these problems and promote comparable definitions, statistics, and estimations of missing data (DeWaard and Raymer 2012; van Mol and de Valk 2016). Nonetheless, due to the separated analysis of both regions, combining both data sources poses no further issue for the analysis.

Movement of Capital Finally, the free movement of capital variable takes into account the outflows of *Foreign Direct Investment* (FDI) between an investing and a des-

⁴⁶Note that several of the estimations related to monetary values will not be used in single US\$ but in thousands as large values of the independent variable imply numerical problems which lead to flawed estimations of covariance (Shepherd 2019, p. 47; Krisztin and M. M. Fischer 2015, p. 462).

⁴⁷This Mode generally consists of services related to insurance and pensions, telecommunication, or information (see Maurer et al. 2016, p. 55 for a comprehensive listing of the different service sectors). For further information on the data source see: http://wits.worldbank.org/data/public/trade/TSD_Documentation_FrancoisPindyuk2013.pdf (Accessed: 11.04.2017).

⁴⁸The Dataset is available under: <https://stats.oecd.org/Index.aspx?DataSetCode=MIG>, accessed 21.06.2017.

mination country. The literature on panel data FDI analysis generally suggests the usage of the OECD data set (Dorakh 2020). However, this source does not provide bilateral data for the SCSR states. Other sources providing such data are the *United Nations Conference on Trade and Development* (UNCTAD) and the IMF (Gouel et al. 2012). As the UNCTAD provides data for bilateral capital flows and stocks beginning in 2001 and the IMF only in 2008, the UNCTAD source has been chosen. Additionally, the UNCTAD provides a framework and technical assistance to harmonize national statistics which has been applied both in OECD and ASEAN countries. Thus increasing the reliability of the employed data.

4.1.2.2 Independent Variables: Gravity and IGO Measures

Following the literature on gravity models, the first independent variable relates to the relevant mass of a state within the dyad. This mass is usually denoted in the form of the economic size of a country (Wölwer et al. 2018, pp. 16–18; Baldwin and Daria 2006, p. 2). For the estimation of trade in goods and services across borders, the *Gross Domestic Product* (GDP) of each state in the dyadic pair presents itself intuitively. A larger GDP indicates a stronger purchasing power and thus a larger market for products or services, which raises the readiness of companies to export their products to other markets.⁴⁹

A rather similar approach can be found in the literature for the two remaining cross-border flows. In the case of migration, a high GDP is assumed to be corresponding with higher wages and an overall higher standard of living. Thus, the economic prowess of a destination country acts as an attractor to immigration. For the FDI flows, however, the picture is not as clear-cut. Intuitively, the same principles as for the other flows seem to apply. A high GDP indicates the presence of enough ‘fertile soil’ to produce revenues. However, this assumption can be counterintuitive as a high GDP might also indicate a saturated environment in which foreign investment can only produce limited revenues. As such, a low GDP of the receiving state might be more appealing than a high one.

The second independent variable relates to the distance between a dyadic pair. This ‘elasticity’ measure is commonly seen as a negative influence. With growing distance between two entities issues of transportation or movement hurdles arise and thus an increase in effort-related costs is expected. The assumption thus is that an increase in the variable generally has a growing negative effect on cross-border flows. Many studies have used the distance measure provided in the CShapes package by Weidman et al. (2010) that takes into account the distance between the capitals of each state. However, the literature has shown that this approach to distance can be misleading as the distance between capitals does not necessarily represents the closeness of industrial centers. For this reason the *Centre d’Etudes Prospectives et d’Informations Internationales* (CEPII) dataset on distance has been employed. This dataset provides a weighted measure of the distance of the 25 most populous cities within a country of a dyad and weights them as a share of the whole population (Head et al. 2010; Mayer and Zignago 2011).⁵⁰ The core

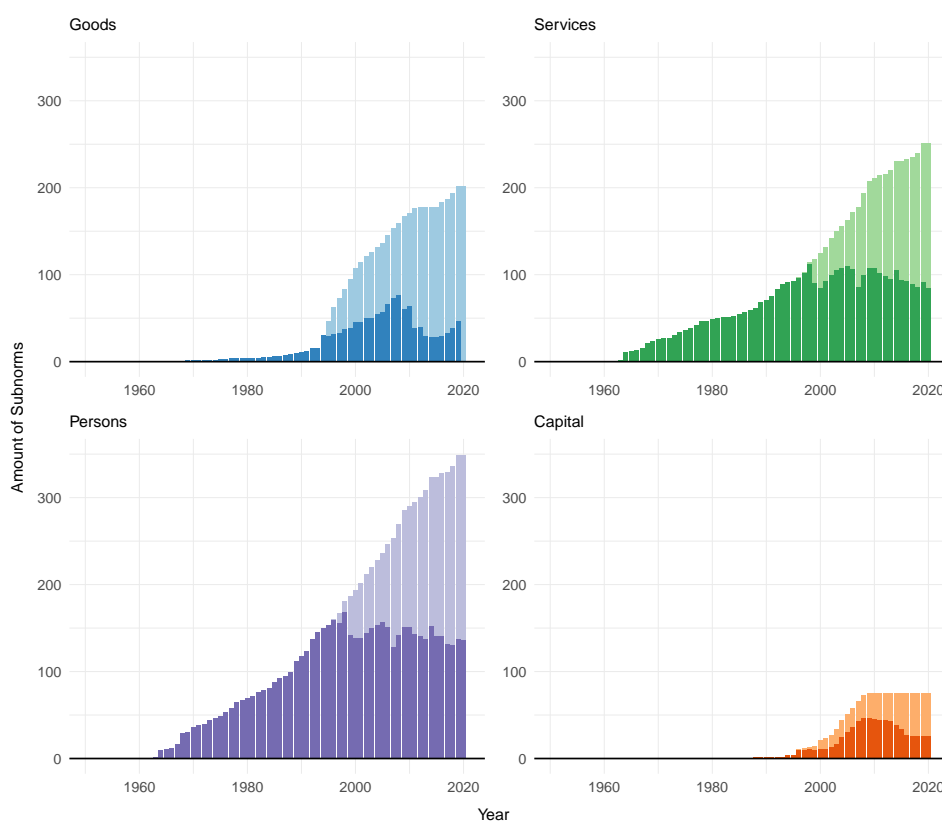
⁴⁹(Older literature used the GDP per capita metric as well, however, newer approaches to modeling gravimetric interactions have all dropped this variable and rely solely on the GDP measure 2019, p. 15).

⁵⁰See the following link for the manual: http://www.cepii.fr/PDF_PUB/wp/2011/wp2011-25.pdf (Accessed: 03.05.2020).

assumption here is that the most populous cities also represent the economic center of a country and thus have a stronger ‘gravitational’ pull than the capital.

Finally, the main independent variable of interest is the normative influence of the regional IGOs introduced above. The main idea here is to quantify the amount of specific norms related to the research interest.⁵¹ For this purpose the high-level treaties and agreements of both regional IGOs have been analyzed and evaluated. Based on this, the thereof resulting directives, regulations, or other agreements have been accounted for. More specifically, if a document specifically relates to an agreement that remarks upon one of the four freedoms, then this document has been coded with a 1, otherwise with a 0. These subnorms – as they are based on the normative provisions of the high-level treaties, see figure 5.1 for the concept – are then accumulated over time. The results of this process can be seen in figures 4.1 and 4.2.

Figure 4.1: Amount of EU Subnorms related to the Four Freedoms



Illustrated is the amount of EU Norms per year based on each Free Movement complex from 1964 to 2020. The darker curve represents the amount of provisions that are in force for a given time and which will be subsequently used for the ensuing analysis.

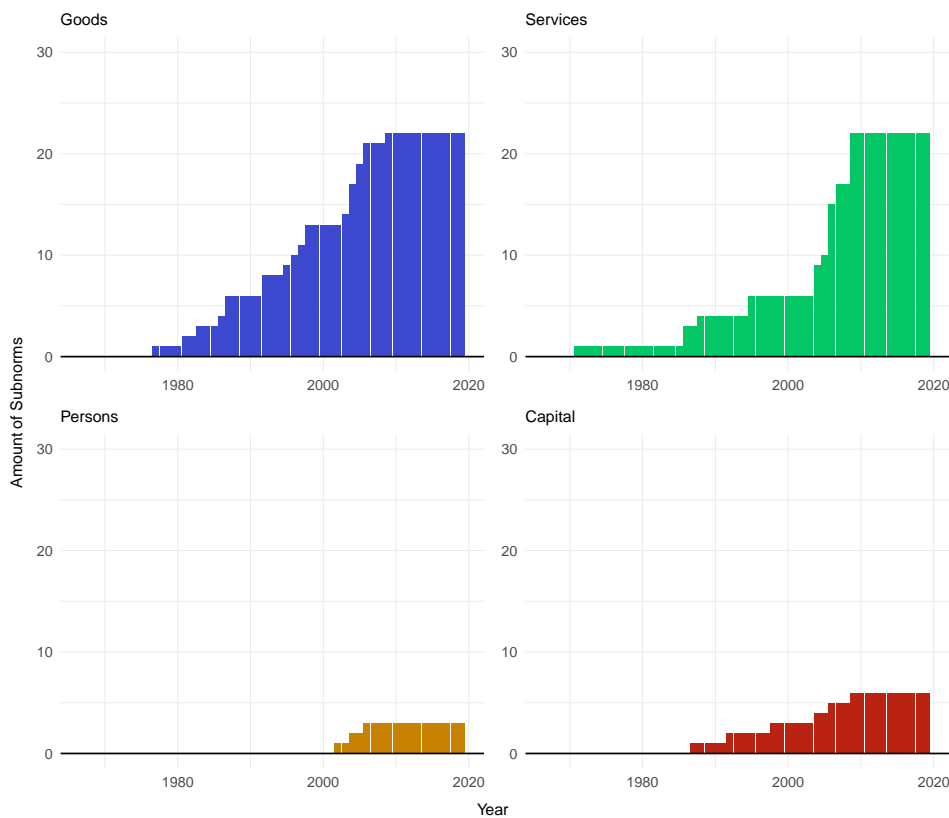
In the case of the EU, the data acquisition process involved the following steps: *First*, the relevant high-level treaties have been analyzed concerning articles related to the four freedoms. *Second*, these articles have been taken to conduct an analysis of the EUR-Lex database to identify relevant regulations or directives that relate to intra-communal bordering in one of the four issue areas. *Finally*, the results have been accumulated over

⁵¹Until now no other research project has conducted a comparable analysis. Rojas-Romagosa and Bollen (2018) have employed EU regulations as well but limited them to two instances.

time. A similar approach has been implemented for the ASEAN analysis, however here the amount of documents have been considerably lower and a comparable source such as the EUR-Lex does not exist.

An important issue surfacing – both theoretically and methodologically – is whether norms can vanish over time. In the case of the EU the answer can be affirmed. A substantial amount of subnorm-related regulations and directives have an actual expiration date which has been accordingly considered as can be seen in the illustration of figure 4.1. For the analysis only the amount of subnorms in force – not the total – has been used.⁵² In the case of the ASEAN no official indications exist whether the normative provisions contained in the agreements expire. As such the total amount of provisions accumulated over time has been used.

Figure 4.2: Amount of ASEAN Subnorms related to the Four Freedoms



Illustrated is the amount of ASEAN Norms per year based on each Free Movement complex. These norms are based on the analysis of the agreements related to each of the complexes from 1967 to 2020.

What can be already discerned from the two plots for both cases is a considerable imbalance concerning the amount of specific norms between the two IGOs. Except for the norms on the free movement of capital, all the EU norms amount easily to 200 distinct instances or more. The free movement of capital – despite the comparatively low amount of norms in that area – still exceeds those of the ASEAN in all other areas. Another rather striking characteristic is the heterogeneous development and dissemination

⁵²It should be noted nonetheless that it is not clear whether some expired regulations or directives have an effect that goes beyond the expiration date. Especially for directives that had to be implemented in the form of national laws, the question arises if they continue to have an effect.

of norms, dependent on the specific flow they target. For the EU norms regarding the free movement of persons and services appear to be especially dominant. The norms issued by the ASEAN seem to focus mainly on goods and services, whereas the free movement of persons is largely negligible. While this initial ‘eye-balling’ is not indicative of the quality of disseminated norms and thus their impact, it is reasonable to assume a corresponding reflection of these distributions across the gravity regression results. Further explanations regarding the regional IGO norms on intra-communal bordering, as well as more detailed considerations related to the scope and structure of these subnorms will follow in Chapter 5.

In addition to these variables, a set of literature corresponding dummy variables is employed that have proven to be relevant in estimating the effects on cross-border flows. The first of these is *contiguity*, which indicates whether a dyad shares a common border (1) or not (0). While being quite similar to the distance variable, the assumption is that a common border likely reduces transaction costs between the states due to sinking transportation costs and thus leads to an increase in cross-border interaction (Polachek et al. 1999, p. 413). The data used for this variable is contained within the CEPII GeoDist database (Mayer and Zignago 2011).

The literature also points to the effects of *common language* as being beneficial for cross-border interaction. The reasoning here seems to be straightforward. If a language is shared, information can travel more easily between the two states, thus decreasing insecurity and transaction costs. The binary variable is based on one or several common languages that are being used in official matters. If officially used languages are used in both countries then the variable is 1 and otherwise 0.

Additionally, a *common currency* is attributed with easing interactions and thus facilitating cross-border flows. At least if it comes to goods, services, and persons. For capital – or more specifically for FDI outflows – this variable can have a negative impact. The literature on FDI flows generally assumes that investments abroad by companies in the origin country tend to provide capital to companies or states that are characterized by low income which in turn yields more revenues for the investing entities. Assuming that a pair of states share the same currency in form of a monetary union, then the assumption is that the income levels are roughly on par and thus the revenue yield is diminished (Dorakh 2020). The variable is dichotomous and turns 0 for a non-shared currency and 1 for a common currency. The source of the data for common language and common currency is the CEPII Gravity Dataset by Head et al. (2010).

GATT/WTO membership takes into account if the destination state of the dyad is a member of the GATT or WTO. This dummy variable is based on the IGO-state unit data of the Correlates of War IGO dataset (V. 3.0) (Pevehouse et al. 2019). In the original dataset, the variable ranges between -1 (non-existence of IGO) over 0 (non-membership) to 1 (membership) and covers a time frame beginning in 1815. In the original dataset, this information was distributed across two variables. Both have been combined and reduced to the manifestation of 0 (non-membership) and 1 (membership). The transition period in 1995 between GATT and WTO has been coded accordingly as 1 if a state is a member of at least one of these institutions and 0 if not. Membership in the GATT/WTO has different implications. In terms of trade in goods and services, specific standards have to be maintained if a state is a member of the organization. This includes for instance

that member states are not allowed to unilaterally change tariffs or implement technical barriers for specific imports. The effect of GATT/WTO membership thus should have a positive impact on cross-border interaction in the fields of trade in goods and services.⁵³ From the perspective of migration, membership might imply higher living standards, whereas for FDI a non-membership indicates less strict standards and thus a higher yield of revenues.

Finally, a dichotomous variable for *crises* has been added to represent critical junctures as indicated in the second hypothesis. Following Kahouli and Maktouf (2015, p. 520) as well as Broner (2013) the crisis variable is mainly based on periods of economic crisis as these are usually global. Even though the crises data provided by Broner (*ibid.*) also provides for banking or currency crises, the main variable of interest is a global dummy variable that combines the sector-specific crises variables. As the main independent variables of the gravity model take into account the economic masses of a dyad in form of GDP, this economy-centered perception of a crisis should thus correspond accordingly. The variable turns 1 if a crisis for a given year is present and 0 otherwise.

All of these above variables can be found recurrently in various studies that focus on a gravitational approach to cross-border interactions. Be it in terms of international trade (David 2007; Wang et al. 2017; Bergstrand et al. 2015), Services (Miroudot et al. 2013; Ciuriak et al. 2020), Migration (Orlova and Jost 2006), or Capital (Baltagi, Egger, et al. 2008; Leibrecht 2014), to name but a few of this rich research area. Regionally focused implementations of this approach can also be found. For example, gravity analyses have been made for FDI flows across the EU (Dorakh 2020) and for ASEAN members (Hoang and Goujon 2019). However, implementations of the gravity model that centers on subregional entities like the BSR or the SCSR or include all four forms of free movement are largely absent in the literature. Thus providing an opportunity to fill the gap, while also providing a more nuanced metric for a regional IGO's influence on cross-border flows than the usual dummy variable can provide.

Additionally, it should be noted that the different studies do employ additional determinants of cross-border interaction to varying extend. The main variable that reoccurs is for instance membership in a specific regional IGO. However, this factor of influence has been replaced with the more fine-grained count of the issue-specific subnorms that the two regional IGOs in question produce. Furthermore, the attempt here is to keep the general approach to cross-border flows as parsimonious as possible in order to avoid the issue of a 'kitchen sink' and of extending the basic model in such a way that area-specific idiosyncrasies would limit the contrasting of the two regions.

4.1.3 Estimation Approach

The traditional gravity models are mainly based on an *ordinary least squares* (OLS) estimation which – converting model 4.1 into its log-linear form – states that

$$\ln X_{ijt} = \ln \beta_t^0 + \beta_1 \ln M_{it} + \beta_2 \ln M_{jt} + \beta_3 \ln D_{ijt} + \beta_4 Y_t + \eta_{ijt}, \quad (4.2)$$

⁵³However, that notion is disputed. For further discussions on that topic see Rose (2004), Liu (2009), and Esteve-Perez et al. (2020.)

whereas variable Y denotes additional influence factors like a common currency, the influence of IGO norms, or membership in a regional *Free Trade Agreements* (FTA), while η represents the error term and t the time frame $\{1995, \dots, 2015\}$. This form has been used among others in the original trade gravity analysis for the Canadian-U.S. “border puzzle” (McCallum 1995) or regarding whether FTAs increase trade (Baier and Bergstrand 2007). Especially Anderson and van Wincoop (2003) offered a solution to McCallum’s border puzzle as they provided a strong theoretical backdrop to the robust empirical applications of the log-linear model.

While the OLS form for model estimation has been employed across different fields for a considerable time, it has some serious drawbacks that might lead to biased results and need to be addressed. A major issue area is its sensitivity to zero flow values and heteroscedasticity (Bergstrand et al. 2015). Several empirical studies have shown that zero flows are quite common and not necessarily related to mere missing data. However, log-transforming these values would lead to dropped observations (Dorakh 2020). Likewise, this transformation also leads to heteroscedasticity as log-transformed errors will be generally correlated with the covariates (Krisztin and M. M. Fischer 2015; Santos Silva and Tenreyro 2006). Santos Silva and Tenreyro (2006, p. 650) have shown, by employing a Monte Carlo simulation, that log-linear OLS estimations still suffer from heteroscedasticity even while keeping trade-flows balanced. Despite these drawbacks, the OLS estimator will be implemented nonetheless as a form of ‘baseline’ estimation and included in the main result tables.

In providing an adequate alternative to the OLS estimation, the literature has focused increasingly on a *Poisson Pseudo-Maximum Likelihood* (PPML) estimator for panel data (Pfaffermayr 2019; Krisztin and M. M. Fischer 2015; Baltagi, Egger, et al. 2014).⁵⁴ Originating in the seminal work of Gourieroux et al. (1984) and refined by Santos Silva and Tenreyro (2006) for cross-sectional data, the technique has found extensive usage in gravitational models and the estimator has later been adopted to panel data models. The main benefit of this approach is that it estimates the gravity model in its multiplicative form, thus avoiding dropped zero-value observations and the method is robust in terms of heteroscedasticity as the left-hand-side of the equation is not log-linearized and therefore the errors are not generally correlating with the covariates (*ibid.*, p. 653). Additionally, the PPML estimator is consistent if fixed effects are applied (Shepherd 2019, p. 47).

The PPML estimator thus represents the current mainstream estimation technique and will be therefore used in all cross-border flow estimations.⁵⁵ Implementing the PPML approach, the equation then takes the form of

$$X_{ijt} = \exp(\beta_0 + \beta_1 M_{it} + \beta_2 M_{jt} + \beta_3 D_{ijt} + \beta_4 Y_t) + \eta_{ijt}. \quad (4.3)$$

⁵⁴It should be noted that the data has not to follow a Poisson distribution in order to work with the PPML estimator (Krisztin and M. M. Fischer 2015, p. 455).

⁵⁵Two other estimating techniques are currently used as well. First, the *Poisson Quasi-Maximum Likelihood* (PQML) estimation and second the *Spatial Analysis*. While the first method is quite similar to the above-introduced PPML and only differs in terms of implementing dummies for each unit in a panel, the second technique relies on the estimation of a *spatial autoregression model* (SAR) and a *spatial error model* (SEM). However, this technique is mainly geared towards ‘linked’ cross-border interaction, where multiple resistance effects are accounted for (Hoang and Goujon 2019, p. 971). While intriguing, this approach would seem to be largely ‘oversized’ for the research interest of this study.

Finally, the PPML estimator also ensures that the gravitational fixed effects are congruent to their structural terms. The estimator thus is consistent with the multilateral resistance approach introduced by Anderson and van Wincoop (2003) (Fally 2015).

4.1.4 Additional Notes

For all basic cross-border flow model configurations, a *variance inflation factor* (VIF) test will be conducted to identify variables that express multicollinearity. These variables – identified by scores exceeding 5 in the VIF test results – will be dropped if theoretically not feasible. Additionally, the usage of fixed or random effects for the OLS models needs to be addressed. Here, a set of different tests will be employed. First, the Hausmann Test in order to specify whether individual or random effects should be used. Second, the F-test for individual or time-fixed effects is employed, which is accompanied by the Lagrange multiplier test for panel-data based models after Breusch-Pagan (Baltagi 2013).

For the PPML estimator, country, year, and country-year fixed effects will be used as suggested in the literature (Baier, Bergstrand, and Feng 2014; Pfaffermayr 2019). Country-year fixed effects take into account any time-varying country-level factors that affect the cross-border flows with all other countries. This will be done both for the importing and exporting countries. This then controls for any aspects of host or destination countries' idiosyncrasies that change over time and might affect the cross-border flows. In addition, country-pair fixed effects are added to account for unobserved time-varying bilateral effects (Bergstrand et al. 2015, p. 312). This high-dimensional fixed-effects model is among the most recent versions of the gravity model suggested by theoretical considerations in econometrics by Gowa and Hicks (2013).

Concerning the issue of endogeneity, a usual method to tackle this potential cause of biased results related to unobserved determinants is for instance the usage of instrumental variables. However, given the issues associated with accounting for endogeneity by employing instrumental variables – in most cases, this is related to identifying suitable variables that would qualify in the first place – Baier and Bergstrand (2007) point to the usage of panel techniques and data.⁵⁶ More specifically, they suggest capturing lagged influences, the usage of bilateral fixed effects or first differences in order to account for time-varying bilateral unobservable right-hand-side variables, or the inclusion of importer and exporter time effects to capture multilateral resistance terms (Baier, Bergstrand, and Feng 2014, p. 341).⁵⁷ As the above considerations related to fixed effects already point towards the usage of the latter method, the issue of endogeneity will be subsumed under these. Related, the issue of omitted variable bias and therewith related endogeneity issues is dealt with indirectly through the subsequent qualitative analysis.

Finally, the robustness of the models and underlying theoretical assumptions are tested through a trend analysis. For panel data, this analysis introduces a trend variable – or time index – that serves as a proxy for variables that affect the dependent variable but

⁵⁶The literature does provide a set of instrumental variables that could be considered for this analysis. First and foremost appears income per capita to cover a majority of the unobserved variation across estimations in trade of goods and services (Frankel and Romer 1999, p. 3) or migration (Card 2001, p. 16; Orefice 2010). However, due to the requirements of at least an additional instrumental variable to perform a viable analysis, this approach seems not practical for this analysis.

⁵⁷See especially Anderson and van Wincoop (2003) for the initial conception of multilateral resistance terms which have become a staple in gravity based econometric analysis.

are not directly observable. More specifically, the dependent variables of the cross-border flows will be included as lagged dependent variables. The lag includes a one and two-year period, to account for the extent of autocorrelation but also the issue of omitted variable bias. The results of this dynamic panel model however should be regarded cautiously as some of the cross-border flows have a natural tendency for autocorrelation. This relates especially to the flows of goods and services. As previously established, cross-border trade in goods can act as ‘door openers’ for follow-up trade in services (Olivero and Yotov 2012, p. 67). A similar rationale in the case of the movement of persons and capital is unlikely to apply.

4.2 Qualitative Approach

Based on the theoretical considerations of norm dynamics, norm contestation, and norm internalization in connection to bordering-related processes, this section provides the methodological approach for the qualitative analysis. Whereas the previous section on the quantitative methodology described the analytical approach concerning the IGO to state interaction dimension while incorporating the normative provisions based on high-level treaties and agreements, this section shifts the analytical level to the subnorm dimension and their transposition into domestic law. Thus, the purpose of this section is to provide the framework for a more nuanced analysis of normative IGO influence concerning the four freedoms at the state level and the relevance of critical junctures and dominant domestic norms. Therefore, this section introduces the subcase selection, the corpus of primary and secondary source material, and the analytical approaches for each of the qualitative chapters.

4.2.1 Subcase Selection

As a precursor to the introduction of source materials and the qualitative methodology, it is necessary to discuss the subcase selection of the qualitative research part and to contextualize the specific choices as they decisively shape what tools and materials can be utilized. The previous discussion on the quantitative research design already set the geographical and institutional frame, the subcase selection of this section builds on top of these considerations. Several factors however constrain the selection process.

First, necessary information for the qualitative analysis should be accessible. The availability and quality of the data being investigated for the quantitative analysis are used as an indicator of such accessibility. Even though different high-level sources for the data have been used – like OECD, ILO, and WTO – these data have been compared to the data provided by the states themselves, which revealed limitations in accessing or reconstructing data points. *Second*, language restrictions play an important role in the evaluation of information and thus the selection of cases. The emphasis here is placed on English, Swedish, and German. Even though most states of the two regions do provide English language information – both on the governmental and the media level – the amount and quality of coverage can vary considerably. Some governments for instance provide only limited English translations of their websites or laws, which complicates the information assessment. *Finally*, regional outliers – in terms of wealth,

influence, or economic development – are potential sources of bias. Especially if these states prove constitutive in specific areas that relate to the four freedoms and the resulting norm complexes. States whose influence in shaping the regional IGOs might influence the organizational norm provision, which then merely reflects state preferences. Thus, it would be challenging to differentiate between genuine IGO norms and those shaped by the respective states. Accordingly, these outliers – more specifically Germany and Singapore due to their strong involvement especially concerning the free movement of goods – have been excluded from the list of potential subcases.

Based on these considerations the subcase selection is as follows: For the BSR Sweden and Estonia have been chosen due to geographic and socio-cultural coverage. With these two cases, a Scandinavian and a post-Soviet state are included in the analysis. Sweden due to it being the most populous, having the highest GDP, and the biggest industrial sectors within the subregional setting. As Sweden already resembles a leading state of a subregional grouping, the approach taken here is to include a smaller state, representing a more peripheral standing. This consideration leaves only the three Baltic States. Of these, Estonia shows the highest level in terms of digitalization, which makes accessing and translating sources in form of digitalized government documents and media coverage more feasible. Both choices are also characterized by considerable proficiencies concerning the English language and thus provide a broad range of available source materials.

For the South China Sea Region, the selection process follows generally similar considerations. Yet the state composition in this region makes a stringent choice rather difficult. Except for Thailand, all the relevant states are former colonies with according legacies. Quite similar to the BSR, an important criterion is the accessibility of national data both in terms of legislation but also in terms of media coverage. Especially due to language restrictions and data availability, only Malaysia and Indonesia appear to be viable choices as subcases. Even though these two states share strong historical ties, their subsequent alienation due to the Indonesian *Konfrontasi* policy led to more strained relations among these states. Thus providing for a sufficient distinction between the two. Additionally, language preferences exclude states like the Philippines and data availability and quality Vietnam and Brunei Darussalam.

4.2.2 Variables

The variables presented in the following relate specifically to leading questions 2 and 3 of the theoretical chapter. More specifically, the mode of norm transposition and the influence of decisive events in terms of norm contestation are central to the following considerations.

4.2.2.1 Dependent

In connection to the quantitative approach discussed in the previous section of the research design, the dependent variables for the qualitative analysis are *norm transposition*, *timeliness of transposition*, and *norm contestation*. The norm transposition captures to what degree an IGO norm has been accepted by the member state. Manifestations of this variable are – based on the afore adapted framework by Björkdahl (2015) – either *adoption* for complete transposition of the IGO norm; *resistance*, if either only parts of the norm have been transposed or the transposition is lagged; or *rejection*, if the member-

state in question is not following through with transposing the norm. The basis for this evaluation is primarily the source material concerning the IGO norm complexes and the specific transposition of the subcase states that can be found in national legislation. More specifically, the content of the national transpositions will be matched against the IGO provisions and evaluated whether the central elements of a provision are represented within the national transposition.⁵⁸ It should be stressed at this point that this is an iterative process as member states may refute already agreed-upon provisions at a later stage. This means that the transposition status can oscillate within the spectrum to any given point in time.

The second dependent variable is the time required for transposition. This variable relates to the question of what amount of time passes before specific normative provisions are introduced in the member states. In the case of the EU, regulations take effect immediately, while directives have an implementation period of two years. Even though the instance of directives implies a coherent process, subsequent violations of these regulations would count towards non-transposition. Due to the evaluative character of the ASEAN norms, no such time-specific institution exists, but a time-dependent reference frame for transposition can be applied here as well. Based on considerations of systematization for all forms of norm transposition, a two-year time frame is applied here as well. This serves to increase comparability across all subcases and to increase the visibility of transposition processes in the SCSR subcases due to the non-compulsory nature of ASEAN norm provision.

The third dependent variable, norm contestation, relates to whether an influential domestic norm is challenging the IGO norm or not. A contestation is considered to be present when government declarations or mass media coverage indicates such. Identification of these conditions relates to the specific mentioning of that contesting norm while for example calling upon historic conceptions or specific events that place the domestic norm in contrast to the IGO norm. It is crucial to note that the occurrence of these contesting norms is embedded in a wider conceptual and historic environment. As instances of IGO norm contestation through an influential domestic norm can not always be ascertained beyond doubt, the aforementioned government and media sources are concertedly used to increase certitude. Thus, the more indicators showing traces of an influential domestic norm in cases of norm resistance through repeated and prominent mentioning across the sources, then the likelihood increases.

4.2.2.2 Independent

The related independent variables used are *dominant domestic norms* and *critical junctures*. Dominant domestic norms emerge from horizontal and vertical interaction between social groups within a state and its society. These norms have a formative influence on the domestic level and result in a preference formation vis-à-vis exogenous norms. Yet norms on that level – due to their implicit and latent nature – are rather difficult to identify and track. Especially as the previously mentioned norm dynamic also applies to the domestic level. Nonetheless, it is assumed that they have a decisive influence on how efficacious external norm complexes can be. From a methodological

⁵⁸As some IGO provisions contain numerous rather specific requirements, not all the provisions could be matched in detail with the national transpositions. The main focus, therefore, rests on the essence of the provisions.

point of view, these norms should leave fingerprints in the formulation of state agenda and foreign policy (Finnemore 1996; Koschut 2014; Risse, Ropp, et al. 1999). For the current research, the operationalization of these norms relates to the identification of authoritative claims on the side of the government representatives or the wider domestic media that follow a common theme. Cortell and Davis (2000, pp. 71–72) argue that norm salience is most apparent in terms of the domestic political and societal discourses, implying a change in issue areas covered by the domestic media and – albeit lagged – by the political elites. This pattern however is subject to changes. Meaning that influential domestic norms may vary over time, making an iterative and continuous evaluation of such source material necessary. This tracing in terms of variation is important insofar, as not only the subject may change over time but also the inherent connotation and thus may indicate a positive or negative perception of specific issues. In order to attain relevant information on the dominant domestic norm, a proxy in form of the relevance of the respective regional IGO is chosen. Even though this proxy does not capture the whole of dominant domestic norms, it should be sufficient to gain conclusive insight into the acceptance and relevance of the regional IGO on the domestic level and therefore the state’s willingness to comply with communal provisions.

Finally, critical junctures can be described as events that have a decisive influence on state behavior and may alter prioritization in terms of interests and identity. Most commonly these events appear in the form of crises or violent conflicts.⁵⁹ In that sense, they represent periods or points in time that force an alteration of previous behavior from those who are directly or indirectly affected by them (Middell and Naumann 2010, pp. 168–169). The analytical starting point for this variable is based on the aforementioned data by Broner et al. (2013, p. 118). Subsequently, a more in-depth evaluation of these indicated events follows through a chronological analysis. Breaking with the treatment of this variable as illustrated in the quantitative inquiry, the approach here attempts also to include the severity of the particular event. In order to limit the analysis, only critical junctures at a regional scale will be included. The selection of the critical junctures in question will be based on the results of the initial quantitative analysis of the two regions. More specifically, the results of the descriptive state and year heterogeneity analysis in relation to the four freedoms in Appendix A.1 will be used as a guiding line. In addition, insights from a supportive series of expert interviews will be considered in the choice as well.

4.2.3 Corpus Material and Sources

The qualitative analysis employs a wide range of different source materials that directly or indirectly contribute to the aggregation of norm-border-related information. In the following, these sources are introduced and structured along two categories. The first category relates to primary sources in which the normative provisions published by the two regional IGOs in question fall. In the second category fall supplementary information that serves the purpose of providing greater and more nuanced detail to the subcase studies. The analysis of the main source material follows the same principles as for the

⁵⁹They create pathways of action which – once taken – are not easily reversible (Hogan 2006, p. 660).

quantitative analysis while leaving out the subsequent quantification. In the following, the two categories will be introduced in greater detail.

4.2.3.1 Primary Material

The main corpus material for the qualitative analysis consists of the official documents of each regional IGO in question that relate to the four freedoms and debordering processes. More particular, these source documents include the subnorms that are subsumed under each of the four meta norms.

In the following, the materials are introduced and contextualized. The main issue related to the general research interest is the rather distinct approach to internal norm diffusion by the two IGOs. Whereas the EU is favoring norms in the form of prescriptions and regulations, the ASEAN is favoring a more non-obligatory and evaluative approach. These different approaches to creating agreements and thereon-based norm complexes are leading to analytical discrepancies. Whereas the EU provides a plethora of sub- or derivative norms in the form of regulations and directives that are directly connected to the meta norm itself, the ASEAN restricts itself to the provision of overarching agreements that aggravates a straightforward clustering in meta and sub- or derivative norms. Contrasting these two bodies – even on the subcase level – is complicated through these two different modes of norm provisions. Accounting for this obstacle, the main agreements of the ASEAN are taken as a starting point and subsequently clustered accordingly to circumvent this issue. It should be noted that this issue resides on a technical and structural level and should not influence the validity of this study.

4.2.3.1.1 EU Documents

The main source of relevant EU documents consists of those documents bearing derivative norms in relation to the meta norms found in the general treaties. These need to be differentiated into two groups.⁶⁰ The first relates to EU regulations which are legal acts in the form of regulative norms that have a direct effect at the member-state level. That means they are immediately applicable while member-states are not allowed to pass discrepant national legislation. The second form relates to directives. This form of regulative norms focuses on achieving a certain result while relinquishing the specificities of transposition to the member-states. In most cases, the transposition has to be fully concluded within two years after the directive has been issued. This process is monitored by the EU Commission, which also has the right to open infringement procedures if member-states do not comply with the transposition or only provide an insufficient transposition of the directives. This process will be explained in greater detail in the section discussing the secondary sources.

As the two subcases introduced in the previous section gained membership only after the transitioning of the EC to the EU after the Maastricht Treaty of 1992, the lower end of the time frame for relevant treaties will be limited accordingly. Thus, the treaties in question that provide the basis for further subnorms in the form of regulations and

⁶⁰The EU differentiates between three forms of legislation: **Binding**, which contains regulations, directives, and decisions, **non-binding** instruments like resolutions and opinions, and **other instruments** like internal regulations or action programmes. The focus will be placed exclusively on the binding category while excluding decisions as they do not apply to all member-states equally.

directives comprise – including subsequent amendments – the *Treaty on European Union* (TEU) and *Treaty on the functioning of European Union* (TFEU) from 1992 onwards. Nonetheless, directives and regulations based on previous treaties may still be in force during the beginning of membership for at least one of the two cases. These have been considered and collected as well.⁶¹ The main source concerning subnorms is provided through the Official Journal of the European Union and – in a digital version – through the EUR-Lex webpage that hosts all the EU’s treaties and secondary acts.⁶² Rulings of the ECJ that may affect the scope of directives and regulations have been excluded from this research as no comparable institutions and thus legislative mechanism exists for the ASEAN. This lack of additional information is, however, limited insofar, as rulings of the ECJ are usually condensed in follow-up legal acts by the EU’s organs. Thus, the exclusion of this information source is assumed to be of less severe impact on the overall research goal. A discussion of the regulations and directives based subnorms and thereof resulting clustering follows in section 5.1.1.

4.2.3.1.2 ASEAN Documents

The corpus of ASEAN documents used for the qualitative analysis is similar to that of the quantitative analysis. As indicated above, the ASEAN operates – especially in terms of norm provision – decisively different from the EU and is lacking a regulatory aspect. Due to this circumstance, a hierarchical clustering of meta and subsidiary norms as in the EU framework – from treaty to secondary legislation – is absent. In order to retain a high degree of scrutiny, an *a posteriori* clustering of the ASEAN norms similar to the EU’s approach is conducted.⁶³ For this purpose all ASEAN documents will be analyzed in terms of the four freedom complexes and an overview of this clustering will be subsequently provided in section 5.1.2. For the second independent variable, the signing of the agreements counts as the beginning of the transposition time frame.

Another source of substantial information on relevant documents is the Legal Database on ASEAN members as provided by the Thai government.⁶⁴ This database provides an overview of the different ASEAN pillars of integration while also providing systematic information on the related national legislation to these areas. While it is assumed that this database is not exhaustive, it should provide additional information on the main ASEAN agreements as well as on the national transpositions that will be discussed in the next paragraph.

4.2.3.1.3 Secondary Norm Clustering

In order to provide a coherent collection of relevant subnorms of the four freedoms for the two regional IGOs, a secondary clustering for each of the four freedoms will be implemented that follows general conventions.⁶⁵ The secondary clustering categories are

⁶¹These sources will be gathered but any bordering related subnorms that came into effect prior to EU membership hold no additional analytical value in regard to the evaluation of the previously postulated hypotheses.

⁶²See <https://eur-lex.europa.eu/browse/directories/legislation.html> (Accessed 10.02.2017).

⁶³The relevant documents can be found under http://agreement.asean.org/search/by_pillar/2.html (Accessed: 10.02.17).

⁶⁴See <http://www.asean-law.senate.go.th/en/> (Accessed: 04.11.19).

⁶⁵See Barnard (2016) for general reference. Other sources use this clustering – i.e. the WTO for goods and services – as well.

based on the clustering of EU norms as can be found throughout all the functionalist treaties. As the EU serves quite frequently as a blueprint for other regional IGOs, adopting this scheme to the ASEAN seems plausible. Important to note is that the categorization within each norm complex serves more technical aspects for the ensuing analysis and is by no means meant to implement an artificial bias in favor of the EU.

For the *free movement of goods* these categories are customs duties and taxation, charges having equivalent effect, taxation, and quantitative and equivalent restrictions. In the case of the *free movement of services*, the clusters are the freedom of establishment and the provision of services.⁶⁶ The *free movement of persons* can be clustered into the free movement of workers and the free movement of citizens. Finally, the *free movement of capital* has no sub-clustering.

A more detailed overview of relevant subnorms relating to each category of freedom for the two regional IGOs and their development over time is provided in a dedicated section of the next chapter. It should be noted that both, the clustering of subnorms and the general approach of derivative norms are complicated due to the fundamentally different organizational designs of the two regional IGOs. Yet, as mentioned above, the circumstance that the EU is perceived as being an entity *sui generis* and its exceptionality in terms of the already conducted research, it functions as *de facto* baseline for all other regional IGOs. In turn, this of course also means that no other entity will live up to the organizational and normative differentiation the EU is characterized by. This applies to the ASEAN as well who – by design – can and will not be as fully differentiated.

4.2.3.1.4 State Transpositions and Government Declarations

The main sources for the national norm transposition are the respective national law databases.⁶⁷ In the case of Estonia, Sweden, and Malaysia the legislative acts are (partially) provided by the respective governments in English. For the information acquisition in the Indonesian subcase, translation tools are employed.

As supplementary material and to mitigate the issue of language barriers, the aforementioned ASEAN Legal Database and the EU's N-Lex database of national legislation is referred to as well. Especially, as they provide a distinct set of national legislations that are relevant for each of the communities.⁶⁸ Thus limiting the amount of documents. Due to the wealth of national legislative acts or other forms of official government publications, the query to related documents will take place only within three years after any relevant IGO agreement or treaty has been signed.

4.2.3.2 Secondary Material

In order to supplement the informational dimension surrounding the interaction processes between IGOs on the one hand and the selected states on the other, secondary source material is drawn upon. The goal of including secondary source material is twofold.

⁶⁶The official denotation is somewhat confusing. The free movement of services complex refers on the one hand to services that can be provided across borders and on the other to services that can be provided abroad through the establishment of a subsidiary.

⁶⁷The sources themselves are as follows: Estonia: <https://www.riigiteataja.ee/en/>, Sweden: <https://www.riksdagen.se/sv/dokument-lagar/>, Indonesia: <http://peraturan.go.id/pp.html>, and Malaysia: <https://www.parlimen.gov.my/bills-dewan-rakyat.html?uweb=dr&> (Accessed: 03.11.19).

⁶⁸For the N-Lex Database see https://n-lex.europa.eu/n-lex/index_de (Accessed: 16.06.18).

First, these sources provide a wealth of background information for contextualizing decisions in terms of IGO norm transposition and the situation at the domestic level. *Second*, these sources serve more specifically for the identification of influential domestic norms, their emergence and their impact within a dynamic environment. This inclusion is deemed important as these norms also evolve and may contradict or undermine already established IGO provisions. Here the dynamic interaction between the different actors will become more apparent.

Secondary source material that is being used are statements of the respective IGOs related to the four freedoms and their subsidiary norms in the form of press releases or opinions. This information is especially useful as IGOs – to a certain degree – monitor the implementation of their own provisions. Especially the EU Commission is entitled through Article 258 (TFEU) to monitor the compliance and application of EU law. In potential cases of EU Law infringement a four-stage process is initiated: *First*, the EC issues a *formal notice*, requesting further information on the specific case from a member-state within two months. *Second*, if the provided information has been deemed insufficient, the EC provides a *reasoned opinion* that prompts the member-state to follow EU law. *Third*, if non-compliance ensues, then the EC *refers* the issue to the *Court of Justice* who has the ability to impose penalties. *Finally*, if – for whatever reasons – the member-state still does not comply with the court ruling, the EC can re-initiate the whole process. Notwithstanding the particularities of the specific case that has drawn the attention of the EU Commission, the process itself provides ample information through official press releases to what degree a state in question resists the normative provisions of the EU. Complementary, government declarations that relate to inquiries of the EU Commission can be used as reference material to trace the interaction process between the two main entities. However, it should be noted that this source of material is not fully exhaustive as the EC can only engage in selective monitoring or ignores cases where success over rather minuscule issues is slim (Hartlapp and Falkner 2009, p. 291). No similar monitoring mechanisms exist in the case of the ASEAN, however regular progress reports on the implementation of the AEC are available.

Media articles also provide useful information about the domestic dynamics if it comes to the emergence of new or old norms that lead to contestation. Due to the wealth of media sources that are available for each of the states, the main focus will be placed on one or two leading national sources. For the Swedish subcase this will be *Dagens Nyheter*. For Estonia, the main newspaper sources are *Postimees* and *EER News* (the English language public broadcasting service of Estonian, *Eesti Rahvusringhäälingu*). For Malaysia *The New Straits Times*, and for Indonesia *The Jakarta Post*. The respective sources have been chosen due to their leading standing and wide circulation in each of the states, the availability of older newspaper articles through online archives (at least until 1990), and due to their availability in the English language.⁶⁹ For a focused and structured processing of these sources a set of specific keywords for the analysis will be used. These usually include the specific names of the regional IGOs as well as the title of the agreements or events.

⁶⁹Where the introduced sources did not produce sufficient output, alternative national newspaper sources will be employed to compensate for the informational lack and to provide a coherent sequence of events.

Academic literature as a secondary source is viable in terms of enriching the specific background for each subcase as well as including more specific information about technicalities that surround the implementation processes for the different cases. The academic source material thus can be differentiated into two categories. First, sources that provide historic accounts concerning the presence of domestic norms and their relative importance. Second, material that engages in technicalities of norm transposition in general.

It is important to stress that the secondary source materials introduced above have a supplementing function, which is set to provide additional information to the processes that have been opened up through the analysis of the primary material. In turn, only through the inclusion of the secondary source material can relevant details be included that are not necessarily part of the primary sources.

4.2.3.3 Expert Interviews

In addition to the other secondary source materials, a series of semi-structured expert interviews have been conducted. The main goal for implementing these is twofold. First, interviews with experts can constitute an integral part of comprehending motivations and preferences that can not be – or only in a limited way – discerned by and through data or in-depth analysis of cases alone. As such, they can be essential to apprehend why specific IGO provisions have greater relevance than others. This applies especially if one considers shifts in political stance during a limited time frame (Rathbun 2010, p. 690). Second, parts of the interviews were set to be utilized in the form of additional information that would subsequently guide the contextual analysis of the quantitative approach. Based on the hypotheses introduced in the previous chapter, the structure of the interviews has been aligned accordingly, while – adhering to the concept of semi-structured interviews – allowing for follow-up or additional questions.

The first question directly relates to the normative influence the IGO possesses in regard to the four freedoms. The second question asks about the specific relations of a state to its neighbors and what characteristics of these relations might exist, while the third asks for the role and distinct configuration of borders to these neighbors. Departing from there, modulating phenomena like conflicts or decisive events are brought up. The rationale here is – besides assessing general information on how the interplay between IGO norms and borders is perceived – that this continuous and gradually more detailed inquiry might deliver a more differentiated account of the research aim. As such, certain key events are brought up in the successive questions that follow the leading questions. A more detailed structure of the questionnaire and example questions are to be found in Section A.7 of the Appendix.

The selection of suitable candidates for the interviews is a crucial and rather difficult part of this process. In the literature, these are commonly identified as a person who – by virtue as an informant – possesses a specific form and depth of knowledge concerning a specific field that differs from the knowledge of others (Walter 1994, p. 271). The information dimension thus extends to individuals of whom it is assumed by the respective researcher to possess this particular knowledge – even though not necessarily alone – and which is not accessible by persons who are located externally to this field of knowledge. In this course, it is crucial to note that the determination of who is an expert and who

is not rests in many cases on the perception of the particular researcher and his research aims. This circumstance leads to a blurring of the expert fields, as virtually anyone can be perceived as being an expert in something. In order to narrow down the definition, an expert has to be considered as such if “[...] *he or she possesses an institutionalized authority to construct reality*” (Hitzler et al. 1994) and if this person’s knowledge has the chance to “[...] *become hegemonial in a certain organizational and functional context, within a field of practice [and thus] to be influential in structuring the conditions of action for other actors [...] in a relevant way*” (Bogner and Menz 2002, p. 46 in Meuser and Nagel 2009, pp. 18–19). Even though this definition seems largely apt, a constraint is introduced by referring to a person’s specific knowledge. Taking a critical point of view, not all key decision-makers are necessarily experts in a given field, which is quite common in politics or management.

The expert selection is based on high-level politicians, bureaucrats, journalists, and academics of those states and organizations who significantly contribute to the research interest and who command traceable knowledge concerning the study. Politicians who are or were actively involved in norm construction, diffusion, and implementation are of course of special interest. This applies also to their staff and advisors. However, access to this group of experts might be limited, necessitating a shift of focus to other experts. The second group of interest relates to experts in the traditional sense, comprising field-specific journalists, bureaucrats, and academics who have accumulated extensive expertise and familiarity not only with the relevant processes in question but also with the working mechanisms of the respective states or regional IGOs.

The approach taken for generating a sample of the population is a purposive-sampling. A method where the study’s purpose and the knowledge about the population in question guide a selection process (Littig 2009). As there is no clear-cut pool of experts in a quantitative representative notion, the selection process is based on ascribed knowledge. In the case at hand, this would lead to a selection of present and former top politicians or members of ministries. ‘Traditional’ experts, on the other hand, can contribute to the questions of how norms are implemented, how they are perceived, and why certain instances of contestation have occurred. This would include academic experts that are involved in organizational research with a special focus on both the EU and the ASEAN. The sampling of journalists is in this course more difficult, as most have multiple fields of expertise and often change locations. As a consequence, the sample selection thus focuses on finding appropriate journalists that have or have had long-standing positions either at the locations which are associated with legislative power at the national level or directly at the IGO headquarters. In the following, the sample selection will be enhanced by snowball sampling, in which – after the identification of the initial set of interview subjects – respondents are requested to suggest other potential subjects who have relevance in some way to the object of study. Yet it is highly unlikely to achieve this holistic level of analysis, thus making it necessary to mix the sampling approach with a form of convenience sampling in which the pool of participants is formed through self-selection of contacted potential and voluntary subjects who respond to the interview request.

The interviews have been conducted either face-to-face, by phone, or by Skype. Well over twenty-five interview requests have been sent, while only seven interviews were

conducted successfully. The limited amount of successful interviews is based on a low response rate to the interview requests themselves. A comprehensible evaluation and critique of the conducted expert interviews follows in the concluding discussion.

The interviews that were conducted successfully cover all major expert groups, as well as both the IGO and the state level. The interviews have been conducted anonymously in order to increase response rates and depth of information. Each of the interviews has been transcribed and can be found in the Appendix under Section C.

4.2.4 Analytical Approaches

To systematize the analysis concerning the specific research question that is attempted to be answered through the qualitative analysis, the following two sections provide a description of the procedures. The general approach under which the two forms of analysis will be conducted can be subsumed as qualitative content analysis (Mayring and Fenzl 2019). In order to enhance the accessibility of the qualitative research, it is supplemented by descriptive statistics that mainly serve to illustrate and exemplify the different points of analysis.

4.2.4.1 Analyzing the Role of Domestic Norms

The first step of the research is actually a three-step process. It starts with a content analysis of the primary source material, which consists of the respective treaties of regional IGOs. Here, the relevant norm complexes and articles (or subnorms) are identified and cataloged. All articles are clustered according to the complex they refer to. In the case of ASEAN this is a straightforward process, as most treaties are single-issue treaties and therefore mostly relate to one norm complex only. In the case of the EU – more specifically in the case of EU regulations and directives – this necessitates an individual analysis of each instance of secondary legislation based on the previously identified complex and clustering. This is an iterative process, as several generations of treaties for each of the regional IGOs have to be considered. This approach, while being laborious, yields the advantage of a swift identification of specific IGO provisions that hold validity at specific time points. Additionally, this step also provides the information when a specific issue area that relates to intra-communal bordering has to be implemented and thus providing a reference point for the *timeliness of transposition* variable.

The next step is to determine the dominant domestic norm within each of the sub-cases. The evaluation is primarily based on government declarations and newspaper material. As the identification of a specific dominant domestic norm is principally an evaluative process, the result can be severely biased. As such, the government declarations will be analyzed based on their referral to the regional IGO in question and the government's respective position toward it. The main emphasis will be placed on the government's evaluation of the relevance of the regional IGO and that of the specific country in it. This serves as a proxy approach to gauge the dominant domestic norm. Preferentially, a year-based evaluation of such documents is envisaged. If no documents of such kind are provided in that time frame, other government statements will be used as alternatives. In order to streamline the results, the findings of each analysis instance will be assessed and placed on a scale ranging from -1 (negative stance towards IGO) over 0 (neutral stance towards IGO) to 1 (positive stance towards IGO).

This analysis encompasses also newspaper articles, which will be analyzed in relation to the government declarations based on the question whether parts of these declarations that relate to the regional IGO and the government's stance towards it are being commented on either positively or negatively by the media. To limit the amount of newspaper articles and to narrow down on articles that might provide useful information on public salience, the analysis is limited to a time frame of five days after each government declaration or similar source material. Additionally, the examination of newspaper articles per issue – if only found as a printed version – includes the first ten pages. Normally, an analysis of this scale is limited only to the first page but more extraordinary events could cloak such relevant articles and therefore undermine the value of such an analysis. To avoid such a bias, it is necessary to broaden the scope of articles per issue to be analyzed. To supplement the above sources and to provide additional information, the material of the expert interviews will be included where appropriate.

The next step is a matching procedure, in which each instance of the previously identified bordering related IGO norms and subnorms is compared to the nationally transposed versions under consideration of the dominant domestic norm to that time point. These national laws are then evaluated based on the framework advanced by Björkdahl (2015, pp. 4–6) in an adapted version. The original framework was created to assess extra-communal state responses to EU norms based on four categories of norm *Adoption*, *Adaption*, *Resistance*, and *Rejection*. Based on these considerations and reversing the norm direction from external to internal receivers, the analysis of norm compliance is slightly adapted to account for the fact that IGO norms have already been agreed upon by members and only the follow-up adherence and compliance of the subnorms is considered. The 'compliance framework' is then differentiated in the following way:

- *Adoption*: IGO norms are implemented without showing any form of resistance or objection and are stable over a long time frame, irrespective of (political) changes or impacts at the member state level.
- *Protraction*: IGO norm implementation at the national level is being delayed either due to locally contesting norms or a temporary inability to comply. Implementation, however, will eventually follow.
- *Rejection*: IGO norms are outright rejected, reneged on, or not even transposed into national law. Thus implying a refusal to commit to the intra-communal cross-border interaction framework, based on the prevalence of contesting norms or political or value-based changes on the national level.

This structuring has the benefit of comparing specific episodes across the previously discussed subcases and thus provides a more coherent and differentiated picture of the normative influence on member-states. At this point, it is also important to note that the two last forms of the conceptual framework – Protraction and Rejection – relate to forms of 'antipreneurism.' A concept that directly connects to norm-contestation and focuses on the phenomenon of directed and purposeful resistance to forms of normative change and maintenance of the status quo (Bloomfield and S. V. Scott 2017, p. 13). In most cases, this resistance and rejection do not need to be specifically directed only against a specific IGO norm but also against the process of how to implement it. Both of these are also highly connected to the emergence of contesting domestic norms and will be used as indicators for the hypotheses.

4.2.4.2 Analyzing Critical Junctures

The main focus is placed on measures taken during a crisis that affect already transposed regional IGO norms. More specifically, it will be analyzed if national laws that include IGO norm transposition are changed in a kind that they provide for a more restrictive reading of the original version, which would then indicate an instance of *a posteriori* re-bordering. Additionally, the dominant domestic norm at the given time point will be considered in the analysis. The analysis then takes the form of a within-case comparison in which the behavior of two subcases of a region is analyzed for a specific critical juncture in tandem.

The process itself is subdivided into two steps. First, it will be assessed whether measures taken by a government are connected to a critical juncture and relate to a transposed IGO norm. These measures will be sourced from the official websites introduced earlier. Their content will be evaluated in relation to the specific norm complexes they affect.

In a second step, the measures in response to the crisis are then contrasted to the dominant domestic norm of that time point. Here, the evaluation ensues on whether the dominant domestic norm stands in a positive or negative relation to the regional IGO in question. In order to evaluate if the measures taken are indeed connected to a negative dominant domestic norm, additional information is gathered through the analysis of newspaper articles, government declarations, and the information provided by the expert interviews.

The process itself demands an iterative evaluation – both for the national laws that include transposed IGO provisions up until that point and dominant domestic norms – to provide for a compelling analysis. To increase the robustness of the analysis, three years since the onset of a critical juncture is chosen to ensure that relevant occurrences are not missed.

4.3 Chapter Conclusion

Summarizing this chapter, the *first* part provides a quantitative approach to the question of whether an increasing amount of IGO norms lead to an increase in cross-border interaction. For this purpose, the relevant dependent variables that have been identified relate to each one of the four freedoms. For the free movement of goods the IMF Direction of Trade Statistics, for the free movement of services the Trade in Services Database of the World Bank, for the free movement of persons the OECD database for the BSR and the ILO database for the SCSR, and finally for the free movement of capital the OECD data for the BSR and the UNCTAD for the SCSR.

The main independent variable of interest are the respective IGO norms that take into account provisions related to one of the four freedoms as mentioned in the articles of the main treaties and agreements. For this purpose, two new data sets have been created that capture in the first instance all IGO provisions related to one of the four freedoms and in the second instance provide for a cumulative count variable across each freedom that will then subsequently be used for the analysis.

Additional covariates include variables commonly found in gravity panel analysis. These include distance, contiguity, crises, and several measures that examine the role of common markers like language, currency, or WTO membership.

For the estimation of the impact of the relevant IGO norms on cross-border flows, a PPML gravity regression model is specified. The advantage of such a specific model lies in its robustness in the face of zero-value cross-border flows and heteroscedasticity. In order to ensure reliability and validity of the results, additional tests will be conducted that include the lagging of specific dependent and independent variables or the addition of country-year fixed effects.

Second, the qualitative approach related to the questions of the influence of dominant domestic norms and the impact of crises provides a more differentiated insight into the IGO norm influence mechanisms by including the national level and the specificities of norm transposition.

For the first qualitative research question, a categorization scheme is applied that evaluates the norm transpositions into national law while also providing an evaluation of the government and media perception of the specific regional IGO to a given point in time. This then serves as a backdrop for the subsequent analysis of the timeliness and completeness of norm transpositions.

Concerning the second qualitative research question, specific instances of critical junctures are particularly examined and evaluated. The focus here lies on the question of whether the above-mentioned subcases renege on already implemented IGO provisions. This part of the analysis takes the role of dominant domestic norms and considers these under the conditions of critical junctures and thereof potentially resulting instances of behavioral deviation. The selection of the relevant critical junctures that serve as exemplaric case studies is based on the findings of the quantitative analysis and will be additionally guided by the information gathered through the expert interviews.

Chapter 5

Structure and Scope of EU and ASEAN Normative Provisions

As a precursor to the main analysis, the source material providing the basis for the ensuing quantitative and qualitative analysis is being presented here in a disaggregated manner in order to highlight the structure of the treaties concerning their normative function, as well as the structure and scope of the subjacent norm complexes relating to each of the four freedoms. This chapter presents in a first step the results of the methodological considerations to be found in Section 4.2.4.1, while also providing the backdrop for the ensuing qualitative and quantitative analysis.

Concerning the organization of this chapter, the structure of the norm complexes is discussed in the *first* section. The main goal here is to provide a detailed dismantling of the IGO provisions as to be found in the respective treaties and subsequent provisions for each of the four freedoms. As the scope of this research involves a temporal part, the change over time for these provisions will be portrayed as well. The *second* part then discusses the scope of the normative provisions of each of the regional IGOs. Here, the legalization taxonomy of Abbott et al. (2000) is being applied to provide a more approachable assessment of the scope of various IGO provisions. *Finally*, the results are summarized and discussed.

5.1 Structure of the Norm Complexes

As the treaties of EU and ASEAN are idiosyncratic in nature as well as in design, a separate analysis of each set is necessary and will be provided below. The discussion on both regional IGOs and their respective approach to distributing normative provisions relevant in terms of bordering serves mainly as a backdrop for evaluating the degree of obligation that is inherent to both IGOs, which becomes of concern for the following chapters. Despite tapping into a vast pool of previous work on evaluating the degrees of legalization of regional IGOs (Block-Lieb and Halliday 2017; Kreuder-Sonnen 2019; Saurugger and Terpan 2021), none of these have explicitly focused on legal mechanisms related to normative intra-communal bordering.

5.1.1 The EU's Norm Complex Structure

In the case of the EU, a total of 11 high-level treaties⁷⁰ have been analyzed and their border-related articles clustered around the four freedoms. Additionally, each area of free movement has been scrutinized in terms of the branches the specific regulations and directives touch upon.⁷¹ Except for the Treaty on ECSC of 1951, the norm complex structure in all of the subsequent treaties follows a similar pattern and employs consistent sub-categorizations. For example, the Free Movement of Goods is subdivided into the aforementioned sections of *customs*, *charges having equivalent effect*, and *qualitative and quantitative restrictions*. Within each of these subdivisions, a set of articles resides that

⁷⁰These include the functional parts of the ECSC (1951), the Treaty establishing the European Economic Community 1957, the Treaty establishing the European Community (1992, 1997, 2002, 2006), and the Treaty on the Functioning of the European Union (2008, 2010, 2012, 2016). For the latter two also the consolidated versions are included. A special role has the Schengen Agreement of 1985 that is especially important for the Free Movement of Persons and has thus been included for this particular area.

⁷¹The specific branches have been derived directly from the subdivision employed by the EU in their publications. They represent categories in which specific EU provisions are allocated and usually have a common theme or subject.

deals with specific parts of that section. These parts have been again subdivided into core provisions, supplementary provisions, institutional provisions, and derogative provisions. Core provisions are statements related to what a specific set of articles refers to in general, while also defining the general goal and agenda covered by the articles. Examples relating to the Free Movement of Goods are for instance Article 3 (a) of the 1957 TEEC that states the goal of “[...] *elimination, as between Member States, of customs duties and of quantitative restrictions in regard to the importation and exportation of goods, as well as of all other measures with equivalent effect [...]*” or Article 9 of the same treaty, which states that “[t]he Community shall be based upon a customs union covering the exchange of all goods and comprising both the prohibition, as between Member States, of customs duties on importation and exportation and all charges with equivalent effect [...].”

Supplementary provisions predominantly relate to member state obligations or time-sensitive transition periods or markers. An example for the former is provided in terms of the Free Movement of Persons principle under Article 50 of the 1957 TEEC, whereas “*Member States shall, under a common programme, encourage the exchange of young workers.*” An example of the latter aspect of the supplementary provisions can be found for instance in Article 73 (c) of the 1992 TEC, by which “[t]he provisions of Article 73b shall be without prejudice to the application to third countries of any restrictions which exist on 31 December 1993 [...].” However, provisions can also gradually change in terms of wording, which indicates either a tightening of member state obligations, a modulation of the content, or an adjustment of temporal requirements. An example is Article 53 (TEC 1997), related to the Free Movement of Services, which states that “[...] *Member States declare their ~~willingness~~ **readiness** to undertake the liberalisation of services beyond the extent required [...]*.”⁷² In comparison to the direct predecessor, Article 64 of the 1992 TEC, the EU is expecting states not only to signal their general consent to exceed their commitment to the general framework of the Free Movement of Services but to already have established capacities to actually achieve this. How far such changes can be accounted for, however, is questionable and not part of this analysis.

Institutional provisions introduce avenues for influencing member state behavior by EU organs like Commission, Council, and Parliament. More specifically, these articles provide an option to alter or amend the efficacy of the articles through directives or regulations. During the course of this analysis, these articles have shown to be of crucial importance concerning the subsequent modification and enrichment of normative provisions through secondary legislation. Examples of these types of articles are for instance: “*Any autonomous modification or suspension of duties of the common customs tariff shall be decided upon by the Council acting by means of a unanimous vote.*” (Article 28 TEEC 1957) in the case of the Free Movement of Goods or in case of the Free Movement of Capital: “*The Council, acting on a proposal of the Commission [...] shall [...] issue the directives necessary for the progressive implementation of the provisions of Article 67*” (Article 69 TEEC 1957). In both articles, EU organs are granted the right to make modifications to the existing normative framework by introducing additional secondary legislation in order to tackle new issue areas or to rectify existing directives and regulations.

⁷²Emphasis added.

Finally, derogative provisions provide certain avenues for mitigating the scope of preceding articles. In most cases, these articles are focused on issues related to national safety that warrants a (temporal) constraint to the scope of the general cross-border interaction provision contained within the other articles. As an example for the Free Movement of Persons, Article 2 (2) of the 1985 Schengen Agreement states that “[w]here public policy or national security so require, however, a Contracting Party may, after consulting the other Contracting Parties, decide that for a limited period national border checks appropriate to the situation will be carried out at internal borders [...]” Article 36 of the 1957 TEEC states a similar approach concerning the Free Movement of Goods, whereas “[t]he provisions of Articles 30 to 34 inclusive shall not be an obstacle to prohibitions or restrictions in respect of importation, exportation or transit which are justified on grounds of public morality, public order, public safety, the protection of human or animal life [...]” Finally, Article 73 of the 1957 TEEC related to the Free Movement of Capital declares that “[i]n the event of movements of capital leading to disturbances in the functioning of the capital market in any Member State, the Commission shall, after consulting the Monetary Committee, authorise such State to take, in regard to such movements of capital, protective measures of which the Commission shall determine the conditions and particulars.”

Based on this categorization, a reoccurring structure of each of the subnorms complexes can be discerned that holds true over most of the treaties analyzed. Initially, one or several core provisions are introduced, which then are complemented by the supplementary provisions. Thereon follows the institutional provisions, while the derogative provisions form the conclusion to each. Changes that occur across the analyzed treaties relate first and foremost to the very articles discussed above. Not to the overall norm complexes or their subdivision. A tendency that can be deduced from the changes across the treaties is a form of streamlining and simplification of the normative provisions within the articles. For instance, the area concerning customs of the Free Movement of Goods contained 22 Articles related to that field in the 1957 TEEC. With the 2016 TFEU only a set of 8 articles remained for constituting that specific area. However, this does not necessarily mean that specific provisions have been abolished altogether. Quite often the content of these streamlined articles is either combined or can be found in form of secondary legislation. Only if a specific expiration date has been applied to an article, has this article then been removed from the following treaties. This also applies predominantly to articles with supplementary or derogative provisions. Core provisions have not been affected by this process.

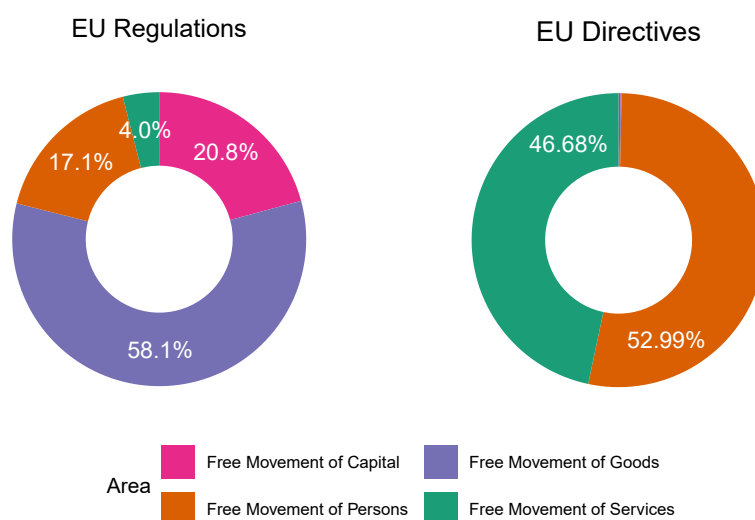
Additionally, the descriptive and evaluative approach to the main source of normative information also reveals a form of norm-complex interrelatedness. Throughout the gathering of information, a high overlap between the Free Movement of Persons and the Free Movement of Services in terms of the Establishment provisions is discernible. Already starting with the Treaty of Rome, Article 66 of the section on the Free Movement of Services noted that “[...] the provisions of Articles 55 to 58 inclusive shall apply to the matters governed [herein].” A convention that is upheld throughout all the following iterations of the functionalist treaties. To a lesser extent, a similar pattern is revealed in Article 61 (2) TEEC 1957, indicating an explicit, albeit mitigated interconnectedness between the Free Movement of Services and Capital. Apart from the scope of these ex-

amples, it comes as a surprise that forms of norm interconnectedness are already present at such a high abstraction level and that they have not only been present from the start but also have been carried across the consolidated versions of the treaties.

5.1.1.1 EU Subnorms in Regulations

Based on the approach discussed in the methodological chapter (see 4.2.3), a total of 328 regulations have been identified that relate to at least one of the four Free Movements principles for the time frame and subcases under investigation. As can be seen in Figure 5.1, the distributional difference between both forms of secondary legislation is remarkable. Even though a clear focus on the Free Movement of Goods can be discerned in the case of EU Regulations, all the Free Movement categories are present. The EU Directives on the other hand focus nearly exclusively on the Free Movement of Persons and Services. Thus demonstrating a general tool preference of the EU and its organs in terms of issuing Free Movement-specific secondary legislation. The majority of regulations are related to the field of Free Movement of Goods (58.1%). The Free Movement of Persons (17.1%) and the Free Movement of Capital (20.8%) follow, whereas regulations related to the Free Movement of Services account for a mere 4%. Of these 328 regulations, only eight have been identified as ‘bridging’ regulations in the sense that they relate to at least one other form of Free Movement.⁷³ Only regulation 32019R1243 bridges the three areas Free Movement of Goods, Persons, and Services. However, this regulation by the EU Parliament and Council specifically deals not with any member state-directed provisions but only serves to amend a number of legal acts related to Articles 290 and 291 of the TFEU.

Figure 5.1: Relative Distribution of EU Regulations and Directives per Area



Illustrated is the relative distribution of all EU Regulations and Directives across the treaties analyzed per free movement complex. Note that the Free Movement of Goods and Capital have been removed from the EU Directives illustration due to low values.

Based on the total amount of regulations under investigation, this relatively low amount of cross-complex regulations is surprising. Especially if considering the aforementioned

⁷³Being Regulations 31991R2155, 32002R2195, 31999R2723, 32003R1882, 32009R0219, 32009R0596, 32008R1137, and 32003R1882. They all belong to the Free Movement of Persons and Services complexes and refer near exclusively to the branches of Free Movement of Persons and Establishment.

tioned interconnectedness of norm complexes already found at the treaty level. Notwithstanding these findings, a clear tendency can be made out that the majority of regulations revolve around the branch of customs, related to the Free Movement of Goods. Other branches connected to that complex like the Qualitative and Quantitative Restrictions are either underrepresented or absent in the case of the branch of Charges having Equivalent Effect. Figure 5.2 provides a comprehensive clustering of all branch-related regulations for each of the four Free Movement complexes by year. Apparent is the strong focus of Free Movement of Goods regulations related to customs provisions and – to a lesser extent – to the Free Movement of Capital since the Treaty of Maastricht in 1992. Branches related to the Free Movement of Persons and especially Services are underrepresented in comparison. An interesting point based on that illustration is the time frame when regulations related to the norm complexes have been issued. Especially for the Free Movement of Goods and Capital the post-Cold War period is decisive. With the Maastricht Treaty of 1992, a majority of regulations have been issued. Without going too much into detail at this point, it seems that with the successive waves of EU enlargement, a necessity emerged to regulate cross-border interaction more closely. Interestingly the Free Movement of Persons and Services seem not to be affected similarly, while the former is present in form of a ‘background noise.’

Concerning the content of the Regulations analyzed for this research project, a clustering scheme has been devised that is based on an iterative evaluation of the wording provided by the regulations themselves and has to be understood as an abstraction. Otherwise, the sheer amount of the content of 328 regulations could not be captured. As the evaluation of the regulative content is not intended for direct comparison across the two regional IGOs in question and serves more as technical assistance for clustering specific secondary legal acts and providing a descriptive frame, this approach seems tenable. Regulations on the Free Movement of Goods cover issue areas related to the customs on fishery products (31992R3621), agricultural products (31992R1601), industrial products (31992R1605), micro electronics (31995R3022), or aircraft and maintenance-related products (31994R2977). Apart from the more common dealings with customs related to specific groups of products, a substantial set of regulations deal either with the nomenclature of tariffs and statistics (31997R0866 or 32005R0493), harmonization of the trade and customs system through the adaption of duty rates based on GATT provisions in connection to the accession of Austria, Finland and Sweden (31995R3093), or the transitional tariff measures for East European states (31994R3258, 31994R0665). However, not all the regulations are geared towards facilitating the traffic of goods within the community. Some of these regulations put in place exemptions like regulation 31998R2744 which allowed for a temporal derogation of the common community tariffs between Germany and Austria, or regulation 32000R1671 which included a temporary derogation for duty-free imports of beer into Finland. Notwithstanding these examples, the majority of cases relate to the facilitation and standardization of goods traffic.

Topics covered by regulations related to the Free Movement of Persons and Services are rather sparse and relate mostly to the free movement of employed persons, of self-employed persons, and of members of their families connected to the issue of social security (for example 31993R1945, 31999R1399, or 31999R0307).

Figure 5.2: Amount of EU Regulations based on Area and Branch



Illustrated is the amount of EU Regulations per year based on each Free Movement complex-related branch. The dotted lines in each segment indicate years when high-level functionalist EU treaties came into effect.

The provisions related to the Free Movement of Capital are insofar interesting, as these – in their majority – deal with the freezing or restriction of assets and funds directed to extra-communal states involved in conflicts such as civil wars. Examples include Serbia (31998R1607), Liberia (32006R1819, 32006R1126), Iraq (31996R2465, 32002R1346), Uzbekistan (32005R1859), and terrorism in general (32001R2580) which can be understood as a response to the attacks on the World Trade Center in New York. As these regulations, however, do not deal with intra-communal cross-border interaction in the sense of facilitating the transfer of capital, they have been excluded from further investigation.

5.1.1.2 EU Subnorms in Directives

Turning towards EU Directives, a total of 301 have been identified that relate to at least one of the four Free Movement complexes within the applicable time frame. In comparison to the regulations, the distribution of these directives is remarkable. Whereas the regulations mainly related to the Free Movement of Goods and Capital, the regulations shift this focus toward the Free Movement of Persons and Services. The few directives concerned with either the Free Movement of Goods or Capital relate to the abolition of

measures that have an effect equivalent to quantitative restrictions on imports and are not covered by other provisions, making importation more difficult or costly than the disposal of domestic production (31970L0050) or to the abolishment of restrictions on movements of capital taking place between persons who reside in states of the community (31988L0361). Of special interest in this regard is directive 31973L0183 which focuses on the abolition of restrictions on freedom of establishment and freedom to provide services in respect of self-employed activities of banks and other financial institutions as it references Article 61 (2) of the TEEC and connects the field of Free Movement of Services and Capital.

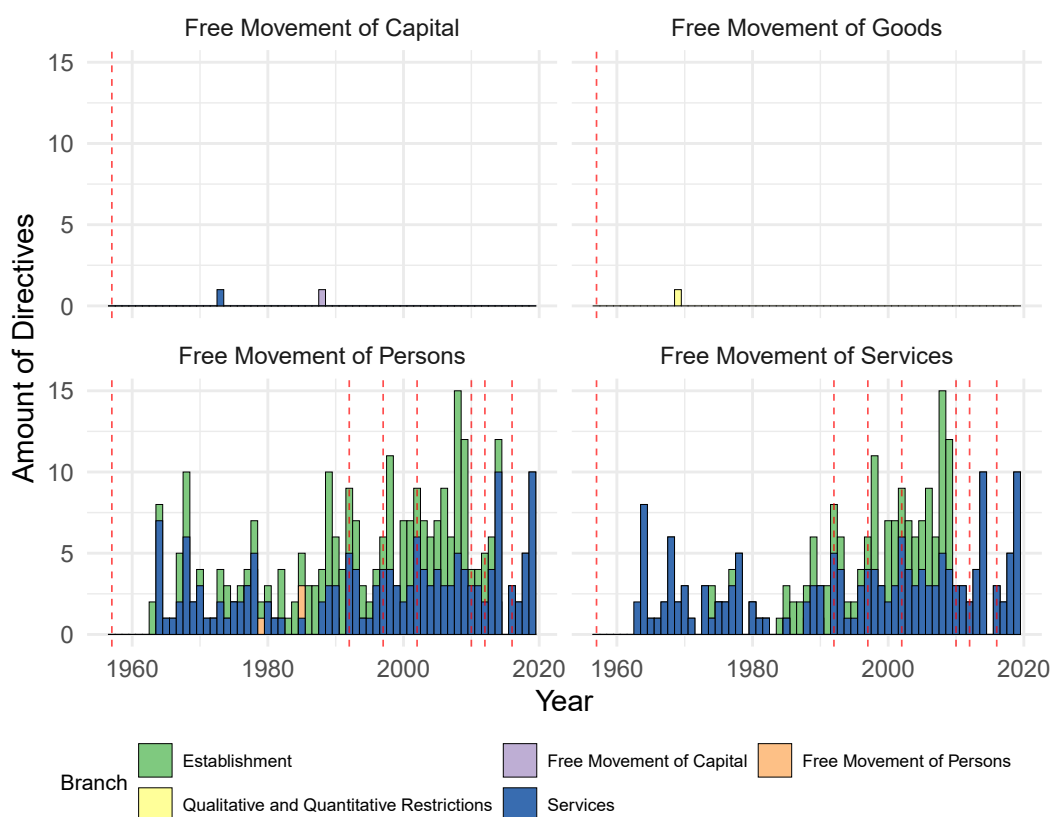
The bulk of the analyzed directives however relate to the fields of Free Movement of Persons (52.9%) and Services (46.6%), as can be seen in Figure 5.1 and more detailed in Figure 5.3. Branches related to the Free Movement of Persons and especially Services are highly common, whereas provisions related to the Free Movement of Goods and Capital are near absent. A striking feature of the illustrated distribution is a strikingly synchronous development of Persons and Services related provisions. 239 of these Directives tap into both norm complexes simultaneously, demonstrating an extraordinarily high overlap between the two complexes. Establishment in itself is of high salience within these directives. Out of the 301 analyzed directives, 287 are concerned with this field alone. Examples include the freedom to provide services in the form of establishment across member state borders in the areas of services in general (31973L0148), public work contracts (31971L0304), agricultural and horticultural services (31971L0018), coal trade (31970L0522 and 31970L0523), or film production (31970L0451).

Examples related specifically to the Free Movement of Persons include the right of Union citizens and their families to move and reside freely within the territory of member states (32004L0038). As such, the provision taps into one of the core areas of the community in terms of the Free Movement of Persons and is being supplemented by a set of other directives that deal with the free movement of workers and the mutual recognition of work-related qualifications (32014L0054, 32014L0050, and 32013L0055). Especially the latter – in terms of Free Movement of Services – is interesting, as numerous directives deal with specific work-related professional qualifications. This includes the recognition of qualifications in general (31989L0594), that of higher education (31989L0048), or medical personnel (31980L0155). In connection to these, a multitude of directives is concerned with service provisions in the sense of establishment either through single-member companies (31964L0225) or through procurement (31993L0038).

Just as in the case of EU Regulations, the directives analyzed here also provide for restrictive measures in terms of cross-border interaction, albeit focusing more on nefarious instances of bordering like money laundering through the financial system (31991L0308, 32001L0065) or tax evasion and accountability of limited liability companies across member states that have fully liable sections within another member state (31990L0605).

An interesting development that can be discerned in Figure 5.3 is the time-specific occurrence of the directives under investigation. While in general a continuous development is apparent, a more consistent provision of legal acts can be deduced since the Treaty of Amsterdam in 1997. Just as in the case of EU Regulations, this phenomenon is likely associated with the successive enlargement process of the community, necessitating a stronger focus on exemplifying the obligations member states have as part of the com-

Figure 5.3: Amount of EU Directives based on Area and Branch



Illustrated is the amount of EU Directives per year based on each Free Movement complex-related branch. The dotted lines in each segment indicate years when high-level functionalist EU treaties came into effect.

munity but also allowing for transitory measures. Another point relevant to the research being done here is the abating of directives after 2014/2015 that are likely connected to the refugee crisis of the same years.

Finally, some directives were not unequivocally assignable, despite addressing one or several of the previously identified treaty articles connected to at least one form of Free Movement. These relate for instance to information exchange with third countries (32000L0064), the protection of databases (31996L0009) or to internal provisions like proportional tests before adopting new regulations for professions (32018L0958). These have been denoted as miscellaneous and not included in the subsequent analyses.

Comparing both forms of secondary legislation and their norm-complex specific distribution, strategic allocation of issue areas to one of the two legal implementation instruments seems to be present. Even though both forms of secondary legislation serve similar ends – the implementation of community rules – their timeliness and scope of conveyed obligation are different. Article 288 TFEU states that Regulations “[...] shall have general application. It shall be binding in its entirety and directly applicable in all Member States.” Directives on the other hand are “[...] binding as to the result to

be achieved upon each Member State to which it is addressed but shall leave up to the national authorities the choice of form and methods.”

As Directives focus more on the areas of Free Movement of People and Services, especially considering the branch of establishment, an explanation standing to reason would be that these fields tap into more sensitive areas of (work-related) migration. In order to provide a certain amount of flexibility in transposing the measures captured by the directives, it allows member states to accommodate specific national idiosyncrasies that could not be accounted for through the use of regulations.

5.1.2 The ASEAN’s Norm Complex Structure

Taking a similar approach for categorizing and evaluating the bordering-related normative provisions of ASEAN as in the previous section, two main phases of ASEAN cross-border interaction facilitation are visible throughout the 109 analyzed treaties. The first phase lasted from 1967 to 1990 in which most issues have been dealt with on a rather superficial level, including various statements of commitment and the creation of subordinate institutions that provide recommendations for ASEAN members on how to contribute to loosening bordering related restrictions. An example is the 1980 *Declaration of Objectives Regarding the ASEAN Agricultural Development Planning Centre in Thailand*, tasked with harmonizing the ASEAN agricultural development and, subsequently, cross-border information exchange and the harmonization of agricultural services and products.

The second phase began with the 1992 *Framework Agreement on Enhancing ASEAN Economic Cooperation*, being remarkable insofar as the structure of the various free movement provisions is noticeably more similar to that being found in the EU treaties. As such, the first shift in ASEAN’s previously emphasized *laissez-faire* approach to regional integration can be discerned. The 1997 Asian Financial Crisis led to an acceleration of regional integration, which produced a multitude of agreements of which the most important one is the 2003 *Declaration of ASEAN Concord II* (Bali Concord II) that provides the basis for the envisioned *ASEAN Economic Community*. In the context of the aforementioned financial crisis, the statement that “[...] ASEAN Member Countries share primary responsibility for strengthening the economic and social stability in the region” (Preamble Bali Concord II) becomes an additional layer of urgency for a more coherent approach to regional integration and thus for cross-border related interaction. However, this process was not necessarily purely endogenous. The *International Monetary Fund* (IMF) and the World Bank pushed in the 1980s and 1990s for trade and investment liberalizations. A process that also reached ASEAN members through their widespread use of Bilateral Investment Treaties with more developed countries (Cho and Kurtz 2016, p. 353). This process can be seen as a part of a norm cascade that influenced the structuring of ASEAN itself through the Framework Agreement. This process then culminated in the aforementioned 2003 *ASEAN Concord II* under which a three-pillar structure (Article 1) for the ASEAN was conceived, consisting of a security pillar, an economic pillar, and a socio-cultural pillar. Especially within the frameworks of the latter two, similar provisions concerning the four freedoms as in the comparable EU structures

can be found. A process that resembles an isomorphic adaption of or convergence on EU structures (Rüland 2014, p. 239).

Despite this ostensible ‘turnaround’ from loose cooperation to a more institutionalized and differentiated variant, several idiosyncrasies of the former approach remain visible throughout all the following agreements. Most notable is a form of ‘layered’ approach that involves incrementally issuing normative provisions that relate to forms of bordering and which subsequently add to each norm complex but remain largely detached. An example can be provided in form of the various agreements related to the mutual recognition of professional traits.⁷⁴ Aimed at realizing the Free Movement of Services the 1995 *ASEAN Framework Agreement on Services* in Article 3 (a) states that “[...] *eliminating substantially all existing discriminatory measures and market access limitations amongst Member States [...]*” would be a primary goal. However, the 2006 Agreement on Nursing Services – which is based on the 1995 Agreement – implements a subsequent derogative provision as it notes that “*A Foreign Nurse may apply for registration or licence in a Host Country to be recognised and allowed to practise nursing in accordance with the laws and regulations of the Host Country concerned [...]*” (Article 3.1). Thus contradicting mutual recognition of these services as each appliance has to be evaluated based on host country regulations. Therefore undermining the superordinate approach envisioned through the 1995 framework agreement.

Concerning the structure of the agreements analyzed, commitments to the facilitation of cross-border interaction are mainly found in the form of more general statements within the preambles of the various documents. Examples of the Free Movement of Goods are for instance the 1998 *ASEAN Framework Agreement on Mutual Recognition Arrangement* (MRAs), stating that “[...] *MRAs for conformity assessment activities could be an important means of eliminating Technical Barriers to Trade [...]*”) or the 1998 *ASEAN Framework Agreement on the Facilitation of Goods in Transit* that reiterates the ASEAN member states’ “[...] *commitment to foster smooth, rapid and efficient movement of goods between and among Contracting Parties [...]*.” By applying the same evaluation scheme as for the EU articles, the majority of treaties are characterized by a less distinct structure.⁷⁵ Most of the provided for articles can be classified as core and derogative provisions with limited internal coherence in the sense of interrelatedness or even a general clustering.⁷⁶

Across agreements and declarations, this ‘disconnection’ is apparent as each of them stands as a singular and largely detached construct. As can be deduced, each agreement or declaration features a new set of norm complex related provisions, whereas a specific continuation of previously formulated provisions is largely absent. An exemption from that general approach can be found in the *ASEAN Economic Community Blueprints* of 2007 and 2014 in which iterations of central provision can be found for all four complexes. To a lesser degree such iterations can be found for the Free Movement of Services

⁷⁴In particular the *ASEAN Mutual Recognition Arrangement on Engineering Services* (2005), *Nursing Services* (2006), *Framework on Accountancy Services* (2009), *Dental Practitioners* (2009), and on *Medical Practitioners* (2009).

⁷⁵Especially within the first phase of ASEAN agreements this form is visible, whereas with the 1992 *Framework Agreement on Enhancing ASEAN Economic Cooperation* a gradually more structured approach is discernible.

⁷⁶Note that thematic clusters do exist within ASEAN agreements, yet most of the treaties focus on one specific issue field without incorporating adjacent issue areas and referencing a superordinate community goal of deeper integration.

throughout the 2006 *ASEAN Framework (Amendment) Agreement for the Integration of Priority Sectors*, the 2007 *Charter of the Association of Southeast Asian Nations*, and the 2007 *Declaration on the ASEAN Economic Community Blueprint*, which all stress that “[...] Member States shall accelerate the liberalisation of trade in priority services sectors by 2010.”

This layered – or incremental – approach also leads to a form of what can be called ‘statement creep.’ For example, the 1995 *ASEAN Customs Code of Conduct* states that the 1992 *Singapore Declaration* “[...] recognises the importance of non-border areas of cooperation to complement tariff liberalisation to increase trade and investment liberalisation.” However, the latter itself only states that “[...] Member States, having different economic interests, could benefit from sub-regional arrangements.” Furthermore, the 1992 *Singapore Declaration* implemented simultaneously a derogative passage to one of its core provisions (Article 1 (3)), stating that member states who are not yet ready to participate in intra-ASEAN economic arrangements may postpone their participation. In the following *ASEAN Customs Code of Conduct* this passage is not mentioned. However, it states that the Association is conscious that there is a need to “[...] promote intra-ASEAN trade through customs cooperation by ensuring the smooth cross-border flow of goods and services within the region [...]” (Preamble 1995 ASEAN Code of Conduct). Thus, effectively watering down the previous limitation on participation but also aligning with GATT/WTO provisions. Throughout the analysis of the various agreements, this dualism of successive provisions and statement creep has shown to be characteristic of ASEAN agreements in general and for those containing forms of obligations specifically.

5.1.2.1 ASEAN Subnorms

Turning to the subnorms contained within the analyzed ASEAN agreements, the distribution clearly shows a strong emphasis on provisions relating either to the Free Movement of Services or Goods. Figure 5.4 shows that 41.4% of the provisions relate to the Free Movement of Services, while 39.7% relate to the Free Movement of Goods. The Free Movement of Capital makes up 12.1% and the Free Movement of Persons a mere 6.9% of all ASEAN provisions.

The subnorms related to the Free Movement of Goods belong mainly to the early attempts of ASEAN to strengthen cross-border interaction. Already in 1977 the *ASEAN Preferential Trade Agreement*, the 1981 *Basic Agreement on the ASEAN Industrial Complementarity*, and the 1983 *ASEAN Customs Code of Conduct* were set to loosen import restrictions, harmonizing the trade systems across the member states and to establish a customs code for the association. Additional provisions that came after this initial phase of activism have been less broadly conceived and contribute to more narrow issue areas. Indicative for that are the 1996 *Basic Agreement on the ASEAN Industrial Cooperation Scheme*, the 1998 *ASEAN Framework Agreement on Mutual Recognition Arrangement*, or the 2003 *Agreement on the ASEAN Harmonized Cosmetic Regulatory Scheme*. With the Bali II Concord, a new host of framework agreements for the integration of priority sectors followed. However, these also have been rather specific and also contain far-reaching escape clauses that allow member states to withdraw from the provisions without providing substantial reasons.

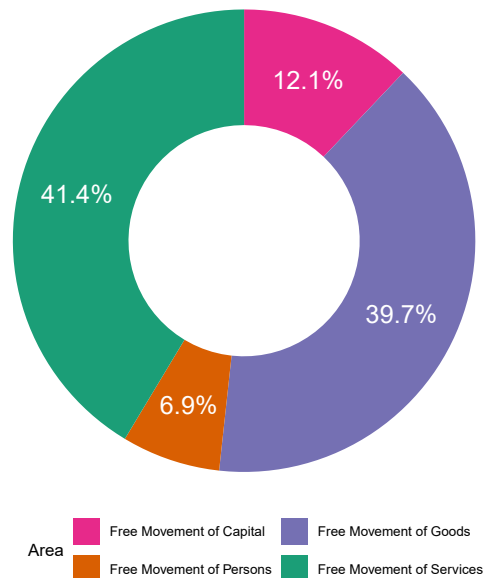
The Free Movement of Services is dealt with similarly in the ASEAN agreements. After initial provisions with a more extensive scope like the 1986 *Preferential Short Listing of ASEAN Contractors*, the *Agreement on ASEAN Energy Cooperation* of the same year, and the 1995 *ASEAN Framework Agreement on Services* only more narrowly and sector-specific provisions followed. Contrary to the Free Movement of Goods sector, this trend has continued and only very specific and sector-related agreements have been brought forward. An example relates to the 2006 *ASEAN Mutual Recognition Arrangement on Nursing Services* which only applies to a specific subbranch of nursing services and implements simultaneously a set of restrictions. Interestingly, this provision – while implicitly referring to a cross-border provision of services – does not provide any details about the Free Movement of Persons or Workers. As such, the above-noted ‘singularity’ of ASEAN agreements can be found here again.

The ASEAN subnorms relating to the Free Movement of Persons are in general rather sparse. Only three agreements could be identified that specifically relate to this norm complex. These are the 2002 *ASEAN Tourism Agreement*, the 2004 *Framework Agreement for the Integration of Priority Sectors*, and the 2006 *ASEAN Framework Agreement on Visa Exemption*. All of these – essentially – provide for a visa-free stay within other ASEAN member states for 14 days. Other forms of rights have not been implemented within these agreements.

Finally, the Free Movement of Capital subnorms are comparatively underrepresented. While the 1992 *Framework Agreement on Enhancing ASEAN Economic Cooperation* made clear that member states have an obligation to facilitate capital and investment flows, later agreements relate mainly to a ‘freer flow’ of investments. This is for instance visible in the 1998 *Framework Agreement on the ASEAN Investment Area*. Even though the agreement is making the case for fostering mutual investment in the region, the wording stresses probabilities. Article 3 (a) for instance calls for an investment area with “[...] a more liberal and transparent investment environment [...],” while continuing in section iv that member states should “[...] reduce or eliminate investment regulations and conditions which may impede investment flows and the operation of investment projects in ASEAN [...].” The cause for this cutback on the ASEAN side – in combination with the limited amount of provisions concerning this issue area – could be indicative of the weak position which ASEAN as an organization has, as well as the general reluctance of its member states to provide the means for foreign investment in critical economic sectors.

Concerning the distribution of ASEAN subnorms across the previously identified branches, Figure 5.5 details the provisions according to each Free Movement area. What is apparent here is the strong focus on provisions related to Customs as well as the peak of Service related provisions during the early- to mid-2000s. This concentration is most likely connected to the renewed focus of ASEAN member states on regional cooperation due to the 1997 Asian Financial Crisis and the thereof resulting ASEAN Economic Community initiative. Interestingly, the Free Movement of Services area saw in this time frame also several agreements that not only relate to service provision in general but also dealt with the establishment of service providers across borders. A development that was previously not visible yet – inconsequentially – did not translate into provisions that relate to the Free Movement of Persons area.

Figure 5.4: Relative Distribution of ASEAN Subnorms per Area



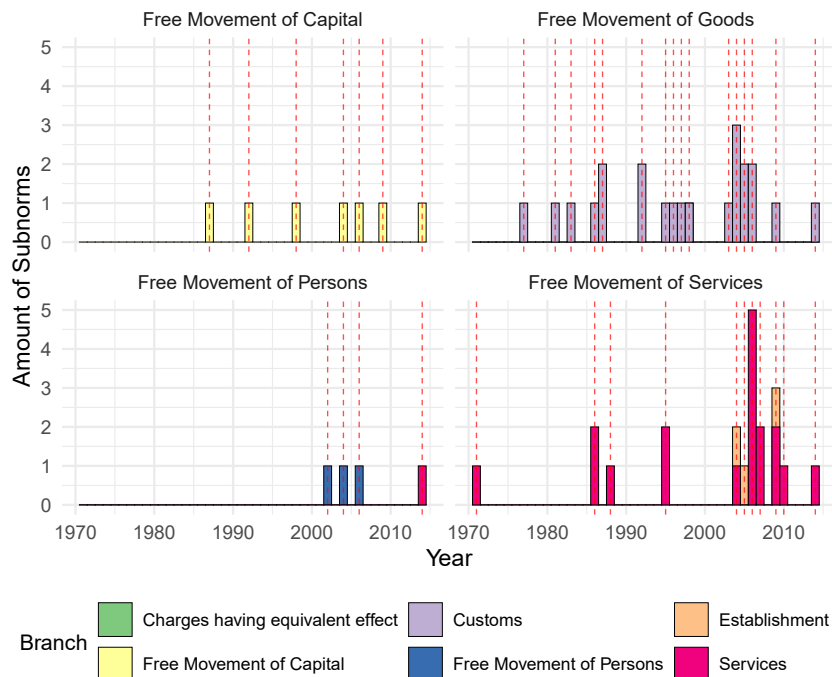
Illustrated is the relative distribution of all ASEAN normative provisions across the treaties analyzed per free movement complex. The majority of these relate either to the Free Movement of Services or the Free Movement of Goods. Being indicative of the focus of most ASEAN agreements. The Free Movement of Persons is the least represented area in these agreements.

5.2 Scope of the Normative Provisions

As a proxy for the scope of normative provisions, the legalization taxonomy of Abbott et al. (2000) has been applied, in order to gauge the degree of legalization of each of the regional IGOs and their respective norm complexes. A summary of this evaluation can be found in Figure 5.6. This section, therefore, evaluates normative bordering provisions along the lines of obligation, precision, and delegation. The goal is to provide a more approachable evaluation of the bordering related norms, informing the subsequent considerations in Chapters 7 and 8. It should be stressed at this point that no compartmentalized evaluation of each of the IGOs normative provisions is envisaged but rather a more general placing of the norm complexes is striven for as they appear throughout the agreements and treaties analyzed. While other studies already evaluated the respective regional IGOs along these dimensions, this approach is insofar relevant as no study has analyzed the provided norms through the lens of bordering processes in particular.

The first dimension of interest is *obligation*, ranging from expressly non-legal norms to binding rules (*jus cogens*). Obligation refers to the legal rules and imposed commitments, resulting in a specific form of accountability. Indicators for the degree of obligation range along a spectrum. The most restrictive variant relates to unconditional obligations that implement a legally binding rule. Thereon follows political treaties that implicitly transport conditions on obligation. This includes member state reservations on specific obligations or those that include contingent obligations and escape clauses. Weaker forms then include hortatory or encouraging obligations and provisions adopted without law-

Figure 5.5: Amount of ASEAN Subnorms based on Area and Branch



Illustrated is the amount of ASEAN subnorms per year based on each Free Movement complex-related branch. Note that each column represents a single ASEAN treaty. Notable is the clustering of agreements in the early 2000s concerning Goods and Services. In this time frame most advances concerning the AEC were made.

making authority including recommendations and guidelines. At the lower end of the spectrum are those forms that explicitly negate any form of legal effect (*ibid.*, p. 410.)

EU treaties and thereof resulting directives and regulations can be regarded as being firmly on the stricter end of the spectrum. Obligations conveyed by any of the EU documents analyzed firmly point to forms of unconditional obligation or implicitly transported conditions. The clearest evidence for this evaluation is Article 2 (1) of the TFEU (2016 consolidated), stating that “*When the Treaties confer on the Union exclusive competence in a specific area, only the Union may legislate and adopt legally binding acts [...].*” Furthermore, Article 2 (2) states that when EU and member states share competencies in specific areas, then “[*t*]he Member States shall exercise their competence to the extent that the Union has not exercised its competence.” Thus providing a strict frame in which member states ought to operate while complying with the treaties and thereof resulting secondary legislation. Concerning the latter, a repetition of the same principle is visible. For instance, Article 4 of Regulation 31992R3621 on the temporary suspension of the autonomous Common Customs Tariff duties on imports of certain fishery products into the Canary Islands states that it would “[...] apply with effect from 1 July 1992. This Regulation shall be binding in its entirety and directly applicable in all Member States.” In a similar manner are Directives formulated. Even though they provide more latitude in terms of applying obligations, they are nonetheless strict in their control mechanisms. EU Directive 32014L0054 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers does not

only state in Article 8 a specific time point of transposition but emphasizes in Article 7 (3) minimum requirements, which entail an explicit derogative interpretation as “[...] implementation of this Directive shall under no circumstances be sufficient grounds for a reduction in the level of protection of Union workers and members of their family, in the areas to which it applies [...].”

Obligations in terms of ASEAN agreements are less pronounced. The 1977 *Agreement on the ASEAN Preferential Trading Agreement* for instance states in the preamble that member states “[...] shall take cooperative action in their national and regional development programmes [while] utilizing as far as possible the resources available in the ASEAN region.” Yet within the agreement itself no specific reference to any form of obligation in terms of PTAs is made. Quite to the contrary, Article 1 (2) notes that “*The Contracting States agree to establish Preferential Trading Arrangements among them through the adoption of instruments, as may be appropriate, for ASEAN trade expansion.*”⁷⁷ Thus, clearly locating the degree of obligation of ASEAN agreements on the lower end of the spectrum in form of recommendations and guidelines.

However, as previously mentioned, ASEAN experienced a gradual transformation process in the wake of the 1997 Asian Financial Crisis. This includes a restructuring of ASEAN itself and an increased scope – at least nominally – of competencies. By evaluating the more recent agreements like the 2003 *Declaration of ASEAN Concord II* (Bali Concord II) a shift on the obligation spectrum should be discernible. However, the ‘strongest’ form of obligation that could be found in the Declaration states that “*ASEAN is committed to deepening and broadening its internal economic integration and linkages with the world economy to realize an ASEAN Economic Community through a bold, pragmatic and unified strategy [...].*” Similarly, the 2007 *ASEAN Economic Community* (Blueprint) appears more akin to an action plan than an agreement entailing binding obligations for member states. For instance, Article 14 of said document relates to the elimination of non-tariff barriers but only provides five ‘action points’ that entail the enhancement of already existing voluntary measures. Concluding, the degree of obligation as emanated by ASEAN agreements remains relatively low and belongs to the category of norms being adopted without law-making authority or in the category of recommendations and guidelines.

The second dimension, *precision*, evaluates how clear and unambiguous the normative provisions of a given agreement or treaty are in relation to the expectation of the member states. In essence, precision narrows down the room for interpretation by those who are the target of said norm. Again, the dimension covers a range of indicators from high to low. On the high end of the spectrum, a norm is precise if it is a determinate rule. Descending from thereon in efficacy, the indicators are substantial but limited issues of interpretation; broad areas of discretion; “standards” that are only meaningful in respect to specific situations; and finally those norms where it is impossible to determine whether compliance is necessary (Abbott et al. 2000, p. 31).

In the case of the EU – again making use of Regulation 31992R3621 – a high level of precision concerning the cross-border related transference of goods is discernible. In Article 1 (1) of said Regulation not only a specific time frame for suspending the common

⁷⁷Emphasis added.

customs tariff is set but also the product categories involved.⁷⁸ Furthermore, Article 1 (2) specifies the location this Regulation applies to. Thus setting clear limits to the efficacy of the provision and qualifying it as a determinate rule.

Evaluating ASEAN in terms of precision is a two-edged sword. On the one hand, most agreements or declarations are deliberately vague. Article 3 of the 1995 *ASEAN Framework Agreement on Services* states that “[...] Member States shall liberalise trade in services in a substantial number of sectors within a reasonable time frame by eliminating substantially all existing discriminatory measures and market access limitations [...].” Despite an ostensible comprehensiveness, this agreement provides no further clarification of what and how specifically ‘all trade’ should be liberalized or what – for that matter – a ‘substantial number’ of sectors exactly comprises. On the other hand, however, ASEAN agreements rival EU directives or regulations in precision. The 2005 *ASEAN Mutual Recognition Arrangement on Engineering Services* for instance is rather specific about the qualifications necessary for Engineers to be able to apply for an ‘ASEAN Chartered Professional Engineer’ certificate. Here, both home and host country have to recognize the accredited engineering degree (Article 3.1.1), the engineer should have acquired practical and diversified work-related experience of not less than seven years (Article 3.1.3), and “[...] obtained certification from the Professional Regulatory Authority (PRA) of the Country of Origin with no record of serious violation on technical, professional or ethical standards, local and international [...]” (Article 3.1.5). Based on the premise that the Agreement strives to facilitate worker mobility and is connected to the Free Movement of Services, this arrangement carries some severely restrictive undercurrents. Thus placing the precision of ASEAN cross-border interaction provisions somewhere in the middle field of the precision spectrum.

Finally, *delegation* captures to what extent authority – in terms of dispute resolution or rule-making and implementation – is transferred to third parties. Indicators for the strength of the dispute resolution mechanism are connected to the degree of institutionalization. The highest degree of institutionalization is represented through courts (both in terms of binding third-party decisions and jurisdiction). Descending therefrom are the categories of binding arbitration; non-binding arbitration; conciliation and mediation; institutionalized bargaining; and pure political bargaining. For the rule-making and implementation dimension, the indicators are binding regulations or centralized enforcement; binding regulations with consent or opt-out; binding internal policies or legitimation of decentralized enforcement; coordination standards; draft conventions; monitoring and publicity; recommendations or confidential monitoring; normative statements; and forum for negotiations (*ibid.*, p. 32).

Again, in the case of the EU, the bordering-related provisions point strictly towards a high form of delegation, both in terms of dispute resolution as well as rule-making and implementation. Article 17 of the 2016 TEU (consolidated version) states that

“The Commission shall promote the general interest of the Union and take appropriate initiatives to that end. It shall ensure the application of the Treaties, and of measures adopted by the institutions pursuant to them. It shall oversee

⁷⁸These are: “CN code Description 0303 Fish, frozen, excluding fillets and other fish meat of heading No 0304 Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen.”

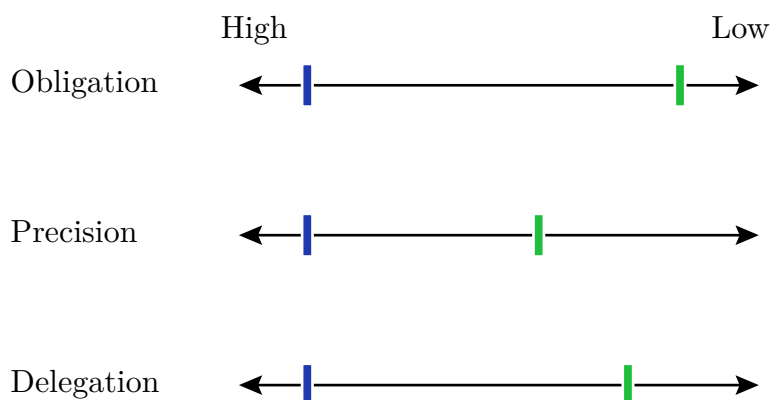
the application of Union law under the control of the Court of Justice of the European Union.”

Furthermore, Article 19 (3a) of the same treaty declares that the EU Court of Justice may “[...] rule on actions brought by a Member State, an institution or a natural or legal person.” In addition, Article 114 (ex 95 TEC) of the 2016 TFEU (consolidated version) provides for arbitration measures that

“By way of derogation from the procedure laid down in Articles 258 and 259, the Commission and any Member State may bring the matter directly before the Court of Justice of the European Union if it considers that another Member State is making improper use of the powers provided for in this Article.”

Through these two articles of the EU treaties, both categories of delegation are covered in the sense of binding decisions and jurisdictions, as well as centralized enforcement.

Figure 5.6: Legalization Dimensions of EU and ASEAN



Illustrated is the respective placement of the EU (blue) and ASEAN (green) in terms of legalization, based on the three dimensions of obligation, precision, and delegation. Both IGOs serve mainly one end of the respective spectra, while the ASEAN provides moderate legalization in terms of precision.

The ASEAN instead has no designated capacities or organs that relate to the two fields of delegation. Most notably, a court does not exist, nor any instance of arbitration. Legal implementation of the agreements thus rests fully within the rule-making authority of the member states. In that sense, the ASEAN members still follow the ASEAN Way. However, reiterating on the 2005 *ASEAN Mutual Recognition Arrangement on Engineering Services*, Article 7 refers to dispute settlement in form of the 2004 *ASEAN Protocol on Enhanced Dispute Settlement Mechanism*. The protocol envisages consultation by a panel of *Senior Economic Officials Meeting* which has the right to maintain surveillance of agreement implementation (Article 1.3). Apart from that monitoring – and promulgation – no further tools are discernible. Thus, effectively locating both dimensions for the ASEAN at the respective lower end, while demonstrating some development in the branch of implementation.

This account of the degree of legalization in terms of bordering related provisions of the two regional IGOs is by no means exhaustive. Especially in the case of the ASEAN, more fine-grained differences can be found throughout the various agreements.

A phenomenon not only related to the aforementioned transformation process beginning in the mid-90s but also tied to the particular relevance of each of the provisions dealt within each agreement. Nonetheless, this brief evaluation of the legalization in each case provides a reasonably sufficient backdrop for the general state of the normative provisions that can be found in the two cases and serves in the following chapters as a point of reference.

5.3 Discussion and Summary

Providing an initial analysis of both institutional norm provision approaches in terms of structure and scope, it becomes apparent that the EU's provisions can be generally considered more on the lines of facilitating – or even enforcing – cross-border interaction, whereas on the other hand the ASEAN's approach is characterized by a certain impreciseness regarding the facilitation of interaction and simultaneously a specificity in terms of what is not covered or where exceptions to the provisions exist. In addition, the category of norms – as described in Chapter 3.2.2 – that have been issued within these different provisions shows that the EU is working near exclusively with regulative norms, while the ASEAN is favoring mostly evaluative norms.

The treaties themselves are highly interesting in terms of their structuring and their scope. The ASEAN takes a more conventional approach as it provides specific agreements that relate to a self-contained issue area with limited references to other frameworks. ASEAN also follows – especially since the mid-90s – a more additive or incremental approach in which single provisions or complexes appear within a specific treaty. These then stack up over the course of time and agreements to a complex whole, while also introducing various forms of exceptions or derogative provisions that may also relate to already agreed-upon provisions. The EU's treaties on the other hand follow an iterative approach. Except for the ECSC of 1951, all EU treaties follow a similar pattern that extends to the form of how provisions related to the four freedoms are structured and how the specific articles are ordered. Changes throughout the treaties appear more in the sense of compartmentalized alterations, which are then amended by regulations and/or directives.

Contrasting the two approaches of issuing cross-border interaction-related norms, it would be fair to assume that the EU's approach provides a more robust and wholesome framework that can be adjusted through directives and regulations in a more nuanced and issue-specific manner. The iterative approach also favors the line of argumentation of Manners (2002), as the repeated and consistent thematization as well as the advancements in these specific issue areas raises the awareness of the member states to process these provisions and encourages them to comply with them.

The ASEAN's approach on the other hand – even while providing considerably fewer and weaker formulated provisions – is flexible through the heavily emphasized 'opt-in' approach and the formulation of norms in an evaluative manner (Interview F, TS: 10:13). This, however, leads to a decrease in robustness and weaker interconnectedness of the various provisions and thus provides leeway for the member states to circumvent community rules if they are deemed undesirable. This is problematic insofar as the ability to act and to provide cohesion and reliability of a bureaucratic entity rests on the premise of

equal application of rules. In turn, this undermines the conveyed authority of the ASEAN as an institution. Coupled with rising nationalism and protectionism among the member states, the ‘ASEAN Way’ seems to have reached a limit (Interview E, TS: 17:44). On the other hand, this rather ‘symbolic’ and voluntary approach of cross-border cooperation is intentional (Interview F, TS: 18:10). Not least as most of the member states still struggle with their colonial past and the nation building that runs contrary to regional integration (Interview F, TS: 30:25) but also with repeatedly resurfacing distrust among each other (Interview G, TS: 17:40).

Chapter 6

IGO Norms and Cross-Border Flows

In this chapter, the results of the quantitative research approach are presented and discussed. Specifically, the question of whether an issuing of norms through IGOs leads to an increase in cross-border interaction and thus to a lessened form of bordering is attempted to be answered. The main independent variable of interest, therefore, is based on the amount of norms per freedom area over time by each IGO. As the descriptive results of Figures 4.1 and 4.2 already indicate, there is a heterogeneous impact of these norms per freedom area to be expected. For the BSR especially the *Free Movement of Capital* has a rather weak manifestation, which is underpinned by the scope analysis in the previous chapter. In the case of the SCSR, most freedom norms are – in contrast to the EU’s – rather limited. However, especially the *Free Movement of Persons* is underrepresented. Drawing also on the results of the analyzed treaties and thereof resulting subnorms from the previous chapter – see Figures 5.2, 5.3, and 5.5 – combined with the analysis of legalization dimensions according to Abbott et al. (2000), the expectation is that EU norms in the areas of Free Movement of Goods, Services, and Persons have a rather strong impact, whereas the Free Movement of Capital is expected to have a weak to negligible influence. In case of the ASEAN, most issued norms and subnorms are rather weak and few. Implying a limited to non-existing influence in terms of cross-border interaction. This probably holds specifically true for the Free Movement of Persons norms as these and related subnorms have been restricted to specific occupational groups or limited visa extensions.

An initial analysis using the variance inflation factor test (see Table A.1 of the Appendix) generally provides values beneath 5 except the variable *common currency* in the SCSR cases. Accordingly, this variable has been dropped for the affected estimations. Additionally, for the SCSR trade in goods estimation, the logarithmic values for the *weighted distance* variable and the dummy variable for a *common language* are suspicious but have been kept. In the case of the distance, an exclusion would have eliminated the elasticity vector and thus one of the central characteristics of the gravity model, whereas in the case of the common language variable specific regional idiosyncrasies – mainly the historical triad of Malaysia, Singapore, and Indonesia in form of the shared Malay heritage – may contribute to this result. Besides, in the case of dummy variables, higher values in the VIF test are not necessarily problematic.

Finally, the estimations have been tested regarding the inclusion of fixed or random effects. While the Hausmann test provided results that indicate the usage of fixed effects and rejects the usage of random effects, the F test indicates the usage of time-fixed effects. Both are accordingly implemented throughout the analysis. Additionally, the Lagrange multiplier test after Breusch-Pagan indicates a p-value of < 0.05 , suggesting the use of time-fixed effects as well. In line with these results, varying constellations of the individual- and time-fixed effects have been employed. Standard errors have been clustered according to the model specification. For a full coverage of all constellations per region and norm area, see the Tables in section A.3 of the Appendix. The result tables of this chapter have been limited to demonstrate results for time-varying origin and destination fixed effects and time-invariant dyadic fixed effects for the PPML Models. The results of the (pooled) OLS regressions are included as a form of benchmark in the tables as well. For positive and significant effects of the IGO norm variables, the effect

size in form of marginal effects has been computed and included (see Figure A.9 of the Appendix).

6.1 The Free Movement of Goods

The Free Movement of goods has been one of the most thoroughly investigated issue areas. Accordingly, the results are expected to be rather similar to what can be found in the literature as the majority of regressors have been already implemented elsewhere. Beginning with a descriptive analysis of the variable across years and countries of the BSR (see Figure A.1 in the Appendix), a rather heterogeneous distribution across countries can be discerned. The main drivers of exports of goods are Germany and Poland, followed by Denmark, Sweden, and Finland. The three Baltic States have comparatively low volumes of exports to the neighboring states, which can be attributed to their limited economic capacities. In terms of year-by-year development, however, a steady increase is visible between 2002 and 2008. Coinciding with the phases of EU enlargement. A notable exception is a sharp decline from 2008 to 2011 which can certainly be attributed to the economic crisis and therewith connected European financial crisis.

For the SCSR (see Figure A.5), the year-by-year development is similar while the increase and total amount of trade in goods in \$US are slightly less than in the BSR. A comparison across countries in the SCSR reveals a leading role of Singapore while being followed by Malaysia and Indonesia. Brunei, the Philippines, and Vietnam report relatively low figures for exports. However, these indicators have to be seen critically. Singapore's role as the main trade hub in the region might explain its leading role while Vietnam's exports are mainly extra-regional oriented.

Turning towards the estimations and the results of the OLS models in Tables 6.1 and 6.2, the regressors for *distance* and *GDP* align for the BSR cases with those found in the literature – the estimations for distance range normally between -0.7 and -1.7 (Yotov et al. 2016) – *distance* for the SCSR in the OLS model is exceeding that while the PPML models are at the lower end of the range. Thus implying that with growing distance, the exports of goods decrease. The increasing Pseudo R² value across the models indicates a better handling of heteroscedasticity in the PPML models.⁷⁹

For the PPML variants, model 2 includes individual- and time-fixed effects, whereas model 3 incorporates time-fixed effects for host and destination. Focusing on the main regressors of the gravity model first, the BSR trade in goods estimation reflects the general results of previous studies on intra-EU trade (among others Martinez-Zarzoso 2003; Pastore et al. 2009). The elasticity of *distance* for the BSR lies around -1,7 and at -0.7 for SCSR. The estimation results including the dyadic fixed effects naturally exclude this time-invariant regressor, as can be seen in Tables A.2 and A.6. The masses of the economies in the BSR are consistently positive and have a statistically significant impact on exports. In the SCSR the picture is mixed. Whereas the OLS shows a positive and significant correlation, the PPML model indicates a negative correlation for the destination country that is statistically significant at the 10% level. This can be

⁷⁹Note that the Pseudo R² has value in comparison only to the other models that predict the same outcome based on the same data and can not be used to derive the general model quality or goodness-of-fit as the regular R².

Table 6.1: EU Norms and BSR Trade in Goods

Dependent Variables:	ln(<i>GoodsExports</i>)		Goods Exports
Model:	(1)	(2)	(3)
	OLS	Poisson	Poisson
<i>Variables</i>			
ln(<i>Distance</i>)	-1.749*** (0.0623)	-1.703*** (0.3860)	-1.747*** (0.0968)
ln(<i>GDPOrigin</i>)	0.7703*** (0.0132)	1.328*** (0.2215)	
ln(<i>GDPDestin.</i>)	0.6155*** (0.0141)	1.253*** (0.1710)	
EU Goods Norms	0.0121*** (0.0008)	0.0078*** (0.0027)	0.0058*** (0.0022)
Contiguity	0.3147*** (0.0597)	0.2220 (0.2903)	0.2143*** (0.0737)
Common Language	0.3499*** (0.1075)	-0.0246 (0.4076)	0.0068 (0.1129)
Common Currency	0.7541*** (0.0898)	0.4291*** (0.0839)	0.5679*** (0.0431)
Crises	-0.3593*** (0.0993)	0.0903*** (0.0150)	
GATT/WTO	0.1523** (0.0767)	-0.1137 (0.0997)	
<i>Fixed-effects</i>			
Orig.		✓	
Dest.		✓	
Year		✓	
Orig. × Year			✓
Dest. × Year			✓
<i>Fit statistics</i>			
Standard-Errors	Standard	Orig. & Dest. & Year	Orig. × Year & Dest. × Year
Observations	1,176	1,176	1,176
Squared Correlation	0.859	0.959	0.967
Pseudo R ²	0.50959	0.95373	0.96039

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses. Type varies by model.

attributed to the range of goods that are exported and the heterogeneous set of economies in the sample. Especially Singapore as a wealthy trade hub in the region might contribute to this result (Interview E, TS: 27:08).

Turning to the main variable of interest, the influence of EU norms on trade in goods in the BSR, the results indicate a positive statistical significance at the 1% level. Similar results can be found for the estimations with varying fixed effects in Table A.2.

The impact of ASEAN norms on its member states' trade in goods is dissimilar. In the models of Table 6.2 the OLS and the state- and year-fixed effects model indicate a negative correlation. In Model 3 the regressor has been dropped due to multicollinearity. However, Table A.6 reports in Models 2, 3, and 6 a positive sign and a statistical significance at the 1% level. As this includes the dyadic fixed effects model (Model 6), the effect can be assumed to be present.

The marginal effects of IGO norms (see Figure A.9) on trade in goods are in both cases positive. Based on the origin/destination and time-fixed effects model a one-point

Table 6.2: ASEAN Norms and SCSR Trade in Goods

Dependent Variables:	ln(<i>GoodsExports</i>)		Goods Exports	
Model:	(1)	(2)	(3)	
	OLS	Poisson	Poisson	
<i>Variables</i>				
ln(<i>Distance</i>)	-2.002*** (0.1737)	-0.6914** (0.3212)	-0.7000*** (0.0783)	
ln(<i>GDPOrigin</i>)	1.516*** (0.0492)	0.5638** (0.2736)		
ln(<i>GDPDestin.</i>)	1.347*** (0.0492)	-1.01** (0.4924)		
ASEAN Goods Norms	-0.0220* (0.0131)	-4.739 (0.1326)		
Contiguity	-1.26*** (0.2024)	-0.3479 (0.2719)	-0.3202*** (0.0858)	
Common Language	2.103*** (0.1705)	0.2142 (0.2886)	0.1450 (0.0930)	
Crises	-0.2117 (0.2366)	-0.0091 (0.1666)		
GATT/WTO	-0.1288 (0.1958)	0.7311*** (0.0583)		
<i>Fixed-effects</i>				
Orig.		✓		
Dest.		✓		
Year		✓		
Orig. × Year			✓	
Dest. × Year			✓	
<i>Fit statistics</i>				
Standard-Errors	Standard	Orig. & Dest. & Year	Orig. × Year & Dest. × Year	
Observations	630	630	630	
Squared Correlation	0.735	0.962	0.992	
Pseudo R ²	0.2784	0.96051	0.98231	

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses. Type varies by model.

increase of EU norms corresponds with an increase of 29.7 points in average cross-border trade within the BSR, whereas for the SCSR the ASEAN norms indicate an increase of 188.8 in the state-fixed effects model. However, due to the rather loose formulation and non-binding nature of the ASEAN norms – as noted in the previous chapter – this value has to be regarded with some skepticism.⁸⁰ Additionally, the sheer amount of instances – see Figure 4.2 – in which the ASEAN has provided specific norms through its treaties is rather low. Thus, the assumption is that the result is potentially biased and should therefore be regarded with caution.

Other variables like *contiguity*, *common language*, or *common currency* have varying effects across models and regions. In the BSR, *contiguity* near uniformly indicates that a shared border leads to more exports. In the case of the country-year fixed effects model (Model 5) in Table A.2 the effect is also significant at the 1% level but has been dropped in Model 6. In the SCSR most estimations point in a different direction, indicating

⁸⁰Section A.4 of the Appendix provides plots for the marginal effects, containing representations both for the destination/origin and time-fixed effects (solid line), as well as for the destination/origin fixed effects models (dashed line). Marginal effects have only been calculated for models that provide positive and significant results for the main independent variable of interest.

that exports are geared towards non-neighboring states. In contrast, *common language* is largely unremarkable, except in the case of the origin-fixed effects model. *Common currency* – while not applicable to the SCSR models due to collinearity (see Table A.1 for the VIF test results) – has a strong influence across all BSR models except for the clustered dyad model.

Finally, the WTO variable provides interesting results as it has – except for Model 1 in Table A.2 – a negative sign in the BSR case. Even though the claim of Rose 2004 concerning the limited influence of these institutions has been contested (Liu 2009), more recent research still finds reason to see the influence critically and only significant for a small group of selected countries (Esteve-Pérez et al. 2020). With the exception of Germany – which is the economic powerhouse in this sample – most other countries are either newcomers to the GATT/WTO or have only limited economic capacities. Nonetheless, the result is intriguing as at least a positive, if not significant, effect of GATT/WTO membership would have been expected. For the SCSR the GATT/WTO question provides a mixed picture. With exception to the non-fixed effects model in Table A.6, all other models suggest a positive and highly significant effect. As this variable is not the main focus of this research no further investigations are undertaken.

6.2 The Free Movement of Services

Compared to the Free Movement of Goods, the Free Movement of Services has gained less attention from researchers. The main reason might certainly be the previously mentioned lack in the quality of data due to being a ‘non-storable’ commodity. The descriptive analysis of the two regions illustrated in Figures A.2 and A.6 provide a similar picture for the exports of services across countries and years as the results for exports of goods in the previous section. In the BSR especially Germany is the main exporter of services, closely followed by Denmark and Poland. Whereas Sweden and Finland range in the middle-field and the three Baltic States bring up the rear. Similar is the development across time. In 2002 a steep increase until 2008/9 holds, which is then interrupted and after a brief decline the exports of services level out. In the case of the SCSR especially Indonesia and Malaysia are the main services exporters. The middle field is composed of Singapore, Vietnam, and the Philippines. Brunei is trailing behind. While initially displaying similar year-by-year developments as in the BSR, the disruption beginning in 2007 led to a complete breakdown of services exports. In 2010 the levels of 2006 could be regained and the amount of exports is trailing off.

Briefly touching upon the OLS estimations, results regarding *distance* and both *GDP* regressors produce expected results. Comparing the remaining regressors with the PPML estimations, a high similarity between Model 1 and Model 2 of Tables 6.3 and 6.4 are reported for each region. The PPML estimations for the BSR are uniformly positive and mostly significant at the 1% level.

Contrary to that, the estimation provided for the SCSR is unexpected. While the results in the case of the BSR follow the assumed theoretical considerations – a positive impact of amounting EU norms for the Free Movement of Services with an average marginal effect of 3.6 per point increase – the results of Table 6.4 for the SCSR indicate a negative effect. The result is surprising but holds true under the different fixed effects

Table 6.3: EU Norms and BSR Trade in Services

Dependent Variables:	ln(<i>ServicesExports</i>)		Services Exports
Model:	(1)	(2)	(3)
	OLS	Poisson	Poisson
<i>Variables</i>			
Constant	-15.94*** (0.4668)		
ln(<i>Distance</i>)	-1.888*** (0.0657)	-1.806*** (0.4023)	-1.85*** (0.1002)
ln(<i>GDPOrigin</i>)	0.6576*** (0.0141)	-0.1161 (0.3130)	
ln(<i>GDPDestin.</i>)	0.6507*** (0.0148)	-0.3120 (0.3668)	
EU Services Norms	0.0078*** (0.0005)	0.0044*** (0.0009)	0.0094*** (0.0015)
Contiguity	0.1458** (0.0626)	0.1819 (0.2434)	0.1520** (0.0654)
Common Language	0.7227*** (0.1130)	-0.1128 (0.3781)	-0.0453 (0.1050)
Common Currency	0.8615*** (0.0946)	0.5907*** (0.1181)	0.6899*** (0.0162)
Crises	0.3338*** (0.1029)	-0.0321 (0.0224)	
GATT/WTO	-0.7676*** (0.0817)	-0.4876*** (0.1482)	
<i>Fixed-effects</i>			
Orig.		✓	
Dest.		✓	
Year		✓	
Orig. × Year			✓
Dest. × Year			✓
<i>Fit statistics</i>			
Standard-Errors	Standard	Orig. & Dest. & Year	Orig. × Year & Dest. × Year
Observations	1,176	1,176	1,176
Squared Correlation	0.828	0.91	0.934
Pseudo R ²	0.47007	0.93005	0.94356

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses. Type varies by model.

used across the models in Table A.7. For the SCSR case thus no marginal effect is being provided.

Assuming that it is not the intended goal of the ASEAN to restrict the Free Movement of Services through the implementation of agreements, several other possible explanations need to be considered. First, an error in the data that systematically biases the results or the method of estimation is faulty. However, the technique employed here resembles the same approach taken for instance by Ciuriak et al. (2020).

Additionally, the values for squared correlation as well as the pseudo R² indicate a rather good fit for the underlying data across all models. A notable difference however is the sources of data employed. As mentioned earlier, data on trade in services lack the quality as can be found for the data on trade in goods. Thus, the quality of data used by *ibid.* (OECD data) might be more suitable than the Trade in Services Database of the World Bank. However, this data is not collected in a comparable manner for ASEAN states.

Table 6.4: ASEAN Norms and SCSR Trade in Services

Dependent Variables:	ln(<i>ServicesExports</i>)		Services Exports
Model:	(1)	(2)	(3)
	OLS	Poisson	Poisson
<i>Variables</i>			
Constant	-13.49*** (1.397)		
ln(<i>Distance</i>)	-1.637*** (0.1207)	-0.9473*** (0.1704)	-0.9674*** (0.0807)
ln(<i>GDPOrigin</i>)	0.5483*** (0.0341)	0.6095*** (0.1208)	
ln(<i>GDPDestin.</i>)	0.6515*** (0.0341)	0.8152 (0.5871)	
ASEAN Services Norms	-0.0365*** (0.0060)	-6.043 (2255094.3)	
Contiguity	-1.306*** (0.1406)	-0.2369 (0.1631)	-0.2561** (0.1015)
Common Language	1.03*** (0.1184)	0.0606 (0.1077)	0.0853 (0.0764)
Crises	0.3276** (0.1627)	0.0881** (0.0448)	
GATT/WTO	0.0956 (0.1369)	-0.0457 (0.3107)	
<i>Fixed-effects</i>			
Orig.		✓	
Dest.		✓	
Year		✓	
Orig. × Year			✓
Dest. × Year			✓
<i>Fit statistics</i>			
Standard-Errors	Standard	Orig. & Dest. & Year	Orig. × Year & Dest. × Year
Observations	630	630	630
Squared Correlation	0.504	0.913	0.981
Pseudo R ²	0.20527	0.87979	0.94688

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses. Type varies by model.

Nonetheless, such a consistent result across several models can be indicative of issues at another level. As the data used here relies solely on mode 1 services – services from the territory of one country into the territory of any other country – this leaves out other service categories that might be more indicative of cross-border interaction in the SCSR. However, the other modes relate mainly to consumption abroad (e.g. tourism, hospital visits, museum visits, etc.) or include the provision of services in form of a commercial presence (e.g. banks, companies, hotel groups, etc.). It is therefore unlikely that these modes might be more viable as a dependent variable than the mode 1 trade in services taken here. A possible reason could be that the predominantly evaluative norms diffused by the ASEAN are of limited efficacy and therefore do not represent a true correlation with the amount of services exported within the sample group. A reasonable assumption, especially when including the year-by-year illustration of services exports in Figure A.6. The sharp decline beginning in 2007 could be attributed to this effect. Especially as the amount of observations is limited and might contribute to this result.

Continuing with the evaluation of the remaining results, the PPML results for the BSR indicate positive and significant effects for *contiguity*, and *common currency*. Es-

pecially the latter is statistically significant at the 1% level except for Model 6 which includes the dyad-clustered fixed effects. Implying that a shared currency acts as facilitating means for enabling cross-border services. A result that is echoed by Kunroo et al. (2016) who employed a panel gravity approach in order to investigate the trade implications of the EMU and the Euro for intra-European trade in goods and services. As this variable had to be dropped in SCSR due to collinearity, a contrasting evaluation concerning the shared use of currencies can not be provided. Finally, the influence of *GATT/WTO* is similar to what has been described already for the trade in goods analysis. In this case, however, also the SCSR estimations indicate a negative relationship across all models.

6.3 The Free Movement of Persons

The movement of persons within the BSR is a rather one-sided process. As the descriptive illustration of emigration flows across the countries in Figure A.3 shows, it is mainly Poland that provides the bulk of persons that move to the other BSR states.

The other countries uniformly remain on rather low levels. The year-by-year analysis shows a gradual incline since 2000, briefly interrupted from 2007 to 2012. The SCSR on the other hand reveals a more heterogeneous field concerning the distribution across countries (see Figure A.7). Malaysia, Indonesia, and Singapore lead the field while Brunei, the Philippines, and Vietnam trail behind in intra-SCSR emigration. Also, the year-by-year development is more gradual than that found in the BSR. Despite having a minor episode of stagnating movement between 2007 and 2009, the ensuing increase is a continuation of the years before 2007.

Taking again into account the OLS results as baseline estimation, the distance between origin and destination for the BSR model report the wrong sign. Implying with a greater distance an increase in migration, which is not plausible. Again, it is assumed that the OLS model suffers from heteroscedasticity. Contrary to that, the SCSR model in Table 6.6 provides theoretically consistent results for the basic gravity indicators. Interestingly, the weighted *distance* elasticities converge across all remaining models for both regions. Especially in case of the destination/origin-year-fixed effects in Models 5 of Tables A.4 and A.8 both regional estimations range between -3.1 and -3.3. Implying that – despite different scales – the specification reveals a shared ‘resistance’ term.

The PPML models for the BSR indicate again a positive and highly significant correlation for the EU norms, with an average marginal effect of 16.6 per point increase. In this instance, the rather one-sided distribution of emigration flows has also to be taken into account. Rojas-Romagosa and Bollen (2018) provide results that are comparatively higher but also include a substantially larger set of countries. Except for Model 1 in Table A.4 all variations of fixed effects estimations report similar results.

In case of the SCSR, the regressor has been dropped for the estimations in Table 6.6 due to collinearity. Table A.8 reveals results across the remaining models that vary and are mostly non-significant. The only exception is Model 1 with no fixed effects being significant at the 1% level. However, due to the lack of fixed effects, the results are questionable and should be considered with caution. Due to these circumstances, no marginal effects for the variable can be provided. Generally, this result is in line with the

Table 6.5: EU Norms and BSR Movement of Persons

Dependent Variables: Model:	ln(<i>PersonsEmigration</i>)		
	(1) OLS	(2) Poisson	(3) Poisson
<i>Variables</i>			
Constant	-12.78*** (0.9848)		
ln(<i>Distance</i>)	-1.696*** (0.1383)	-2.908*** (0.6083)	-3.119*** (0.1650)
ln(<i>GDPOrigin</i>)	0.3208*** (0.0298)	-1.116* (0.6306)	
ln(<i>GDPDestin.</i>)	0.8897*** (0.0313)	-1.932* (1.014)	
EU Persons Norms	0.0002 (0.0007)	0.0053*** (0.0012)	0.0104*** (0.0017)
Contiguity	0.7280*** (0.1318)	-0.5156 (0.5854)	-0.6563*** (0.1546)
Common Language	0.0233 (0.2380)	1.751** (0.8253)	2.066*** (0.2552)
Common Currency	0.2643 (0.1991)	0.1312 (0.3065)	0.5149*** (0.1815)
Crises	0.4129* (0.2166)	0.2486*** (0.0305)	
GATT/WTO	-1.964*** (0.1718)	-0.8687** (0.3878)	
<i>Fixed-effects</i>			
Orig.		✓	
Dest.		✓	
Year		✓	
Orig. × Year			✓
Dest. × Year			✓
<i>Fit statistics</i>			
Standard-Errors	Standard	Orig. & Dest. & Year	Orig. × Year & Dest. × Year
Observations	1,176	1,176	1,176
Squared Correlation	0.501	0.994	0.998
Pseudo R ²	0.16698	0.96507	0.976

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses. Type varies by model.

initial analysis of the amount of norms provided for the Free Movement of Persons from the ASEAN. Furthermore, it is in conjunction with the analysis of the scope of provisions related to this norm complex. The negligible effect was therefore expected.

The remaining indicators provide a mixed picture in relation to the theoretical expectations. In the BSR especially *common currency* is a strong predictor for the Free Movement of Persons, while *contiguity* turns significant with a negative sign in the high dimensional fixed effects models. A phenomenon that is similar to the results of Iordache and Matei (2020). In the SCSR models, a similarly mixed field is discernible, which implies – despite relatively high R² values – a high degree of heteroscedasticity.

Table 6.6: ASEAN Norms and SCSR Movement of Persons

Dependent Variables:	$\ln(PersonsEmigration)$	Persons Emigration	
Model:	(1)	(2)	(3)
	OLS	Poisson	Poisson
<i>Variables</i>			
Constant	5.343*** (0.4196)		
$\ln(Distance)$	-0.6427*** (0.0361)	-0.3464*** (0.0512)	-0.3480*** (0.0238)
$\ln(GDPOrigin)$	0.1029*** (0.0102)	0.4043*** (0.1214)	
$\ln(GDPDestin.)$	0.1611*** (0.0102)	0.4044*** (0.0651)	
ASEAN Persons Norms	0.0487*** (0.0095)		
Contiguity	0.1101*** (0.0421)	0.2131** (0.0965)	0.2070*** (0.0409)
Common Language	0.1356*** (0.0354)	-0.0530 (0.0715)	-0.0503 (0.0316)
Crises	-0.0674 (0.0495)	-0.0330 (0.0853)	
GATT/WTO	0.0348 (0.0407)	-0.0821 (0.0617)	
<i>Fixed-effects</i>			
Orig.		✓	
Dest.		✓	
Year		✓	
Orig. × Year			✓
Dest. × Year			✓
<i>Fit statistics</i>			
Standard-Errors	Standard	Orig. & Dest. & Year	Orig. × Year & Dest. × Year
Observations	630	630	630
Squared Correlation	0.642	0.885	0.953
Pseudo R ²	0.77223	0.87807	0.93602

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses. Type varies by model.

6.4 The Free Movement of Capital

Finally, the estimation of the movement of capital models takes into account FDI flows from the origin to the destination country. Figure A.4 illustrates an unusually high dispersion across the BSR countries. The year-by-year development in the same graphic however resembles more of a similar development as in the other BSR cross-border flow cases. Remarkable is the cave-in during the same time frame as for the other flows. Yet in this case, the extent of the recession is extensive. The findings for the SCSR provided in Figure A.8 reveal a similar picture. While not as dispersed at the country level as the BSR cases, the year-by-year analysis is quite comparable. The main difference here is a bipartite cave-in that started earlier than in the contrasting sample.

Recalling the results of the initial subnorm clustering presented in Chapter 5, not only the amount but especially the scope of norms related to the Free Movement of Capital has turned out to be highly limited. In the EU's case, most of the regulations and directives connected to that area were limited to marginal issue areas that do not have high salience in the setting discussed here. Likewise in the ASEAN case, most

agreements related to a form of ‘freer’ flow of capital. Taking these key parameters, the expected results should indicate a comparatively weak impact of the IGO norms on the FDI flows between the sample countries.

Table 6.7: EU Norms and BSR Movement of Capital

Dependent Variables: Model:	ln(<i>FDIFlow</i>)		FDI Flow	
	(1) OLS	(2) Poisson	(3) Poisson	(3) Poisson
<i>Variables</i>				
ln(<i>Distance</i>)	-0.3487*** (0.0758)	-0.3709*** (0.0528)		-0.3835*** (0.0623)
ln(<i>GDPOrigin</i>)	0.1324*** (0.0159)	0.7117** (0.3318)		
ln(<i>GDPDestin.</i>)	0.0294* (0.0170)	-0.6832** (0.2668)		
EU Capital Norms	-0.0015 (0.0013)	0.0128 (0.0102)		-0.0032 (0.0079)
Contiguity	0.0857 (0.0727)	-0.0975 (0.0652)		-0.0784 (0.0584)
Common Language	0.0976 (0.1306)	0.4162*** (0.0657)		0.4389*** (0.1225)
Common Currency	0.0181 (0.1099)	-0.0773*** (0.0167)		-0.0777 (0.1177)
Crises	0.1049 (0.1201)	0.2292** (0.0938)		
GATT/WTO	-0.3597*** (0.0940)	-0.0603 (0.0834)		
<i>Fixed-effects</i>				
Orig.		✓		
Dest.		✓		
Year		✓		
Orig. × Year				✓
Dest. × Year				✓
<i>Fit statistics</i>				
Standard-Errors	Standard	Orig. & Dest.	& Year	Orig. × Year & Dest. × Year
Observations	1,176	1,176		1,176
Squared Correlation	0.098	0.219		0.444
Pseudo R ²	0.04335	0.21708		0.44271

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses. Type varies by model.

Starting with the evaluation of the OLS results for the BSR, Table 6.7 indicates a negative effect on the elasticity measure and a positive effect on the origin economic size. The destination size indicates a negative increase. However, this is theoretically consistent, as the assumption is that FDI is flowing predominantly into states that are not on par with the origin country as that would decrease expected investment revenues. In the case of the SCSR, the OLS model in Table 6.8 shows that the ASEAN norms have a negative sign and are significant. A result that runs contrary to the underlying hypothesis and which has to be treated cautiously due to other mechanisms influencing the results as a consequence of the non-bindingness of ASEAN agreements. Across both

regional instances, however, the distance – despite advancements in digital investment capacities – remains an obstacle.

Turning to the results of the PPML estimations, Tables 6.7 and A.5 provide a mixed picture of the BSR. Taking the dyad-clustered model as the most restrictive into account, then the effect of the EU's norms in facilitating cross-border flows of capital is unremarkable. The results for the SCSR as shown in Tables 6.8 and A.9 provide again a mixed but mostly negative set of results. Focusing again on the dyad-fixed effects model as the most indicative due to its restrictive conditions and high R^2 value, the effect of the ASEAN norms would have a significant negative effect. Again, this would contradict the general assumption for these kinds of norms. However, taking into account the very limited amount and scope of these norms, the result is likely spurious.

Considering the remaining variables, especially *common language* is a strong facilitator for capital flows in both regions. The assumption here is that cultural proximity or – in a very literal sense – the free flow of information through communicative means between peers contributes to more cross-border interaction. Nonetheless, the results here have still to be regarded critically due to the high variation of the covariates.

This can also be seen in regard to the R^2 results of the different models. In the BSR case, the origin/destination-year fixed effects model provides a 21% coverage of variances. The other models contribute only to around 44%. The SCSR values in this regard have a higher coverage with up to 60% in the origin/destination-year fixed effects model. The remaining models average at around 30% or below. However, results in these magnitudes were based on the initial consideration and are thus not necessarily surprising. This, however – especially for the BSR and EU norms – implies that a stronger focus on EU activity in this area would likely increase the cross-border flow of capital. In the case of the SCSR and the ASEAN, a similar assumption can not be made.

6.5 Additional Findings

Three additional tests have been conducted in order to increase the validity of the above results. Additionally, the hitherto unaddressed crisis variable will be discussed. First, an analysis has been performed that investigates whether a trend for the dependent variables is discernible. If present, such a trend would indicate a diminished role of the main independent variable of interest. The rationale is that due to other reasons – for instance, general trends in globalization or advanced communication technologies – the cross-border flows increase independently of the measures taken of regional IGOs in form of border-related norm diffusion. For this purpose, a dummy variable called *Trend* has been created that increases steadily. As a basis, Model 2 with time and state fixed effects has been used. Tables A.11 and A.12 of the Appendix show the results. Notably in the BSR cases is that no regressor values for the Free Movement of Goods, Services, and People are significant. As for the Free Movement of Capital, this variable has been dropped due to collinearity. The same applies also for the SCSR cross-border flows. The values of the other regressors remain the same. As such, the development of cross-border interaction in any of these four instances can not be attributed to a general trend.

The second additional test that has been conducted is implementing the dependent variable in a lagged form as independent variable. The process has been done for a one

Table 6.8: ASEAN Norms and SCSR Movement of Capital

Dependent Variables: Model:	ln(<i>FDIFlow</i>)		FDI Flow	
	(1) OLS	(2) Poisson	(3) Poisson	(3) Poisson
<i>Variables</i>				
ln(<i>Distance</i>)	-0.7358*** (0.0784)	-0.4500** (0.1978)		-0.4496*** (0.0820)
ln(<i>GDPOrigin</i>)	0.0651*** (0.0164)	0.6007*** (0.0274)		
ln(<i>GDPDestin.</i>)	0.0239 (0.0165)	0.2294 (0.3294)		
ASEAN Capital Norms	-0.0369*** (0.0129)			
Contiguity	-0.3674*** (0.0638)	0.0028 (0.1075)		-0.0039 (0.0720)
Common Language	0.3091*** (0.0621)	0.1020 (0.1007)		0.1039* (0.0601)
Common Currency	-0.4461*** (0.1246)	-0.4001* (0.2262)		-0.3936*** (0.1130)
Crises	0.0491 (0.0736)	0.0929 (0.0867)		
GATT/WTO	-0.2324*** (0.0610)	0.0076 (0.1221)		
<i>Fixed-effects</i>				
Orig.		✓		
Dest.		✓		
Year		✓		
Orig. × Year				✓
Dest. × Year				✓
<i>Fit statistics</i>				
Standard-Errors	Standard	Orig. & Dest. & Year	Orig. × Year	& Dest. × Year
Observations	630	630	630	630
Squared Correlation	0.195	0.346	0.6	0.6
Pseudo R ²	0.16514	0.35476	0.59292	0.59292

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses. Type varies by model.

and two-year lag. The results are listed in Tables A.13 and A.14 of the Appendix. Here, the picture is more mixed. Most results indicate a non-boundedness of the cross-border flows with respect to previous flows. However, for the BSR an impact of the one-year lagged *Services* variable is notable. In this case, the EU norms are not significant anymore and the lagged dependent variable is significant at the 5% level. A possible explanation would be that services – e.g. service provisions in construction, telecommunication, or insurance – comprise a set of related or follow-up services. Thus, the previous increase in service exports ought to have an impact on the follow-up export.

Finally, a lagged effect of EU services and persons norms has been tested as they are mainly found in EU Directives, which usually provide a two-year implementation phase for member states. Table A.17 provides results for origin/destination-year PPML model including a one- and two-year lagged norm variable. The results indicate that the effect of these directives-based norms is immediate in both cases, whereas the lagged versions

of the persons variable are decreasingly significant at the 5 and 10% levels. As such, accounting for a transition period of EU directives seems only of limited relevance.

Concluding this section, the crisis variable has not been addressed so far. Tables A.15 and A.16 present the time and state fixed effects model (Model 2) with a lagged and lead crises variable and a lagged dependent variable. The lag of the independent crisis variable is up to three years, whereas the lead is for one year. The reasoning for this broad time range is the difficulty in ‘pinpointing’ crisis onset for all the cases under investigation. As the results for the BSR show, the crisis variable has a near uniformly negative and significant impact on the different cross-border flows. A similar pattern is discernible for the SCSR case. Here, however, not as pronounced, as most results are negative but not significant. The exception is the impact on services, which indicates that a crisis leads to more service exports. Theoretically, such a result can be explained by localized and disparate impacts of a crisis – albeit not if it is on a global scale – which then can cause countries that have a strong emphasis on exporting services to absorb the markets of others. In the case of the SCSR especially Singapore comes to mind. The strong focus on its economy as a trade hub for goods but also services might explain this phenomenon. A closer investigation of crises in general and this result in particular will follow in the qualitative chapter.

6.6 Discussion and Summary

The results of the gravity panel analysis provide a mixed but partially expected set of results. Assuming that the kind of norm – in the sense of its precision and obligation as indicated in Chapter 5 – is indicative of its effect on the specific kind of cross-border flow, then the EU’s norms demonstrate a clear effect in the analysis. The ASEAN norms however are – expectedly – of minor relevance, if not even insignificant. However, also the EU norms do not necessarily correspond with all the initial expectations. At this point, it is not clear if a miss-specification of the model is responsible or if norms are but a fraction of a larger mechanism that is at work in facilitating a process of debordering and thus an increase of cross-border flows.

Summarizing the general results of this analysis, the hypothesis connected to this chapter – whether an increasing amount of norms leads to an increase of cross-border flows – can be affirmed for the BSR cases in terms of goods, services, and persons. In case of the Free Movement of Capital the assumption holds not true but this result is – as indicated – not necessarily surprising. For the SCSR, the hypothesis holds only partially true. For the Free Movement of Goods the assumption holds some merit. For the Free Movement of Persons, Services, and Capital, however, the results do not confirm the hypothesis, which therefore has to be rejected in these instances. The results are summarized in Table 6.9.

Table 6.9: Summarized Results of the Gravity Panel Analysis

	Goods	Services	Persons	Capital
EU/BSR	✓	✓	✓	×
ASEAN/SCSR	(✓)	×	×	×

A final remark on the cases themselves. An assumption is that a rather substantial amount of the contradictory results obtained through the different estimations can be attributed to the subregional setting that functions as a basis for the analyses. In both cases, highly heterogeneous countries have been clustered together which had in several instances only limited exchange with one another prior to the beginning of the analysis. A thereof resulting impression is that these subregional constructs do not necessarily have the previously assumed border bridging quality. In this instance, additional regional configurations would need to be analyzed in order to test if the chosen setting is partially responsible for some of the contradictory results.

Chapter 7

The Role of Domestic Norms in Intra-communal Bordering

Turning towards the subcases of each region, this chapter sets out to provide a more nuanced picture of the interaction between dominant domestic norms within each of the subcases and norm compliance in form of transpositions into national law. The hypothesized mechanism states that incompatible domestic norms lead to a protracted or incomplete norm transposition, whereas compatible domestic norms should lead to timely and complete implementation. In order to examine this assumption, the chapter is structured as follows: *First*, dominant domestic norms of each of the subcases will be outlined. As these change over time, their development and manifestations to specific time points will be laid down. These time points are based mainly on a yearly basis but place special emphasis on governmental elections as these provide a chance to evaluate declarations of the government in regard to the relevant IGO but also to take into account the position of the wider public through newspaper articles that are published in connection to the government declarations. As such, the basis of this chapter is a descriptive evaluation of the stance of each subcase towards the regional IGO in question.

Second, the analysis of relevant norm transposition follows as described in 4.2.4.1. More specifically, the goal is to assess whether the norm in question has been transposed adequately in terms of scope and timeliness. For this purpose, the transposition of the previously aggregated norms that have been identified in Chapter 5 will be analyzed by matching them with the corresponding national laws. Due to the scope of several IGO provisions, the matching process focuses on the general content and important keywords. To limit the amount of relevant transposition instances to a manageable level, the analysis will start either with the beginning of membership within the IGO of the specific subcase or – when the subcase state has been a founding member – in the year 1995.⁸¹ Based on the previously introduced scheme that follows Björkdahl (2015), each specific transposition will be categorized as either complete transposition, partial transposition, or non-transposition, which indicates norm acceptance, resistance, or rejection. Instances in which the transposition is unclear or has been left out of the analysis due to various reasons – e.g. an extensive body of laws and regulations that would not be feasible to analyze – have been marked as well.

Finally, the two above points then provide the basis for the subsequent matching of the categorized transposition against the specific dominant domestic norm of each subcase in order to evaluate whether the dominant norm had an impact on the transposition or not. This part subsequently provides information for the analysis of the impact of critical junctures in the form of crises or shocks, which will be discussed in the next chapter.

7.1 Dominant Domestic Norms and Regional IGOs

This section provides an analysis and evaluation of the specific domestic norms that shape and drive member states' interests and thus can be classified as being dominant. Due to the intangible nature of such dominant domestic norms, a proxy approach is being employed to gauge the governmental and media stance towards the IGO in question. Thus, the perception and relevance of the respective regional IGO are placed in focus. For this purpose government declarations concerning the respective regional IGO and con-

⁸¹The year has been chosen to align this part of the research with the quantitative analysis, which also uses the year 1995 as starting point.

trusted with media reports from the previously introduced sources (see section 4.2.3.2 of the methodology chapter) will be drawn upon. The analysis of newspaper reports is usually limited to five days after each government declaration was published. This limits the time frame for gathering potential source material but simultaneously provides a more applicable frame of analysis. In order to provide a more nuanced illustration of the development of dominant domestic norms, pre-accession periods will be periodically included in this analysis as well, as the beginning of membership quite often can be perceived as a critical juncture during which various political and societal positions in the member states come to a head and thus revealing internal fault lines. Where appropriate, these accounts are being supplemented by additional sources to provide a more coherent picture. Even though government declarations and related newspaper reports have been analyzed on a yearly basis, not all of these referred to the research interest. Thus only relevant episodes have been summarized below.⁸² Each subsection provides an introduction of the case in an abridged manner and then proceeds with the analysis of the above-mentioned sources.

Sweden

Beginning with the Swedish case in the 1990s and the Ingvar Carlsson administration⁸³ (Social Democrats), the government acknowledged the changes that took place across Europe with the downfall of the Berlin Wall and the end of the East-West conflict.

Up until this point, Swedish foreign policy – especially in regard to the then EC and NATO – was heavily influenced by a dominant neutrality norm. Former Prime Minister Tage Erlander for instance argued during the *Swedish Metalworkers' Union's Congress* in Malmö on August 22nd 1961 that joining the then EEC would be incompatible with Sweden's prerogative goal of non-alignment during the Cold War. In that sense, he understood the EEC to be an economic centric “*defence organization against communism,*” closely connected to NATO (quoted in Gussarsson 2005, p. 186). Membership was perceived to weaken the Swedish welfare state and to create raising tariff barriers to poorer external countries with which Sweden maintained vital trade relations and whose loss would considerably limit potential gains of EEC membership (Interview A, TS: 12:45).⁸⁴ This was reinforced after France vetoed the UK membership application 1963 and Sweden refocused on membership in the *European Free Trade Association* (EFTA)⁸⁵ as main organizational body for economic cross-border cooperation. However, especially larger Swedish companies pushed for EC membership in order to gain access to the common market (Interview A, TS: 19:28). Additionally, the neutrality principle provided Sweden with a mediator role between the two blocs during the Cold War. With the end of

⁸²In case of Malaysia, no government declarations could be found. However, the Malaysian Government provides an archive of speeches by the Prime Ministers, which has been used as a substitute.

⁸³From 1958 to 1960 Carlsson was the secretary to Prime Minister Tage Erlander, who was Prime Minister of Sweden from 1946 to 1969 and an outspoken critic of the EEC and proponent of the Swedish neutrality policy.

⁸⁴This also included a more restrictive system of trade as specific regulations and directives of the EC had to be applied that were more limiting than those employed before (Interview B, TS: 02:55).

⁸⁵EFTA has been founded in 1960 by the so-called “*Outer Seven:*” Austria, Denmark, Norway, Portugal, Sweden, Switzerland, and the UK (Pasture 2005, p. 113). EFTA acted as an alternative economic framework to the EEC but with a more loose and *ad hoc* cooperation approach. With several substantial members (especially Sweden, the UK, Austria and Denmark) later joining the EEC, the influence and operational capacity of the EFTA became somewhat limited.

the bloc confrontation, this function became obsolete and necessitated a realignment of Swedish foreign policy (Czarny 2018, p. 99).

Returning to the Carlsson administration, the phrasing towards the EC has noticeably softened, which is not least attributed to the dramatically changed political environment on the European continent. Yet a distinct emphasis on upholding the neutrality principle remained.⁸⁶ Newspapers – unsurprisingly – did not iterate much on the content of the government declaration or the administration’s stance towards the EC, as the main headlines focused predominantly on the German reunification (see Dagens Nyheter October 3rd 1990, page 1). However, just a day thereafter, an article by Kristen Nygaard⁸⁷ appeared prominently, warning Swedes from a political loss of control that would limit the Swedish parliament’s capabilities if Sweden joined the then EC (Nygaard 1990). The article appeared in a debate series concerning Swedish EC membership that covered both sides of the argument, indicating a greater interest of the wider public in the topic.

With the change of government on October 4th 1991 to the Carl Bildt (Moderate Party) administration, the tone and focus of the government declaration changed noticeably. Of the four tasks that the government set itself, initiating membership negotiations with the EC was placed on top of the list.⁸⁸ Even more astounding is the choice of words, where the Swedish government speaks of participating at the ‘core’ of the community.⁸⁹ Thus placing their approach in stark contrast to the previous administrations that largely emphasized the neutrality principle as the dominant domestic norm towards the EC. A remark that also extended to the realm of Swedish foreign and security policy.⁹⁰ However, this enthusiasm did not necessarily reverberate within the media landscape. While not directly criticizing the foray of Prime Minister Bildt, the topic got sidelined and was only mentioned marginally (Ljungberg 1991).

Bildt’s second government declaration largely iterated on the first but also mentioned the Four Freedoms for the first time directly and emphasized the common market as being important to Swedish interests.⁹¹ A notion that is directly tied to the economic situation of Sweden, which experienced a severe economic crisis in the wake of a real estate and financial bubble, including a rapid loss of jobs and businesses, a sharp decline in business investment, a decline in the production of goods and services, and a deterioration of public finances.⁹² Therefore it is not surprising that Bildt’s government declaration emphasized the necessity for a debordering process with a remark on the domestic situation.

This stronger emphasis on the EC, however, was met in the media not with outspoken enthusiasm. Hans Zetterberg – the former Chief Editor of the Swedish newspaper ‘Svensk Dagbladet’ – argued, by equating the treaty on European Union and its three pillar model to the French bureaucracy, the German federal bank, and NATO, that the technocratic

⁸⁶ “I ett Europa, med en ny fredsordning och där blockgränserna försvunnit, skulle det därmed gå att förena ett svenskt medlemskap i EG med en fortsatt neutralitetspolitik” (Swedish Government 1990).

⁸⁷A member of the Norwegian ‘Nej till EF’ (No to the EC) campaign.

⁸⁸ “Den första uppgiften är att fullt ut föra Sverige in i det europeiska samarbetet genom förhandlingarna om medlemskap i den Europeiska gemenskapen” (Swedish Government 1991).

⁸⁹Steget in i det europeiska samarbetets kärna är ett steg av historisk betydelse för Sverige (*ibid.*).

⁹⁰ “Den svenska utrikes- och säkerhetspolitikens utformning förändras i ett Europa som förändras” (*ibid.*).

⁹¹ “Sverige blir därigenom en del av en stor gemensam marknad med fri rörlighet för individer, tjänster, varor och kapital” (Swedish Government 1992).

⁹² “[...] vår ekonomiska utveckling i början av 1990-talet kännetecknades av en snabb utslagning av arbetsplatser och företag, starkt sjunkande investeringar i näringslivet, en minskande produktion av varor och tjänster och försämrade statsfinanser.” (*ibid.*).

character of the EC is inherently flawed and would not fit together.⁹³ Thus expressing doubt about the viability of such an institution and Sweden's place in it.

With the election of Ingvar Carlsson in 1994, the concept of neutrality resurfaced prominently in the government declaration. This time however limited to security co-operation.⁹⁴ Despite this reiteration of military neutrality, the Carlsson administration continued the process of the Bildt administration and submitted Sweden's application for EC membership.⁹⁵ However, this was cautioned by two circumstances. First, with Marita Ulvskog (Minister for Civil Affairs) and Margareta Winberg (Minister of Agriculture), two outspoken critics of Sweden's EC membership became part of the government. Second, Carlsson stated that the appliance would ultimately be decided by a referendum in the following year.⁹⁶ Thus bringing back a more cautious approach to membership that is in contrast to the vigorous approach of the Bildt administration. Especially as Carlsson also made it clear that in case of a negative vote for EC membership, no further measures to gain membership would be undertaken.⁹⁷ Here, a certain reluctance is surfacing again, which has been more pronounced in his previous tenure. Also, the media was somehow irritated by Carlsson's more reluctant approach. His predecessor, Carl Bildt, pointed out that the administration made no comments about the Swedish stance towards the EU's common foreign and security policy or the economic monetary union.⁹⁸ Here, political fault lines are increasingly visible, between the proponents of the neutrality principle and those who wish to join the community.

The 1995 government declaration gave a clearer picture of the hopes and fears associated with potential EU membership. On the one hand, Carlsson saw Sweden's membership within the Community as a chance to reduce unemployment. But on the other, he apprehended a potential turn into a purely economically and monetary-driven project.⁹⁹ Thus again signaling a certain reluctance. Nonetheless, Carlsson himself made EU membership a goal – and part of his own office – in the time before the referendum. Simultaneously, the press seemed to change and embrace the new EU membership readily. Even breaking with old habits of promoting neutrality.

“Suppose that Sweden succeeds in its efforts to include at least some Baltic country in the first round of the EU's eastern enlargement. Suppose that this country is under pressure from Russia and that EU solidarity requires countermeasures, trade sanctions and so on. Would Sweden then stand on the sidelines and veto? No, the spectator role no longer exists for Sweden in Europe.” (Bergström 1995, translated by the author)

⁹³ “Det är ingen tvekan om att franska byråkrati, tysk riksbank och säkerhetsordning av Natotyp var och en för sig är synnerligen förnämliga institutioner. Men det är en teknokratisk fälla att tro att man kan sätta ihop dem till en enhet [...]” (Zetterberg 1992).

⁹⁴ “Sveriges militära alliansfrihet syftande till att vårt land skall kunna vara neutralt i händelse av krig i vårt närområde består” (Swedish Government 1994).

⁹⁵ “Den 1 juli 1991 inlämnade jag som statsminister en ansökan om svenskt medlemskap i den Europeiska gemenskapen” (*ibid.*).

⁹⁶ “[...] medlemskap slutligen skulle avgöras genom en folkomröstning” (*ibid.*).

⁹⁷ “Blir det nej i folkomröstningen kan ett svenskt medlemskap i den Europeiska unionen inte åter aktualiseras inom överskådlig tid” (*ibid.*).

⁹⁸ “Inget sägs om EU:s gemensamma utrikes- och säkerhetspolitik eller den ekonomisk-monetära unionen, påpekade Bildt” (Sjörger and Karlsson 1994).

⁹⁹ “Kampen mot arbetslösheten måste ges lika stor tyngd i det europeiska samarbetet som ambitionerna på det monetära området” (Swedish Government 1995).

Despite this turn in the media landscape, the wider public still signaled reluctance. The previously mentioned public referendum on EC membership turned out to be positive by a slim majority of 52% for membership and 46,9% against, while the turnout of voters lay around 83.3%¹⁰⁰ Thus underlining the political fault lines that have been visible earlier. Noticeable is also the strong opposition against supranational integration across all Swedish parties and the inability to influence the focus of the 1992 Maastricht Treaty. Swedish politicians strived for including other topics on the agenda, including a strong emphasis on employment issues (Johansson 2017, pp. 370–371).

The first government declaration of the 1996 Göran Persson administration (Social Democrats) was a departure from its predecessor's declarations as notably little emphasis was placed on EU matters. However, it also signaled a stronger emphasis on the BSR and cooperation with the three Baltic states. Especially the democratization process of these states took a leading interest in the administration's considerations. A topic that is also highly connected to issues of securitization of the BSR itself. From a Swedish perspective, such efforts also contributed to strengthening the EU's cooperation regime in the region.¹⁰¹

The topic of Baltic integration – and later on that of Eastern enlargement as well – was gaining track on the Swedish agenda under the Persson administration. In the 2002 government declaration, Persson stated the potential of the Baltic Sea region as Europe's fastest-growing area has to be taken seriously¹⁰² and simultaneously raised the question of how to deal with the Free Movement of Workers in connection to the Eastern enlargement.¹⁰³ The media was at this point mostly concerned with the beginning discussion of whether Sweden should participate in the *European Monetary Union* (EMU), as a referendum was planned for 2003. However, at this point, the discussion within the public and media had more the character of a cautious weighting of advantages and disadvantages (Calmfors 2002). Simultaneously, the fault lines within the government concerning Sweden's place within the EU became visible again as Persson made Margareta Winberg – a leading figure in the no-movement of the 1994 EU referendum – his Deputy Prime Minister (Brors 2002).

The 2003 referendum on joining the EMU and thus adopting the Euro as currency turned out to be negative with 55,9% against and 42,0% for adopting the currency.¹⁰⁴ However, soon after the referendum, the question within the Swedish media landscape surfaced if this decision was advantageous as it barred Sweden from deeper integration with other EU member states that already had adopted the common currency.¹⁰⁵ Thus

¹⁰⁰Source: Statistics Sweden (Statistiska centralbyrån) https://www.webcitation.org/5ysJQ85cq?url=http://www.scb.se/Pages/TableAndChart____223857.aspx (Accessed: 04.05.2020).

¹⁰¹ “*Det nya Europa och dess möjligheter syns tydligare runt Östersjön än i något annat område. För Sverige är det ett första rangens intresse att demokrati, säkerhet och välbefinnande tryggas i Östersjöområdet. Det intensifierade samarbetet mellan Östersjöstaterna är ett bidrag till en hållfast europeisk samarbetsordning*” (Swedish Government 1996).

¹⁰² “*Östersjöområdets potential som Europas snabbaste tillväxtområde ska tillvaratas [...]*” (Swedish Government 2002).

¹⁰³ “*Förslag till hur nya EU-länders medborgare ska kunna ges fri tillgång till vår arbetsmarknad från anslutningsdagen presenteras.*” (ibid.).

¹⁰⁴Source: Statistics Sweden (Statistiska centralbyrån) https://www.webcitation.org/5ysJQ85cq?url=http://www.scb.se/Pages/TableAndChart____223857.aspx (Accessed: 04.05.2020).

¹⁰⁵ “*Att den som står utanför EMU förlorar inflytande vid EU:s förhandlingsbord är ett faktum som gäller såväl i Danmark som i Sverige*” (Friborg 2003).

indicating a swerving back and forth between the deeply ingrained neutrality principle and commitment to EU integration.

With the shift to the administration of Prime Minister Reinfeldt in 2006, the positive attitude towards enlargement, which is connected to an increase in cross-border interaction and income of new labor forces, featured prominently in the government declaration.¹⁰⁶ Additionally, the Swedish attitude towards asylum policies is noteworthy – albeit not directly connected to the Four Freedoms – as it positions Sweden against other member states that have repeatedly advocated for stronger border controls within the Union.¹⁰⁷

A similar tone was struck in the following declaration while emphasizing again the economic and political aspects of membership. Especially a deepened cooperation through the EU was seen as a chance for Sweden to benefit from increased free trade and a functioning internal market.¹⁰⁸ The media analysis also indicates a growing acceptance of the EU in parts of Sweden's political landscape that were longtime adversaries of European integration through an economic union. Lars Ohly (Left Party) declared that they would not force a withdrawal from the EU in any government declarations. However, all changes to EU treaties should be decided upon by public referenda (Carlbohm 2008).

Despite this last constraint, the dominant domestic norm has seen a remarkable and extensive departure from the neutrality principle that was prevailing at the beginning of the 1990s and now is expressed more in form of a cooperation principle. A notion that is reaffirmed in the 2010 government declaration of the Fredrik Reinfeldt (Moderate Party) administration, stating that Sweden has taken the lead in the development of more open borders and increased mobility, which is a great advantage for a society that wants to develop and be able to meet future demographic challenges.¹⁰⁹ A notion that was also echoed throughout the media landscape. Citing Prime Minister Reinfeldt who reiterated that Sweden should be a driving force within the EU and for the internal market underlines this shift.¹¹⁰

In the wake of the 2007/8 financial and economic crises, the stance of the Swedish government towards the EU deepened. Reinfeldt emphasized in the 2011 government declaration a strong support of the EU institutions and saw the place of Sweden 'at the heart' of European cooperation. Thus constituting the epitome of a Swedish domestic norm that is in line with EU integration and the concept of open borders.

“Sweden should be at the heart of European cooperation. Sweden should be the driving force in issues that are central to the development of the EU. In times of economic crisis, the government will emphasize the importance of long-term responsibility and sustainable financial policy. Respect for common rules is

¹⁰⁶ “*Utvidningen är en av EU-samarbetets största framgångar*” (Swedish Government 2006).

¹⁰⁷ “*Rätten till asyl skall värnas och den utveckling vi ser i Europa, mot mer av stängda gränser, skall motverkas*” (ibid.).

¹⁰⁸ “*Inom ramarna för det europeiska samarbetet möjliggörs också för vårt land att verka för svenska intressen som ökad frihandel [och] en fungerande inre marknad [...]*” (Swedish Government 2007).

¹⁰⁹ “[...] *Sverige tagit ledningen i utvecklingen mot öppnare gränser och ökad rörlighet, något som är till stor fördel för ett samhälle som vill utvecklas och kunna möta framtida demografiska utmaningar*” (Swedish Government 2010).

¹¹⁰ “*Sverige ska vara drivande inom EU och för den inre marknaden. Öppenheten ska värnas [...]*” (Bondesson 2010).

crucial. Only then can we accelerate the economic recovery in Europe and prevent new crises” (Swedish Government 2011, translated by the author).

A year later, however, the aforementioned tune of ‘being at the heart’ of the EU shifted significantly, indicating that the ongoing economic crisis took its toll in terms of intra-European cooperation. In that, Reinfeldt noted that the Swedish economy has shown good resilience and Sweden has the option to choose a different path and to focus on investing in the country itself.¹¹¹ Especially the part in which Reinfeldt indicates that Sweden might take another path than other European states can be perceived as a departure from the previously stated close cooperation and signals a return to the periphery of the European Union. The media also noted that an emphasis on the EU as an important topic was noticeably absent from the government declaration and a more critical stance towards the EU resurfaced among the political elites of the country.¹¹²

A contributing factor for this turn might be found in the ongoing economic crisis and is especially apparent if it comes to issue areas like the Union’s fiscal policies and the EMU, or EU laws on working time and fixed-terms contracts who belong to the Free Movement of Persons and Services complex. In all of these areas, Sweden has shown previous reluctance to commit further. Considering these developments, the Swedish stance in 2012 and 2013 marked a rapprochement to the neutrality policy of the 70s and 80s.¹¹³

The last administration under investigation for this analysis is that of Stefan Löfven (Social Democrats) that came into office in 2014. Here, a more moderate approach towards the EU was taken as the administration sees Sweden to be a committed and constructive member of the European Union.¹¹⁴ Notably, this administration specifically emphasizes the Free Movement of Services while also trying to limit the leeway of companies in leveraging out national labor laws.¹¹⁵ The media landscape during this time and the following years was preoccupied with the Refugee Crisis and the growing disunity among the EU’s member states. Especially as several of these started to reintroduce stricter border controls and checks. Thus threatening the internal cohesion of the Union that also affected the internal borders.¹¹⁶ In reaction to this and similar media statements, Prime Minister Löfven stated that the responsibility for asylumseekers is a joint challenge that all EU member states face.¹¹⁷ Here, an indication for a Sweden coming back from the periphery is hinted at and is being underlined by the 2019 government

¹¹¹ “*Vår ekonomi har visat god motståndskraft. I en orolig tid kan Sverige därför välja en annan väg än många europeiska länder. Vi kan investera i Sverige [...]. Vi kan investera i människor. Så bygger vi Sverige starkare*” (Swedish Government 2012).

¹¹² “[...] *men i övrigt låter många som på Göran Perssons tid*” (Ström Melin 2013).

¹¹³ “*Att regeringen inte längre förklarar att vårt land ska vara en del av EU:s kärna kan givetvis tolkas som en beskrivning. Ett land som står utanför valutasamarbetet hör per definition till periferin.*” (ibid.).

¹¹⁴ “*Sverige ska vara en engagerad och konstruktiv medlem av den Europeiska unionen*” (Swedish Government 2014).

¹¹⁵ “*Lika lön för lika arbete enligt lagar och avtal i arbetslandet är en princip som ska gälla i hela Europa. Regeringen kommer att påbörja ett arbete för att åstadkomma en ändring av EU:s fördrag som slår fast att den fria rörligheten för företag inte kan användas för att kringgå nationella lagar och kollektivavtal*” (ibid.).

¹¹⁶ “*Alla inser nog att i ett Europa med öppna inre gränser och en gemensam yttre gräns kan bara finnas ett gemensamt europeiskt svar på flykting- och migrationskrisen. Eller inget svar alls [...]*” (cited in Flores 2015).

¹¹⁷ “*Det gäller i EU – mellan EU:s medlemsländer. Inget land ska smita undan sitt ansvar. Och det gäller i Sverige – mellan kommunerna. Ingen kommun ska kunna smita undan sitt ansvar*” (cited in ibid.).

declaration that returned to calling EU membership as a ‘foundation’ of Swedish policy (Bolling and Jakobson 2019).

Estonia

Estonia, as the smallest of the three Baltic States, re-established its independence after the end of the so-called ‘*2nd Soviet Occupation*’ on August 20th 1991. In an attempt to bring as much *distance* – not only politically but also socially and symbolically – between itself and the former occupier, the Estonian *raison d’etat* after Soviet occupation has been one with a singular focus on integration into the Western system of states (Fein 2005). Most observers were highly critical not only of Estonia’s capabilities and capacities but about the Baltic States in general, to adapt sufficiently to be recognized as potential EU members. An evaluation that was also coupled to Western concerns about antagonizing Russia after the Cold War. At the domestic level, opinions about membership application varied. Especially as resentments about exchanging one Union for another and thereby selling off the newly won independence came to the fore (Liik 2016). The prospect of successfully concluding the membership application looked – at least from the outset – rather bleak. The main driving force for accession thus was Elite driven and seen as a way to alleviate the latent Russian threat to security and – in a harsher interpretation – existence.¹¹⁸ However, not only did all three conclude membership negotiations successfully, the Baltics – and especially Estonia – are considered to be forerunners of European integration, advocating – among others – the introduction of the ‘Free Movement of Data’ as a form of fifth fundamental freedom (Attard 2017, p. 1).

The road from the Soviet Union into the European Union, however, was a rocky one. Overshadowed by other potential member-states like Poland or the Czech Republic, Estonia was less accredited for efforts taken to adapt to the Western model. With the restoration of independence, Tallinn had to introduce fast-paced and fundamental changes to virtually all sectors of political, public, and private life, without being able to draw back on an extended set of experiences.¹¹⁹ Most importantly, the newly won independence and the ‘West-turn’ demanded an economic transformation “[...] *from high protection within the Soviet command economy to almost complete free trade à la Hong Kong*” (Feldmann and Sally 2002, p. 79). This initial condition was even more aggravated by the collapse of the Soviet Union itself. Within a rather short time frame, the main export market ceased to exist, prices for energy imports rose significantly, and hyperinflation set in (*ibid.*, p. 81). For the Estonian interim- and early post-Soviet governments the catching-up was of paramount interest. Culminating in a series of far-reaching economic and political reforms. Especially the second interim Premier Minister Tiit Vähi initiated crucial reform processes that turned the centrally controlled Estonian economy into a

¹¹⁸The events in Ukraine, pertaining the gradual escalation of the intra-Ukrainian conflict through Moscow, have been monitored very closely by the Baltic Republics and its civil society, apprehending a similar mode of Russian subversion on their territory.

¹¹⁹The first independence of a modern Estonian state was in 1920 but was rather short-lived due to the Second World War and the subsequent occupation and territorial integration by Nazi Germany and later by the Soviet Union in 1939. The existence of an independent Estonia was therefore brief and considerably disconnected from its recovery in 1991. Through this status as Soviet Republic and a very limited set of autonomy provisions (e.g. in regard to language and culture) the Estonian backdrop for establishing a functioning and politically self-sufficient state can be – especially compared to other states like Poland or Hungary – considered to be rather thin.

free market economy. The centerpieces of these reforms were internal price liberalization and a currency reform, which included fixing the Estonian Kroon to the Deutsche Mark at an 8:1 ratio, in an attempt to mitigate the impact of an increasingly volatile Russian Ruble.¹²⁰ Important milestones are a rapid divestiture of state-owned enterprises and a radical abolishment of tariffs until 1995 (European Bank for Reconstruction and Development 1999, p. 167; Feldmann and Sally 2002, p. 83).

These efforts eventually culminated in WTO accession talks, free trade agreements with the EFTA, and an EU Association Agreement in 1995, as well as the beginning of EU membership negotiations in 1998 (Vachudova 2005, p. 97).¹²¹ These are related mainly to harmonizing regulatory regimes and set to ease the transition into the Internal Market until accession. This however comprised the adoption of the whole package of pre-existing EU regulations and directives, which accumulated – especially for the Free Movement of Goods – to over 7000 different provisions. Despite this taxing obligation, Estonia already adopted several of these preemptively. This relates for instance to the transformation into a functioning market economy, adopting EU standards in terms of the legal system, or the introduction of regulatory bodies in energy, communications, and railways (European Commission 1998, pp. 13, 17). Again, this has to be perceived as a move that was mainly informed by the need to distance itself from Russia. The geographical closeness, as well as the presence of a large Russian minority at the mutual border, stretching far into Estonia itself, posed – and still poses – a severe security issue for Tallinn.

The application process was finally concluded in 2003, with the major part of EU legislation and regulations implemented and applied at the domestic level. In the same year on September 14th, a public referendum on whether to join the EU or not was held, with a turnout of 64% of the electorate and 67% being in favor (Vachudova 2005, p. 238).¹²² Thus paving the way for becoming a full-fledged EU member by 2004.

Turning to the analysis of the dominant domestic norm in form of attitude towards the EU, most of the findings exhibited a highly positive perception of the Union. Starting the analysis with the adoption of the constitution and the general election in 1992, the coalition agreement of the Mart Laar (Pro Patria Union) administration made it clear in which direction Estonia was heading and what the main goals of the political elites were. Within the coalition agreement, the fifth article referred to European integration and the administration stated that by continuing close contacts with the Nordic States and the Nordic Council, Estonia is set to conclude an association agreement with the European Community and to join as many European Community programmes as possible. This also

¹²⁰With Germany's membership of the EMU in 1999, the Estonian Kroon was automatically pegged to the Euro, thus maintaining financial stability (Feldmann and Sally 2002, p. 82).

¹²¹The signing of the Europe Agreement with the European Union is a form of precursor agreement for accession negotiations and thereon following an Association Agreement between the existing EU members and the CEE countries, which was set to come into force for Estonia in 2004/2007. The main relevance of these agreements is based on the framework for accession they provide, including a pre-membership application of the community's normative framework in regard to the four freedoms and the therein contained provisions and regulations. Decisive is that Estonia was the first country that concluded the European Agreement without an extra transition period.

¹²²Interestingly, the referendum was not about the accession itself but about a constitutional amendment that would allow the implementation of international agreements into national law. This is insofar important as the previous version of the constitution neither allowed for public referenda on international agreements nor the direct application of such internationally concluded treaties at the domestic level (Ehin 2015, p. 516).

includes closer cooperation with Central European countries in order to obtain both trade and business partnerships, as well as reform experience. Integration into the European security system and cooperation between NATO and Western Europe was deemed a vital strategy in these considerations as well.¹²³

Thus, already setting the main goal of Estonian foreign policy and indicating a strong domestic norm for Western integration. At the same time, the Laar administration set as its principal objective the unconditional withdrawal of all Russian troops that remained in Estonia.¹²⁴ However, the last point – especially if it comes to the Russian-speaking minority living in Estonia – caused concern among Western states as Laar's rhetoric during campaigning for the election firmed under the slogan “*Let's sweep the garbage out of Estonia*” (Erlanger 1992).

Within this brief period of time, these two points set the stage for the dominant domestic norms that work in tandem in the Estonian case. On the one hand, a focus on Western integration through NATO and EU membership and on the other hand the security-related distancing towards Russia.

Under the 1994 administration led by Andres Tarand (Moderates), concrete steps were taken to approach the previously envisaged integration efforts. The fourth point of the coalition agreement set out ratification of the Free Trade Agreement with the European Community later the same year.¹²⁵ A course that continued under the administration of Mart Siimann (Coalition Party's and Country People's Alliance) from 1997 to 1999. However, the Estonian political landscape was characterized during the post-restoration phase by instability and was perceived as troubling by Estonian newspapers. As the application process for EU membership – the main goal on the administration's agenda – was already underway, the upcoming 1997 Treaty of Amsterdam and the therein codified requirements for new member states concerned Estonian newspapers *vis-à-vis* the impeded Estonian government.¹²⁶ At the same time, however, Ando Leps, a member of the Estonian Parliament stressed in a newspaper article that the Estonian accession to EU membership was not even certain.¹²⁷ Simultaneously, a perception of threat from Russia prevailed throughout Estonian media as then-Russian President Boris Yeltsin stated that it would be important for the Baltic States to remain in Moscow's military-political sphere.¹²⁸ Not only did this remark imply a rekindled geopolitical claim from the Russian side but more importantly it led to an acceleration in Estonian efforts to swiftly

¹²³ “Jätkares tihedaid kontakte Põhjamaade ning Põhjala Nõukoguga, võtab Eesti kursi assotsiatsioonileppe sõlmimisele Euroopa Ühendusega ning lii tub võimalikult suure hulga Euroopa Ühenduse programmidega. Senisest suuremat tähelepanu tuleb pöörata koostööle Vahe-Euroopa maadega, kust on võimalik saada nii kaubandus- ja äripartnereid kui ka reformikogemusi. Oluline on integreerumine Euroopa julgeolekusüsteemi ning koostöö NATO ja Lääne-Euroopa Liiduga” (Estonian Government 1992).

¹²⁴ “Eesti iseseisvus on küll taastatud, kuid seda ei saa lugeda täielikult kindlustatuks seni, kuni maal viibivad võõra riigi väed. Valitsus nõuab Vene vägede viivitallatut ja tingimusteta välja viimist Eestist” (ibid.).

¹²⁵ “Valituskoalitsioon taotleb Euroopa Ühendusega solmitud vabakaubanduselepingu ratifitseerimist käesoleva aasta jooksul” (Estonian Government 1994).

¹²⁶ “Euroopa tasandil tehakse meie edasise arengutempo kohta sellel suvel mitmeid olulisi otsuseid. Kui meie ise samal ajal ei suuda üles näidata koostöövalmidust ja stabiilsust, võib see kaasa tuua kaugeleulatuvaid tagasilööke” (Villem 1997).

¹²⁷ “Raske diskussioon tuleb kindlasti Eesti võimalikust astumisest Euroopa Liitu. Ei ole ju selge, mida Euroopa Liitu astumine meile ikka annab. Keegi sellest ei räägi, mis viib omakorda reaalse järeltuseni, et keegi seda ei teagi. Ise julgen arvata, et esimeses järjekorras me sinna kohe mitte kuidagi ei saa” (Leps 1997).

¹²⁸ “Boriss Jeltsin on viimasel ajal nii avalikel kui diplomaatilistel kohtumistel andnud selgelt mõista, et Balti riigid peavad jääma Moskva sõjalis-poliitilisse huvifääri” (Mihkelson 1997a).

accomplish Western integration. As such, a dualism can be discerned that is pulling and pushing Estonia's foreign policy agenda (Mihkelson 1997b).

From 1999 to 2002 Mart Laar (Pro Patria Union) was reelected and continued the agenda of his first term. *"If between 1992-1995 the objective was to redirect Estonia from the East to the West, then now [my] goal was to make this change irreversible."* (Laar 2009, p. 15). The main goals of this administration continued over from the previous ones with achieving both, EU and NATO membership. Here, the government's position towards the EU in the sense of the research interest is as clear as possible and did not change during Laar's second term.

The administration of Siim Kallas (Reform Party) that took office in 2002 and resigned in 2003 largely continued the goal of the previous administrations. During a meeting with then President of the European Commission, Romano Prodi, Kallas noted the importance to further the negotiations about accession and to actively find solutions on open issues (Estonian Government 2002). Due to the limited time this administration was in office, no further relevant government or media information could be found.

In the term of Juhan Parts (Res Publica Party) from 2003 to 2005 falls the public referendum on EU membership on September 14th 2003. Of the eligible voters 66.8% voted for accession and 22.3% voted against.¹²⁹ On May 1st 2004 Estonia then officially joined the EU. At this point, it should be noted that a form of Euroscepticism did exist during the time. Mostly expressed by opposition parties in an attempt to raise their profile and gain voters (Mikkil and Pridham 2004, p. 723). However, the mainstream parties all endorsed membership and the topic of Euroscepticism was dropped after accession.

With this step, however, certain fears came to the fore. Juhan Parts for instance expressed his concerns that Estonia might be treated as a second-class member state, far from the (economic) centers of the EU. During his address to the Riigikogu he furthermore noted that the EU's great goal of enlargement is now a reality (ERR 2004a). But he also repeated that new members have to be treated in the same way as older and founding members and that all Estonian political parties would need to further the European integration process.¹³⁰ Despite these initial considerations, at the end of his term, Parts stated that accession to the European Union and NATO had restored independence and thus Estonia's most important foreign policy objective had been achieved.¹³¹ The media landscape expressed similar enthusiasm, praising the fact that Estonians were increasingly working and studying in other EU member states and that in return foreign investors and tourists had a growing interest in Estonia (ERR 2005b).

Andrus Ansip (Reform Party), who took office in 2005 and served until 2014, noted in one of his first public appearances as Prime Minister that EU membership did indeed not lead to the previously feared two-level membership and stressed the need for more cooperative relations within the EU (ERR 2005a). During a joint press conference, he later advocated for the Estonian parliament to ratify the EU Constitution and iterated the principles laid down by Robert Schuman (Estonian Government 2006). During the time of his term also falls the 2007 Global Financial Crisis. Even though the crisis led to

¹²⁹Source see <http://www.vvk.ee/varasemad/?v=rh03> (Accessed: 20.02.2020).

¹³⁰ "Euroopa Liidu senine suur eesmärk - laienemine - on alles nüüd täitumas, kuid selle viljad on veel nappimata" (ERR 2004b).

¹³¹ "Ühinemine Euroopa Liidu ja NATO-ga oli iseseisvuse taastanud Eesti jaoks kõige olulisem välispoliitiline eesmärk" (Estonian Government 2005).

severe cutbacks in the state budget (ERR 2008b), the overall attitude towards the EU did not change. This is also most likely connected to the goal of Estonia to become a member of the Eurozone (ERR 2007).

Finally, Taavi Rõivas (Reform Party) became Prime Minister from 2014 to 2016. The focus of this administration was placed mostly on the single market and financial stability in the wake of the Financial and Economic crisis of the previous years (ERR 2014a). In his term falls the Syrian Refugee Crisis, however, the administration was in every department more concerned with the unfolding Ukraine Crisis. As such, discussion of membership in NATO and EU – or even the stance towards them – played no role as both served as deterring elements in the considerations of the administration.

Summarizing the findings of Estonia, there was surprisingly little information to be gathered from official government statements. Quite often any topics related to the EU were predominantly concerned with implementing EU measures but not with critically reflecting whether the accession to EU membership might impede Estonian relations with Russia or limit its overall capacity to act. Only the notion that occasionally surfaced about exchanging one Union with another Union came to the fore. However, this discussion took place mainly within the media and academic circles and did not transpose to the wider public.

There might be two possible explanations for this phenomenon. Either EU membership was perceived as a purely technical issue, void of any normative background or – and this might be more likely – the norm of EU integration is so deeply ingrained in the echelon of political elites that an open contestation is not feasible. An inclination towards the latter is supported by the media articles that on the one hand occasionally criticized members of the political elite that might have had close ties to Russia and on the other hand the public pressure that arose through media calls to accelerate the integration process. This behavior is also visible after the accession to EU membership in 2004. Estonia has established itself as a forerunner in digital advancements and integration, thus being in a position to push the agenda for other member states. It should be stressed, however, that a decisive impulse for Estonia is still the closeness to Russia and the concomitant insecurity, causing the Estonian administrations to aspire to the protection of the Western community.

Malaysia

Turning to the Malaysian SCSR case, it is important to note that before the founding of ASEAN and Malaysia's membership in 1967, regional relations for Malaysia were largely characterized by security issues like the Indonesian *Konfrontasi* policy and the dispute about the Sabah region between Malaysia and the Philippines (Acharya 2014, p. 4). Due to these strained relations with its neighboring countries, Malaysia focused heavily on domestic economic growth during the pre-ASEAN phase, in order to achieve economic independence from its direct neighbors. The First and Second Malayan Plans (1956-1960 and 1961-1965) thus entailed the gradual increase of per capita income and a general improvement of living standards. This also included diversification of agricultural production. A topic that was echoed in the subsequent Malaysian Plan after Tunku Abdul Rahman became Prime Minister in 1964 for the third time and was set to limit Malaysia's

dependency on commodity exports and volatile price developments. Essentially, these plans established first import-subsidizing industries, eventually leading to labor-intensive and resource-focused industries, targeting both the domestic and foreign markets (Aziz 1996, p. 70). With Abdul Razak Hussein becoming Prime Minister in 1970, the Second Malaysian Plan (1971-75) introduced the *New Economic Policy* (NEP) as well as the *Outline Perspectives Plan* (1971-90). Both plans were chiefly set to advance the progress of industrialization and thus further limit economic dependencies on neighboring states (Koon 1997, p. 262).

Becoming a member of the ASEAN in 1967 can be seen as being in line with the general framework that ultimately led to the NEP as a turn toward export-oriented industrialization, which entailed opening up new foreign markets for Malaysian products. Realizing this endeavor through an organizational framework increased the likelihood of stable and secure relations while simultaneously ensuring security and non-interference from external actors.

However, this fine-grained internal framework of stability and security – coated with decisive protectionism – was increasingly unraveling. A clear indicator can be found in the elections of 2018 in which former Prime Minister Mahathir Mohamad was elected for a second time after he already served in this position from 1981 to 2003 and changed political camp from the coalition of *United Malays National Organization* (UMNO) to the oppositional *Malaysian United Indigenous Party / Parti Pribumi Bersatu Malaysia* (PPBM). Main topics during the election campaign centered around the issue of growing Chinese investments and infrastructure projects, coupled with Chinese President Xi Jinping's *Belt and Road Initiative*. These relate for instance to an East Coast Rail Link, a real estate project in Johor, or the Kuala Lumpur-Singapore high-speed rail link. Ostensibly, most of these projects do not qualify as being immediately threatening to Malaysian internal security but – considering the large share of the Chinese population in Malaysia – this could be perceived as a prelude to more ambitious influencing through Beijing. Nonetheless, trade with China currently contributes to at least 15% of total Malaysian trade. Cutting ties would be too costly in the long-term and could potentially jeopardize Malaysia's plans to move away from agriculture and mineral revenue and towards manufacturing in the electronics and automotive sector with the goal of establishing itself as an alternative to China and a possible supplier for Japanese companies (Vasagar 2018). Being able to limit Chinese dependence and to still pursue the above-mentioned economic transformation, Kuala Lumpur is increasingly refocusing on the ASEAN and its member-states to realize these goals.

Concerning the analysis of dominant domestic norms beginning with the end of the Cold War in the region, the Mahathir Mohamad (Barisan Nasional (BN)) administration declared already during its first tenure in 1981 that ASEAN would be the top foreign policy priority.¹³²

However, this did not necessarily mean fostering ASEAN in terms of more integration and a stronger focus on the four freedoms but merely in relation to the structures and commitments related to the already established 'ASEAN Way.' Notable in this regard

¹³²During the opening ceremony of the ASEAN Travel Forum 1981, Mahathir stated that “[w]e in ASEAN firmly believe in regional cooperation as a means to achieve greater prosperity and stability for our region. It is with this belief that we have nurtured ASEAN.”

is Mahathir's remark just shortly after his reelection in 1990, during a conference on challenges to ASEAN and the world economy after the end of the Cold War in Bali, Indonesia, and just prior to the Fourth ASEAN Summit in Singapore. Here, he proposed establishing a regular informal meeting for the ASEAN Heads of State to extend the previous bilateral system of informal meetings. However, Mahathir expressively stated that this system would be informal as well, in order to be "[...] away from the cameras and the pressure to produce some dramatic out-come" (Malaysian Government 1991a). More so, Mahathir also repeatedly proposed the creation of the East Asia Economic Group (EAEG) (Malaysian Government 1991a,b), a loose consultative forum for the states of East Asia that was envisaged to exist parallel to the ASEAN and to provide the backdrop for a regional FTA that specifically excluded 'Western' states like Oceania or Australia. Even though this project ultimately was aimed at creating more open borders among the Asian states in the region – specifically through economic cooperation – the parallel installation to ASEAN would have created redundancies. Thus, ultimately undermining the normative leverage of ASEAN to strengthen the four freedoms. As such, Mahathir's stance – and in extent that of his administration – on ASEAN can be perceived as dualistic. An assessment that is underscored by Malaysia's attempt to play a more 'proactive' role beyond the borders of ASEAN (Hoong 1991, p. 176).

In that regard, it is also astounding how little of a role ASEAN played under the Mahathir administration in the public sphere. The analysis of newspaper articles has revealed relatively little to no hard evidence that ASEAN has had any relevance to the Malaysian public or that changes on that level would be widely discussed during Mahathir's tenure. To put that into perspective, an article from 1993 paraphrased Mahathir in his comment on the CEPT scheme within the ASEAN FTA (New Straits Times 1993, p. 1). However, this comment was not necessarily geared toward emphasizing the benefits of a free movement of goods but rather thought as a reminder to the Malaysian industry to develop capacities and to benefit from the AFTA in the long run. In the same vein, Mahathir noted that foreign manufacturers would regard Malaysia as a base for the production of refined materials, which then could be exported to other states in Southeast Asia. This indicates that the extended ASEAN framework has been perceived by the Malaysian administration under Mahathir more as a facilitator of national interests. Not necessarily as reinforcing the importance of ASEAN for dismantling intra-communal borders.

A notion that is even more striking when considering the impact the Asian Financial Crisis of 1997 had on the region. Mahathir did mention the crisis during a speech to the Malaysian National Chamber of Commerce and Industry. While accusing foreign investors – predominantly Western ones – of speculating against the currencies of the Southeast Asian states, he did not mention ASEAN as a means to collectively tackle the crisis. Quite to the contrary, he warned against a worsening of the crisis and therewith connected the need to call the IMF for help (Malaysian Government 1997).

One of the few mentions of the ASEAN within government declarations was issued actually after Mahathir left office. His successor, Abdullah Badawi (UMNO/BN), elected in 2003, stressed in an expression of gratitude his predecessor's accomplishments at the

ASEAN level (Malaysian Government 2003).¹³³ A notion that is somewhat puzzling concerning the previously rather limited remarks concerning ASEAN. Here, however, is an instance that reflects the general relevance of ASEAN as a forum. Mahathir's main engagement – and also his approach to advancing ASEAN itself – has been at the intergovernmental level. Utilizing the structure of ASEAN in order to advance Malaysian interest lead also – in a wider scope – to advancing the cross-border cooperations of other ASEAN member states (Interview F, TS: 53:31).

Returning to the first year of Badawi's tenure, a notably stronger and more public emphasis was placed on ASEAN. An indicator is a speech he gave during the visit of the Vietnamese Prime Minister Phan Van Khai in 2004, shortly after his election. Here Badawi noted that ASEAN would need to be 'revitalized' in order to act as a motor of integration in the region. A point that has been already put on the agenda during the ASEAN Concord II negotiations earlier that year (Malaysian Government 2004).

Badawi repeated this notion in the same year in Vientiane, Laos, as he noted that Southeast Asia would need to deepen their regional economic integration if they were to prevail in the face of Chinese and Indian competition. A call that was echoed by Indonesia's President Yudhoyono (ASEAN 2004; Perlez 2004). In response to the newly found dynamism at the governmental level, the press renewed its focus on ASEAN. Especially the aforementioned meeting in Vientiane and the ensuing ASEAN+3 and ASEAN+1 talks found heightened attention in the media (Devare 2004).

Moving forward to 2007, during the CEBU conference, the adoption of the AEC Blueprint 2015 and the ASEAN Charter took place. Ostensibly major events that were set to shape not only the future of ASEAN but also those of the member states. What is astonishing, however, is that none of these events triggered a government declaration or otherwise related official document by the Malaysian government. This is especially puzzling for the AEC Blueprint as it can be considered a milestone for intra-ASEAN cooperation due to its aim at realigning the institutional framework of ASEAN more along the lines of the European Communities' three pillar structure. Thus providing a stronger emphasis on interrelated approaches to dismantling cross-border interaction barriers. As Badawi pushed for 'revitalizing' the Association – especially in the early days of assuming office – the absence of such a statement is remarkable.

The 2008 elections saw Badawi confirmed in office but he resigned a year later and was inherited by Najib Razak (UMNO/BN). In a notable deviation from his predecessors, Razak introduced at the beginning of his tenure a set of provisional bills. Among others, a liberalization of service provision – in line with the ASEAN Framework Agreement on Services – was formulated (Malaysian Government 2009). Thus providing a strong indicator for a reaffirmation of the Malaysian administrative's stance towards regional cross-border integration. With his reelection in 2013, similar statements have been brought forward. For instance during the 27th Asia-Pacific Roundtable (Malaysian Government 2013a) or during the Invest Malaysia 2013 event (Malaysian Government 2013b). Especially during the latter, a notable phrasing of Razak related to ASEAN is

¹³³However, the document does not specifically mention which accomplishments are meant, apart from the enlargement of ASEAN itself, which, however, can not be attributed to Mahathir alone as all member states need to univocal confirm any new member state.

his statement that “*ASEAN [is] a key part of Malaysia’s growth story.*” A formulation that raises ASEAN’s relevance for Malaysia considerably.

Yet like the previous administrations before him, the dynamic lessened considerably after consolidating his office. More importantly, the ‘*1Malaysia Development Berhad*’ (1MDB)¹³⁴ scandal of 2015 caused a complete refocusing of Malaysian politics and the public on internal matters, eventually covering-over considerations about ASEAN and regional debordering processes (Ramadhani 2020, p. 6).

Concluding, in the section on Malaysia, two findings stand out. *First*, quite often a focus has been placed on intra-regional and international cooperation at the beginning of tenure or briefly after elections, which then shifted to conservative and domestically focused policies. *Second*, the absence of a larger public interest in ASEAN and related governmental policies is striking. The latter can be evaluated as a decisive indicator of the domestic norm prevailing towards ASEAN, which can be largely described as polite disinterest.

Indonesia

In the wake of the *Association of Southeast Asia* (ASA) of 1961, the MAPHILINDO¹³⁵ was founded, a form of an ethnic grouping of Malay people. However, Indonesia under Sukarno soon challenged the legitimacy of the newly independent Malaysia, leading to a prolonged confrontation between both states and a form of coercive diplomacy (Perwita 2007, p. 11).¹³⁶ This policy became known under the term *konfrontasi* and ultimately led to violent tensions between the states involved (Acharya 2014, p. 46). With the overthrow of Sukarno through Suharto (Golkar)¹³⁷ after the Indonesian politicide and his subsequent election as president in 1968, the relations to the other regional states – and especially to Malaysia – started to relax. Policy-wise, the ‘New Order’ under Suharto stressed a strong anti-communist agenda, as well as a focus on stability and economic development (Anwar 1997, p. 35). Especially for the latter two, the prospect of overcoming a dire economic situation at the domestic level through closer economic cooperation with the neighboring states posed a strong incentive for Jakarta to join the ASEAN as a means to realize this agenda (*ibid.*, p. 40).

The following inclusion of Indonesia within the ASEAN context was set to act as a form of ‘golden cage’ and thus aimed at reducing the likelihood of returning to more confrontational and potentially armed conflicts between the states (Acharya 2014, p. 47). In return, Jakarta exercised itself in a display of self-constrain to win back the trust of the other members (Heiduk 2016, p. 7). A behavior that can be understood as a signifier regarding the importance of regional cooperation for Indonesia and thus the significance

¹³⁴Allegedly, government agencies, banks, and companies channeled several million US dollars to the private bank accounts of Prime Minister Najib Razak through the 1MDB fund (Agence France-Presse 2015).

¹³⁵An acronym for a loose union of Malaysia, the Philippines, and Indonesia.

¹³⁶Coercive diplomacy often entails the threat of the use of force. In the case of the Indonesian-Malaysian dyad, the Sukarno administration used a full trade embargo against Malaysia (McGillivray and Stam 2004, p. 163). A step most certainly aimed at internally destabilizing the newly found state in its infancy. Due to the decisive changes within the Indonesian political system following shortly after the implementation of the sanctions, it is likely that this measure never fully unfolded its efficacy.

¹³⁷Golkar (*Partai Golongan Karya*) is no political party as such and translates to Party of Functional Groups. Founded in 1964, it represents more of an administrative entity that took over the executive branch of the Indonesian state and was only turned into a party under President Habibie in 1999 (Tomsa 2008, p. 2).

of the ASEAN as a means to realize this cooperation. The general role of Indonesia within the ASEAN under Suharto, however, was more informed by cautious participation without the goal of assuming a leading role (Anwar 1997, p. 223).

With the end of the Suharto era in 1998, large-scale internal transformation processes set in. Most notable were several liberalization steps that included increased media freedom, the formation of new political parties, and the initiation of a democratization process (Acharya 2014, p. 221). In the following time, new impulses for cooperation through ASEAN were set. A crucial signaling for instance concerning the importance of ASEAN for Indonesia is apparent in a speech, which Indonesian President Megawati Soekarnoputri gave during the 2002 AFTA Symposium in Jakarta, in which she “[...] appeal[ed] to all Indonesia’s businessmen to be courageous to compete in the ASEAN as well as global markets and not to confine themselves only in the domestic market.”¹³⁸ This remark can be evaluated as a direct criticism of Indonesian economical elites, exerting their influence to block deeper ASEAN integration measures, similar to those in Malaysia (Nesadurai 2012, p. 318).

This trend of renewed focus on regional integration has been subsequently continued by the Yudhoyono administration and is being underpinned by the vision of the current Indonesian president, Joko Widodo, who depicts Indonesia as a “[...] *global maritime fulcrum between the Pacific and Indian Ocean* [...]” (Agastia 2017). A statement that relates to stronger maritime economic development, connectivity, as well as (security) cooperation between the littoral states of the region and obviously aimed at keeping China at bay (Parameswaran 2015). Considering the current economic and political situation in the SCSR, this can most likely only be realized through stronger participation in and contribution to the ASEAN.

Concerning the domestic norms, the analysis begins with the ‘reelection’ of Suharto in 1992. An important year in ASEAN’s history as it also included the signing of the AFTA. Suharto’s stance on the agreement was more that of reluctance. While Indonesia eventually signed the agreement, it agreed only to do so after getting a 15-year time window for implementing the measures contained therein (Artner 2017, p. 22). While remaining skeptical of the agreement itself, Suharto stressed the need for a stronger regional corporation as economic regionalism “[...] *will have negative effects on the developing countries if it is followed by the establishment of groups among countries and eventually leads to dosed and protectionist economic blocs* [...]” (Pura 1992). Thus, the prospect of losing ground to the then EC and NAFTA overruled concerns of opening up the Indonesian market to competing ASEAN economies like Singapore.

Similar to the Asian economic crisis in 1997, the extensive forest fires in Indonesia in 1997 and subsequently in 1998, which caused haze and health issues in the neighboring countries, did not trigger ASEAN to act on these issues (Beukel 2008, p. 6). With this lack of issue-related visibility, ASEAN lost favorable views not only in Indonesia but in the region as a whole.¹³⁹

¹³⁸See: http://asean.org/?static_post=speech-by-the-president-of-republic-of-indonesia-megawati-soekarnoputri-at-afta-2002-symposium-jakarta-31-january-2002 (Accessed: 20.03.2018).

¹³⁹The ‘haze’ has since become a consistent problem for the ASEAN states that surround Indonesia with various administrations promising to either reduce or eliminate the practice of slash-and-burn land clearance that is the cause of the widespread fires (Wardani 2013, Interview E, TS: 39:30).

With the upcoming election in 1998, Indonesia found itself in a similar transitory situation as Malaysia. Large-scale protests and riots that have enthralled the country for several months forced Suharto to resign and hand over power to Vice-President Bacharuddin Jusuf Habibie (Golkar), who acted as interim President (Suharto 1998). In the wake of the transfer, a considerable shift in Indonesian domestic politics occurred, beginning with loosening controls on the press, allowing the formation of new parties, acceptance of human rights, and democratic elections scheduled for mid-1999. This *'reformasi'* period saw also a series of economic transformations brought about by the aftermath of the 1997 Asian Financial Crisis, as well as talks with the IMF. The latter demanded from Jakarta to cut tariffs, reform banking laws, and to end cronyism related to key industries (A. L. Smith 1999, p. 247; Robison and Rosser 1998, p. 1594). During this period falls the 6th ASEAN Summit in Hanoi, Vietnam, and the negotiations about AFTA. Despite inheriting the Indonesian leadership role in ASEAN from his predecessor, Habibie did not explicitly express his stance on the issue, thus letting it to the other members to take the lead (The Jakarta Post 2008).

In the wake of the transformasi period, Abdurrahman Wahid (National Awakening Party) won the early elections in 1999 in a close race against Megawati Sukarnoputri, the daughter of Indonesia's founding President Sukarno (Richburg 1999). The brief presidency that lasted only until mid-2001 was characterized at the domestic level by continued protests and riots and on the international and regional level by a progressing deterioration of relations among ASEAN members. Most notably between Singapore on the one hand and Malaysia and Indonesia on the other. Wahid stated in this matter that Singapore would be "[...] *only looking for profit [...]*" and being reluctant in its relations with other ASEAN countries (Wain 2000). In itself, this statement is not necessarily noteworthy but it represents a trend among ASEAN states during the early 2000s which not only hints at a diminished role of ASEAN as an institution for regional integration but also at Indonesia losing its leadership role among the ASEAN member states.¹⁴⁰ A dominant domestic norm is difficult to decipher in this instance as Wahid's presidency has been brief and – similar to that of Habibie – was marked by internal unrest, corruption, and scandals. Thus placing the public focus more on domestic issues than on ASEAN and therewith related cross-border interaction.

After Wahid's impeachment on July 23rd 2001, Megawati Sukarnoputri (Indonesian Democratic Party of Struggle) was appointed to succeed him. While striving to revitalize intra-ASEAN relations and further the integration process, Sukarnoputri was largely tied up with the aftermath of the East Timor secession and the ongoing Aceh conflict and her Presidential Address contained no reference to ASEAN itself (Sukarnoputri 2001). Until the end of her tenure in 2004, not much in terms of resurrecting Indonesia's leadership role in ASEAN materialized. A reoccurring issue during her presidency was especially the unwillingness of the public and specific industrial sectors to embrace more deregulations through ASEAN. While calling upon businesses to prepare for a new free trade era shortly after her election (The Jakarta Post 2001), domestic reluctance forced her to argue for an escape clause within the AFTA agreement (The Jakarta Post 2002a).

¹⁴⁰An additional issue area for ASEAN has been opened up by membership enlargement. Even though most critiques were pointing to Vietnam being an unsuitable addition to the association, it was actually Cambodia and the ruling military administration that proved to be reluctant in furthering the regional integration (A. L. Smith 1999, pp. 248–249).

Especially the Indonesian Chamber of Commerce and Industry opposed an early implementation of the AFTA agreement, seconded by the Indonesian Farmers' Association, on grounds of competitiveness and missing protection from the state (The Jakarta Post 2002b). In this instance, the strong influence of the domestic companies – not only in Indonesia but within the whole region – comes to the fore. Without the consent and the actual interest of the predominantly small- to medium-sized companies, advancements in regional integration were limited (Interview G, TS: 17:40). Despite these setbacks, one could argue that Sukarnoputri prepared the foreign-policy turnaround for her successor Yudhoyono (Democratic Party), who could “[...] capitalize on the gains the country has achieved from its international relations to build a stronger and more respected Indonesia [...]” (Bandoro 2004).

President Yudhoyono then pointed out during his 2005 inaugural speech that a renewed focus would again need to be placed on strengthening the architecture of regional cooperation, which “[...] hinges on ASEAN as the main pillar” (Yudhoyono 2005). In the public, this speech – while not necessarily stating anything his predecessors have not – has been cause for optimism regarding Indonesia’s role in international affairs. A former editor of the *Far Eastern Economic Review* noted that “[...] it’s time for the country to revive its role in regional and world affairs. This is important, because without Indonesia’s presence and responsible leadership, Southeast Asia’s chemistry is thrown out of balance and it becomes a region diminished in the eyes of the world” (Vatikiotis 2004).

An important step in that direction manifested at the 13th ASEAN summit in Singapore during which the ASEAN Charter was finalized. Even though the actual Charter has been watered down during several rounds of negotiation, Yudhoyono has been pushing for a more thorough variant that would significantly alter the way ASEAN would function (Desker 2008). While not successful, this is an indicator that ASEAN and thus the regional cooperation regained weight in the Indonesian political agenda.

Upon his reelection in 2009, Yudhoyono reiterated previous commitments concerning revitalizing regional cooperation during his inaugural speech and declared an “[...] all-direction foreign policy” (The Jakarta Post 2009a). While taken on positively in the press, some voices raised doubt about whether Yudhoyono would be capable to follow up on his promises (The Jakarta Post 2009b). Indeed, a considerable amount of documents could be gathered that point to a strong focus on realizing the AEC by 2015 from the Indonesia side. To these documents belong the Presidential Instruction 5/2008 (Indonesian Government 2008) on economic development, 11/2011 (Indonesian Government 2011) on implementing the AEC commitments, his speech to other ASEAN members on AEC improvements (ASEAN 2011), the Presidential Degree 37/2014 (Indonesian Government 2014b) that established a national AEC committee, and 6/2014 (Indonesian Government 2014a) on competitiveness within the AEC.

Summarizing the Yudhoyono presidency, a considerable shift of focus from domestic issues to regional integration can be discerned. Especially in the case of ASEAN, this turn is remarkable and significant as Jakarta strived to regain its leadership role in the community by pushing key topics like the ASEAN charter and the AEC Blueprint.

In 2014, Joko Widodo (Indonesian Democratic Party of Struggle) took over the office as Indonesian President and stated that he would continue the course of Yudhoyono

(The Straits Time 2014). However, effectively, the Widodo administration has more of a blocking position toward ASEAN and the Association has become only one pillar among many in Indonesian foreign policy. As such, it has lost the central position it had under the Yudhoyono administration (Interview F, TS: 38:06, Interview G, TS: 05:05). Additionally, he initially pursued a policy of economic self-sufficiency that focused mainly on the domestic production of strategic commodities like staple foods and energy. An approach that was also benefiting the national economy which is mainly composed of small- and middle-sized companies that struggle to compete with businesses in the wider regional market (Interview G, TS: 17:40).

However, in 2016, during his address at the ASEAN Summit in Vientiane, Laos, Widodo elaborated on this stance further and specifically called upon other member states to strengthen economic ties with each other (Yosephine 2016). A notion that was indirectly targeting China, which has become the main source of insecurity in the region. Thus refocusing on ASEAN, albeit more in the sense of a protective umbrella against China. In addition, a statement from the 30th ASEAN Summit in 2017 was added to the previous statements, as

“ASEAN leaders must have the courage to see the strengths and weaknesses of the regional body, so that ASEAN will become an organization that is relevant for its people [...]” (Halim 2017).

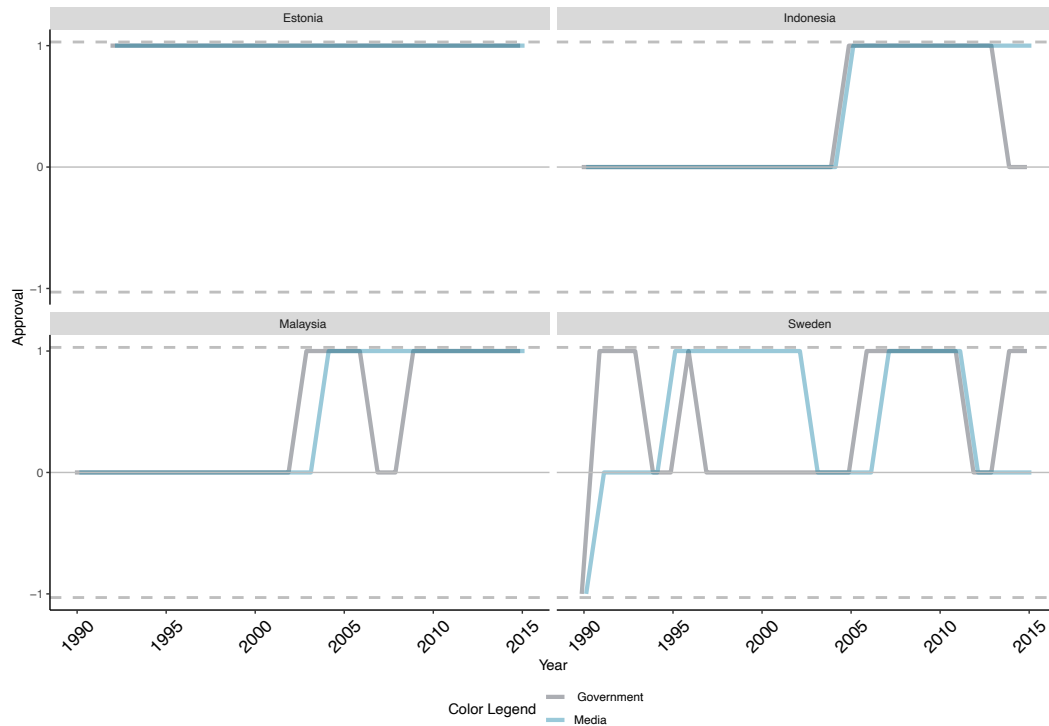
In concluding the section on Indonesia, the last reference highlighting the Widodo presidency is a statement endorsing Australia’s membership in ASEAN. A move that could fundamentally shift the balance of power within the Association towards the side of more progressive countries (Massola and Hartcher 2018). Again, this signals a strong normative focus on ASEAN itself and on regional integration. In general, however, the whole period is marked more decisively by Indonesia’s struggle with domestic issues. Thus realizing little to none of the ASEAN approaches to regional cross-border cooperation. Only recent times saw a return to the former leadership role within the Association. Concerning the dominant domestic norm, until the Sukarnoputri and Yudhoyono administrations, one could argue for neutrality, whereas the following administrations started to embrace the concept again. From a public perspective, the evaluation is considerably more challenging. Again, the main focus has been placed on domestic issues. ASEAN and any related regional foreign policy issues took a backseat throughout most of the analyzed period. Therefore, one could argue that the dominant domestic norm among the public could be considered more on the lines of neutrality or – similar to Malaysia – polite disinterest.

Section Summary

Most of the four different subcases have shown high levels of variance in their appraisal of the respective regional IGO. In order to make the point more palpable, the individual stances have been illustrated in graphical form in Figure 7.1. Each instance that has been described above is transferred in a simplistic scheme varying between 1 and -1, where the first represents a positive attitude towards the IGO and the latter a negative. Instances of no clear leaning towards either have been coded as zero. As not every year could be covered with sufficient sources across all cases, the prior value has been continued –albeit

marked by a dashed line – until a change occurred. Note that these proxy values for the dominant domestic norms – and thus the illustration – are based on subjective evaluation of the above-described instances and do not claim to be universally valid. They act more as reference points for the subsequent analysis and thus should be regarded as such.

Figure 7.1: Stance Towards Regional IGO in the Subcases



Illustrated is the stance towards the respective regional IGO based on government declarations (labeled Government) and media reports (labeled Media) on a scale ranging from -1 (rejecting) over 0 (neutral) to +1 (favorable) as a proxy for dominant domestic norms. The dashed lines represent periods with insufficient or missing information. The illustration – and to that extent the coding – is strictly limited to illustrative purposes.

What is striking for the BSR subcases is the constant support of the EU through Estonia, both on the governmental as well as the media level. Repeating a previous argument, the Estonian focus on Western integration through NATO and EU membership on the one hand and the security-related distancing towards Russia on the other act as pull and push factors, creating the frame for the dominant domestic norm of security seeking. The high levels of positive attitude towards the EU are thus not necessarily a surprise. However, the consistency is notable and here the suspicion arises that – at least in parts – this consistency can be interpreted as a form of lip service that is necessitated due to the underlying securitization aspect of Estonia's direct environment. An evaluation of that follows in the next section with the analysis of norm transposition and compliance.

The Swedish case reveals – especially in contrast to the Estonian case – a rather dynamic attitude towards the EU that is largely shaped by the specific political actors in power. Notable is the neutral stance at the beginning of the 1990s under Prime Minister Carlsson, which turned into a positive stance with the change to the Bildt administration

and then again into a more neutral stance. This ‘fluctuation’ then becomes a staple – albeit without a negative element – across the Swedish administrations. It is interesting how often the concept of neutrality surfaces in government declarations when the attitude towards the EU declines. As such, the Swedish case is remarkable as the dominant domestic norm of neutrality is rather consistent across time and employed in opposition to the EU or other Western institutions.¹⁴¹

Turning to the SCSR subcase of Malaysia, the evaluation of the governmental and media sources shows rising support of ASEAN in the early 2000s in government and media publications, while the former drops again briefly during the latter part of the decade under the Badawi administration. However, the general analysis of the Malaysian stance towards ASEAN has – especially if it comes to the media level – revealed relatively little to no hard evidence that ASEAN has had any relevance to the Malaysian public. Most of the publications are either concerned with the figure of the Malaysian Prime Minister himself or focus only on aspects of intra-ASEAN cooperation while the institution as such and its relevance for the region plays only a subordinated role.

Finally, the Indonesian stance can be most aptly described as being that of long-time neutrality from the sidelines, which turned into a positive stance during the mid-2000s. The main reason for the first part can be found in the legacy of the post-Suharto era during which the Indonesian administration sought to reassure the surrounding partners – most notably Malaysia – of its peaceful intentions. This then led to a strong focus on restraint in any matters related to ASEAN. Only with the administration under President Yudhoyono in 2005, a change towards a more positive perspective of ASEAN took place. This change can be attributed mainly to the growing assertiveness of China that demands closer cooperation between the other states within the region as well as the attempt to return to a regional leading role that Indonesia had under Suharto and Sukarno. Only in recent times under President Widodo – who emphasizes a more global approach to Indonesian foreign policy – the importance of ASEAN waned again. Thus, the overall relevance of ASEAN is – quite similar to Malaysia – of subordinated role. Most media articles analyzed merely focus on specific aspects of ASEAN. More emphasis has been placed on how the government is preoccupied with issues and crises arising at the domestic level.

7.2 Norm Transposition, Compliance, and Timeliness

Turning from the dominant domestic norms to the issue of norm transposition, the following sections provide a detailed descriptive analysis of the transposition of IGO norms according to the modified approach of Björkdahl (2015). For this purpose, the national implementations of the applicable IGO subnorms have been traced and evaluated. Specifically, this relates in the BSR subcases to EU directives and for the SCSR to the specific treaty implementations. EU regulations – due to their characteristic of having immediate effect without the necessity of national transposition – can not be analyzed in a similar manner. In order to retain the analytical scope, the regulations have been accounted for

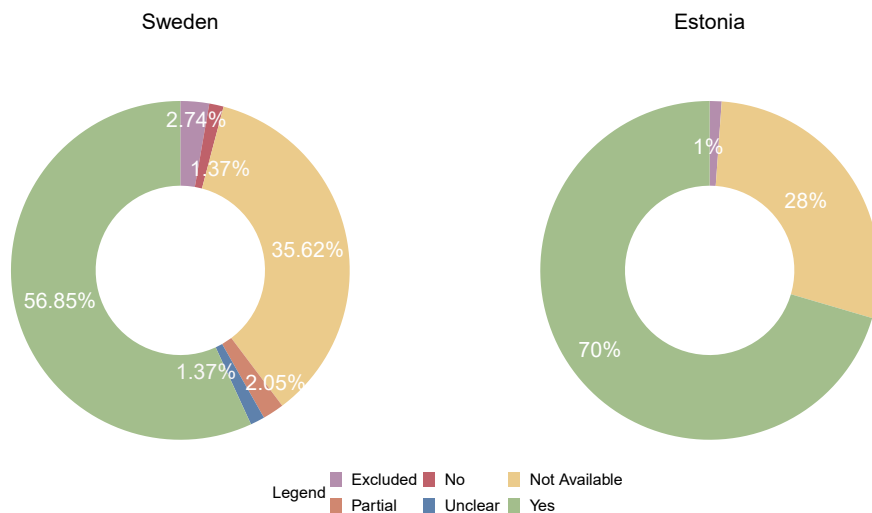
¹⁴¹A reoccurring theme across all government declarations has been the employment of neutrality in terms of military alignment, which refers specifically to NATO membership.

by an analysis of infringement procedures in the form of reasoned opinions issued by the EU Commission.

7.2.1 Transposition in the Baltic Sea Region

Starting with the overall directive compliance in the two subcases, the descriptive analysis covers 146 distinct directives for Sweden from 1995 to 2015 and 88 for Estonia from 2004 to 2015. Figure 7.2 provides an overview of the cumulative results of the coding scheme. In the Swedish case, 56.85% of all EU directives have been completely and accurately transposed. 2.05% have been partially transposed and 1.37% have not been transposed. 2.37% have been excluded from the analysis and 35.62% of the transpositions were not available in the Swedish law book.¹⁴²

Figure 7.2: EU Overall Directives Compliance

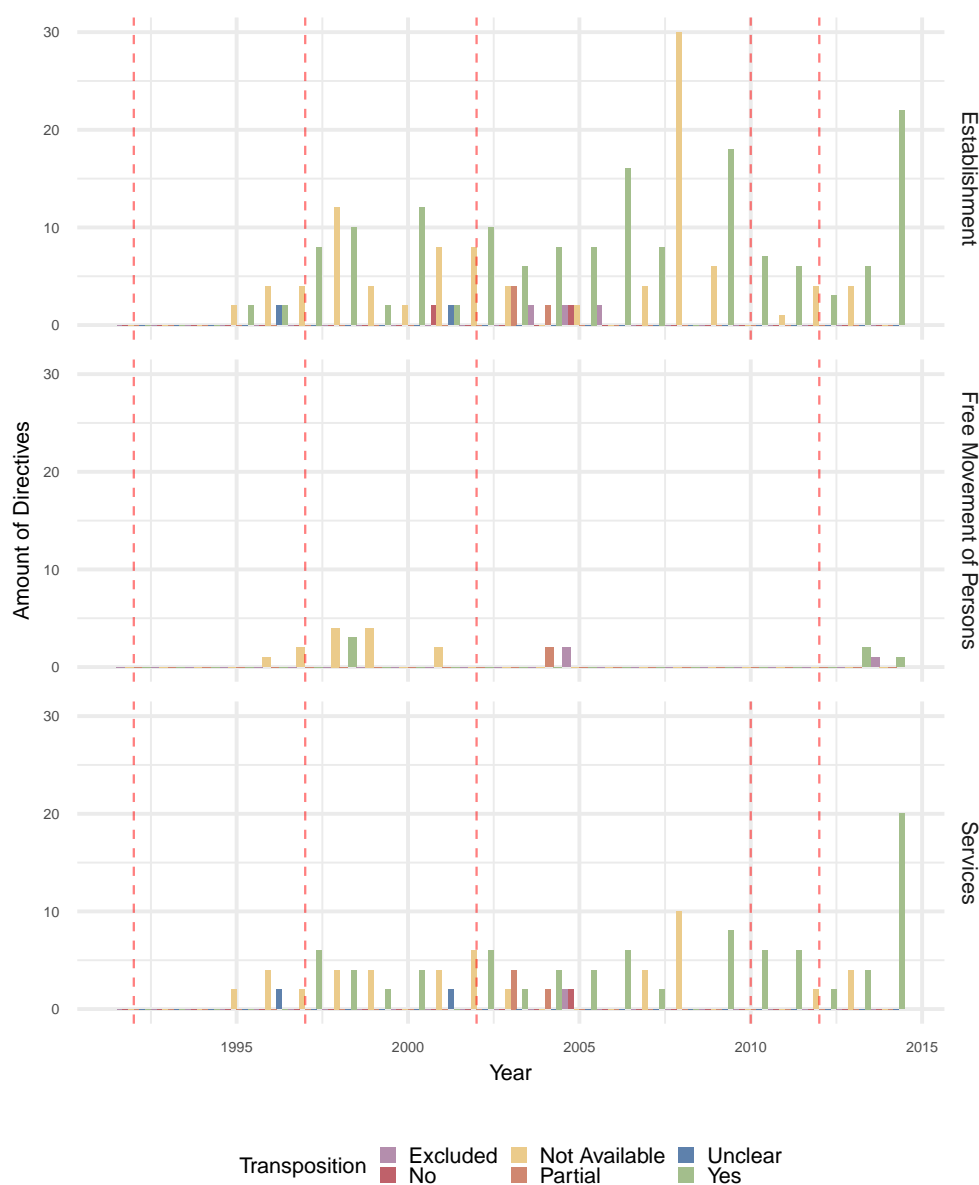


Illustrated is the total amount of transposed EU directives by Sweden and Estonia as percentages. In both cases over 50% of the directives have been transposed into national law according to the specifications laid out by the EU.

Estonia in comparison has completely transposed 70% of all directives, while 1% has been excluded and for 29% no information could be found. In that, the two subcases are – at least concerning the total amount of completely transposed directives – rather similar. Noteworthy in the Estonian case is the absence of non-transposed directives. In Figures 7.3 and 7.4 the directives are provided for in an area-specific disaggregated manner.

¹⁴²Cases of exclusion relate for instance to Directives 2005/36/EC on the recognition of professional qualifications or 2014/54/EU on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers. These directives cover extensive provisions for a multitude of issue areas, which then produce an exceeding amount of national transpositions. An analysis of these instances would have not been feasible in the context of this research project. Cases that have not been available relate for instance to Directive 2013/58/EU which solely updates specific deadlines within other directives. In this case in Directive 2009/138/EC on the taking-up and pursuit of the business of Insurance and Reinsurance. This is done occasionally in order to prolong the legal force of these directives over a certain period.

Figure 7.3: Swedish Directives Sectoral Transposition



Illustrated are the transpositions of EU directives broken down by area. Noticeable is the series of partial and non-transpositions just prior to 2005. The dashed vertical lines represent the coming into effect of EU treaties.

The breaking down of norm transpositions shows increasingly completed transpositions, especially in the areas of Establishment and Services. However, a noticeable exception is a timespan just prior to 2005, in which two instances of non-transposition and two cases of partial transposition can be found. Specifically, the non-transpositions relate to Directives 2001/97/EC and to 2005/75/EC. The former is part of the Establishment area and deals with the prevention of using the financial system for the purpose of money laundering, which amends Directive 2004/18/EC. The Swedish transposition refers to the national penal code, however, it only mentioned a law from 1991¹⁴³ and fails

¹⁴³See <https://lagen.nu/1962:700L1991:451> (Accessed 19.11.2020).

to specifically mention the money laundering aspect that is central to the directive. The latter is a subsequent correction of Directive 2004/18/EC and relates to the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts. Specifically, this regulation implemented a threshold applicable to public contracts for certain services that have been subsidized by more than 50%. The non-transposition thus refers to the specific correction, which has not been implemented by the Swedish side. Even though counting as an instance of non-compliance, the directive is of minor relevance and has been repealed by Directive 2014/24/EU.

Turning towards the two cases of partial transposition, Directive 2003/33/EC on the approximation of the laws, regulations and administrative provisions of the member states relating to the advertising and sponsorship of tobacco products – thus implementing the WHO tobacco directive – has been followed by Sweden except in regard to Snus.¹⁴⁴

The second instance is Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the member states. In this instance, the EU Commission has issued a reasoned opinion – and subsequent referral to the ECJ – on the grounds of a too-narrow definition of extended family members, resulting in the treatment of these subjects as third-country nationals based on Swedish immigration rules and thus not having the same rights as other EU citizens.¹⁴⁵ Sweden does not provide a procedure to facilitate entry and residence for these individuals. Furthermore, Sweden does not issue registration certificates or residence cards to these persons as is demanded by the directive.¹⁴⁶ Especially the latter is a severe case of protraction under the analytical framework as it relates to the main part of the Free Movement of Persons.

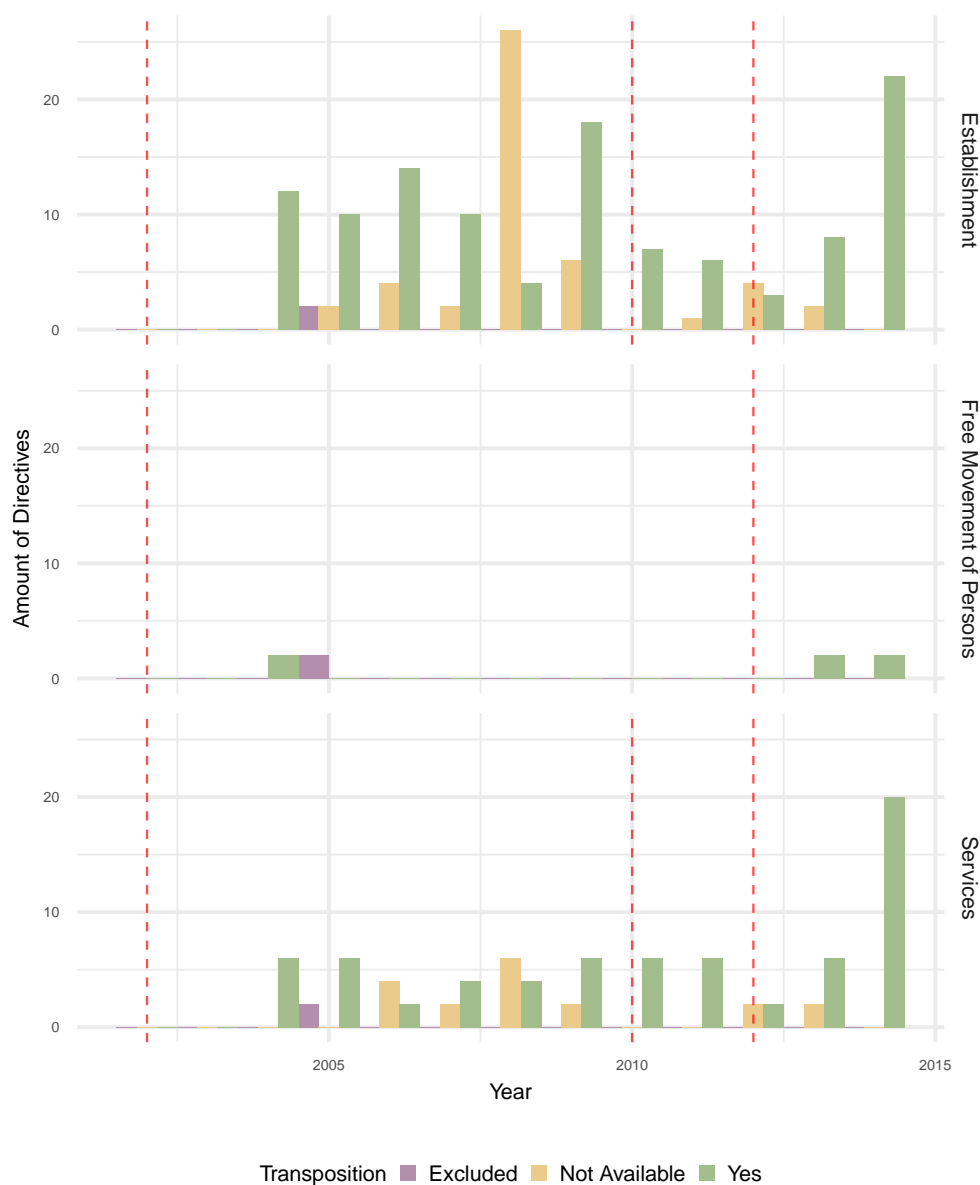
The Estonian subcase, as illustrated in Figure 7.4, reveals a complete transposition of EU directives. The exception here are again those directives that have been excluded from the analysis due to their vast scope. Nonetheless, a distinct practice of the member states that showed repeatedly throughout the analysis can be demonstrated with Directive 2007/36/EC on the exercise of certain rights of shareholders in listed companies. The Estonian government provided five documents of previous Estonian laws – ranging from 1995 to 2002 – as proof for the transposition. However, the directive itself has been only ratified in 2007 and the official transposition deadline was 2009. Notwithstanding the content of the five Estonian national laws that allegedly reflect the directive content-wise, this example reveals a practice, in which member states refer to older national legislation in order to fulfill the transposition demands of the EU. Especially when these span several national laws. Tracing whether the specificities of the mentioned directive have been completely implemented is therefore not always obvious and can be an arduous task to verify.

¹⁴⁴A form of chewing tobacco that has been exempt from the Free Movement of Goods framework by the EC. See the report of the EU Commission 2010/0399 on the implementation of Swedish measures to ban the placement of this product on other member state markets.

¹⁴⁵See https://ec.europa.eu/commission/presscorner/detail/EN/IP_12_646 (Accessed: 22.02.2021).

¹⁴⁶This issue refers (indirectly) to the Swedish practice of issuing personal identity numbers (“*Personnummer*”) to each individual through the Swedish Tax Agency.

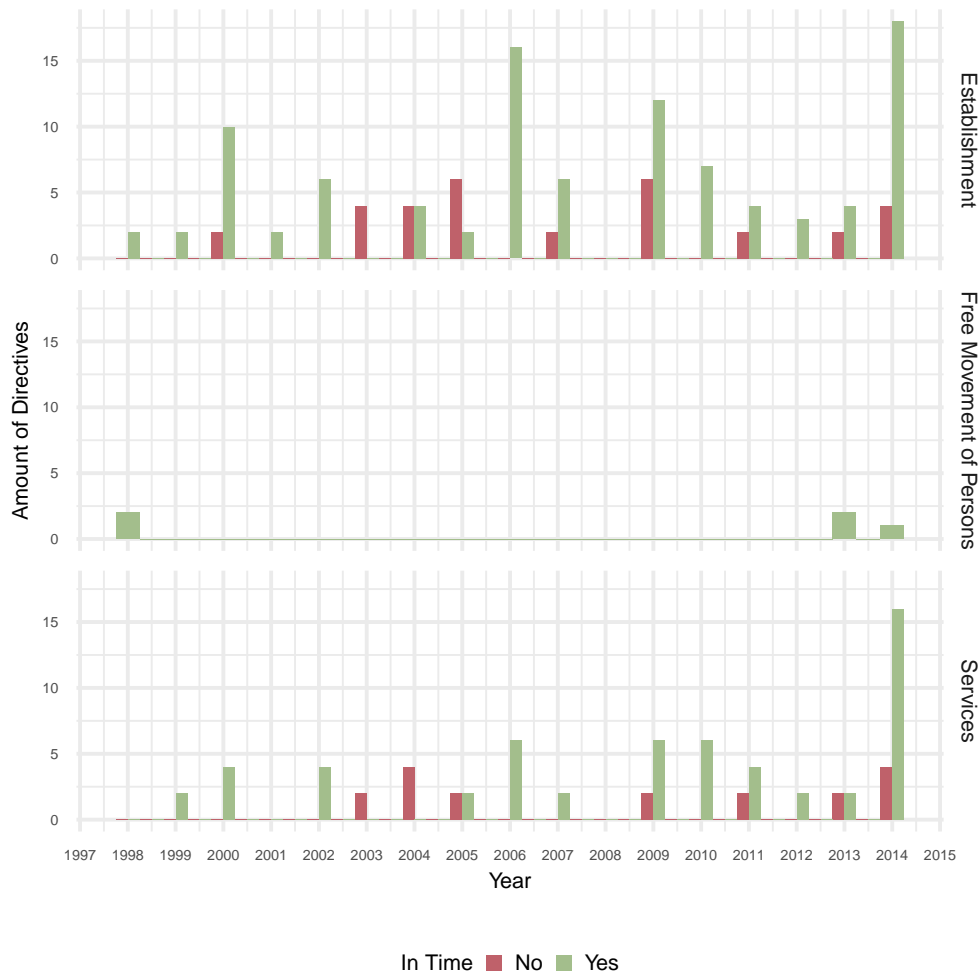
Figure 7.4: Estonian Directives Sectoral Transposition



Illustrated are the transposed EU directives by Estonia based on the applicable area, to which the directive belongs. The dashed vertical lines represent the coming into effect of EU treaties.

This issue – especially concerning the posed research question – can be partially circumvented by analyzing the time it took for the member states to transpose specific directives. The reasoning here is that EU bills are known to the member states and thus they can prepare an adequate and ‘timely’ transposition. This ‘timeliness’ then should point to a swift directive transposition within the prescribed time frame of the directive itself. A delay of such transpositions then might either be related to a resistance to the content of the final directive, parts thereof, or insufficient bureaucratic abilities to ensure a timely transposition.

Figure 7.5: Sweden Timeliness of Compliance



Illustrated are the cases of timeliness (green) and non-timeliness (red) of directive transpositions by Sweden. The bars indicate the year of the ratification of the directive. Notable is the clustering of delays around and prior to 2005 as well as around 2014.

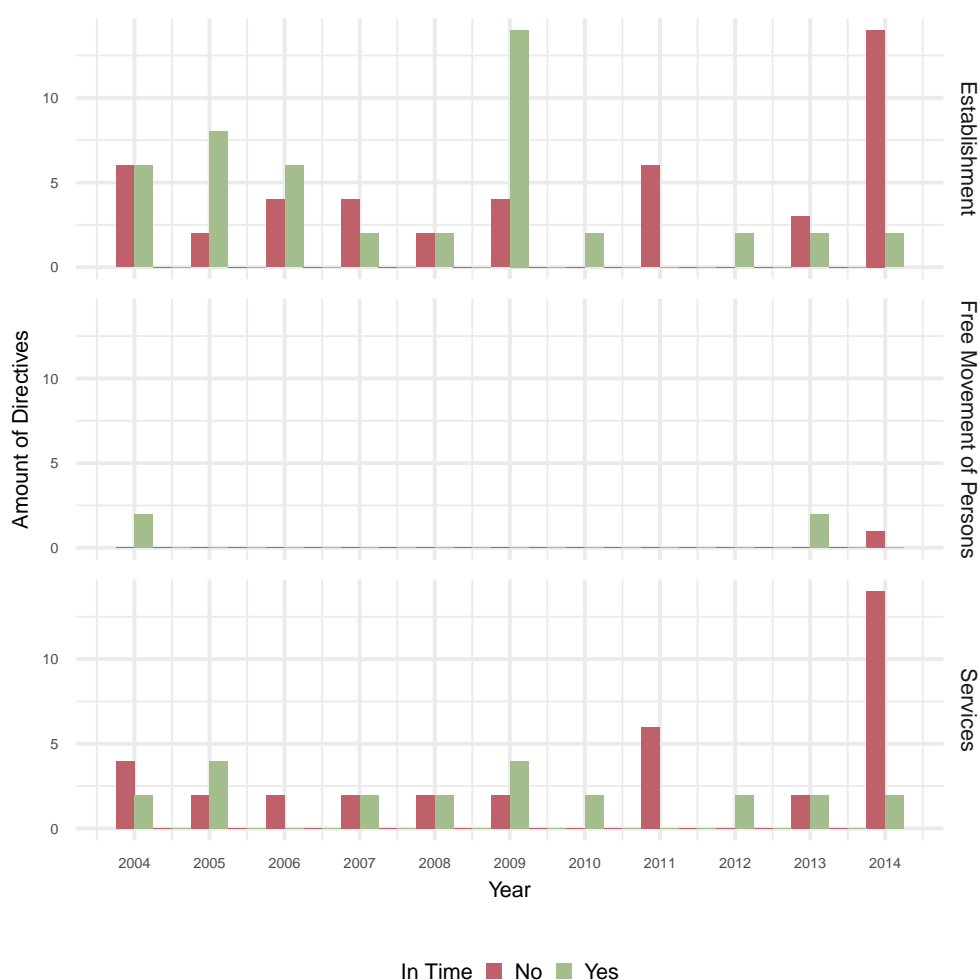
Figure 7.5 illustrates the timeliness of the Swedish transpositions per area. Sweden has transposed 64% of the directives in the designated time frame, while 20% of the transpositions have been delayed.¹⁴⁷ The mean delay amounts to 1.8 years, while the longest delay amounts to 5 years and relates to Directive 2003/54 concerning common rules for the internal market in electricity. Figure 7.5 shows that the majority of delayed transpositions occurred in the area of establishment, closely followed by the services area. Similar to the analysis of transposition, a clustering around and prior to 2005 can be identified. Additionally, a mounting delay around 2009 in the establishment area and around 2014 in the services area is visible. The described instances match the decline of the government perspective on the EU as illustrated in Figure 7.1 in the previous section, while the two latter instances match the 2008/2009 Economic Crisis as well as

¹⁴⁷The missing percentages relate to those directives that were not available or have been excluded due to their scope.

the 2014/2015 Syrian Refugee Crisis. A clear inference at this point, however, can not be made between the dominant domestic norm and the two latter instances.

Transitioning to the Estonian subcase, Figure 7.6 illustrates the delay and timeliness of the directive transposition in the same way as in the Swedish subcase. In contrast to that, however, Estonia was only able to transpose 46.7% of the directives according to the EU's deadlines, while a majority of 53.2% of the transpositions have been delayed. The mean delay in this subcase amounts to 2.1 years, while the longest delay took 6 years and concerns Directive 2009/81 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defense and security.

Figure 7.6: Estonia Timeliness of Compliance



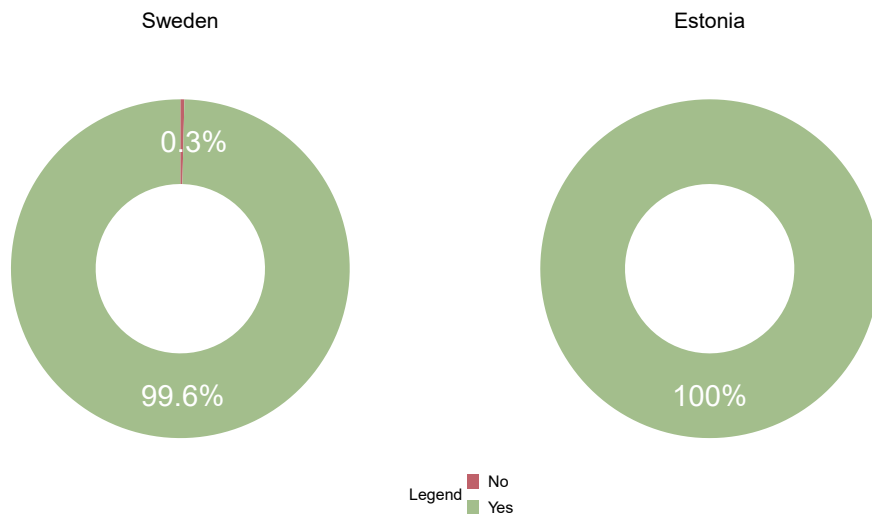
Illustrated are the cases of timeliness (green) and non-timeliness (red) of directive transposition by Estonia. The bars indicate the year of the ratification of the directive. Visible is a rather constant delay in transpositions, especially in the area of establishment with a strong increase in delays around 2014.

Taking into account Figure 7.6, a near-constant delay in the transposition of directives in the area of establishment can be identified, which is echoed in the area of services. A notable increase in delays occurs around the year 2014. Again – just as in the case of

Sweden – this occurrence could coincide with the beginning of the Syrian Refugee Crisis and therewith involved ramifications for all member states. What is important, however, is that the previously analyzed stance of the EU in regard to the dominant domestic norms does not reflect the delays in Figure 7.6. As such, it is questionable if the delays are intentional and related to the relative standing of the EU in Estonia as a proxy for the dominant domestic norm or if Estonia is facing challenges in the transposition process in general. Adding to the latter consideration, in one of the expert interviews, the issues faced by the newer EU member states were discussed. Here, it was made clear that the three Baltic States – as well as other Eastern European states – struggle due to a lack of maturity in public services and their administrations (Interview C, TS: 22:58, 24:35, Interview D, TS: 20:34).

Concerning the compliance with EU regulations of the two subcases, Figure 7.7 provides an illustration of the distribution of compliance and non-compliance. The underlying data is based on the EU Commission's infringement database. Based on the three-staged infringement process of the Commission, only those cases in which the Commission has issued a reasoned opinion are included.¹⁴⁸ What is apparent is that in both cases a near total compliance in terms of regulations related to the four freedoms can be assessed.

Figure 7.7: EU Overall Regulations Compliance



Illustrated are the percentages of complied with EU regulations. Note that the data is based on the EU Commission's infringement database and possibly not all incidences of infringement are listed. The selection has been made for cases where a reasoned opinion has been issued by the Commission.

The sole instance in which the EU Commission has issued a Reasoned Opinion relates to Regulation 883/2004 on the coordination of social security systems. The Commission – in this instance – laid down that the Swedish interpretation of the regulation would be

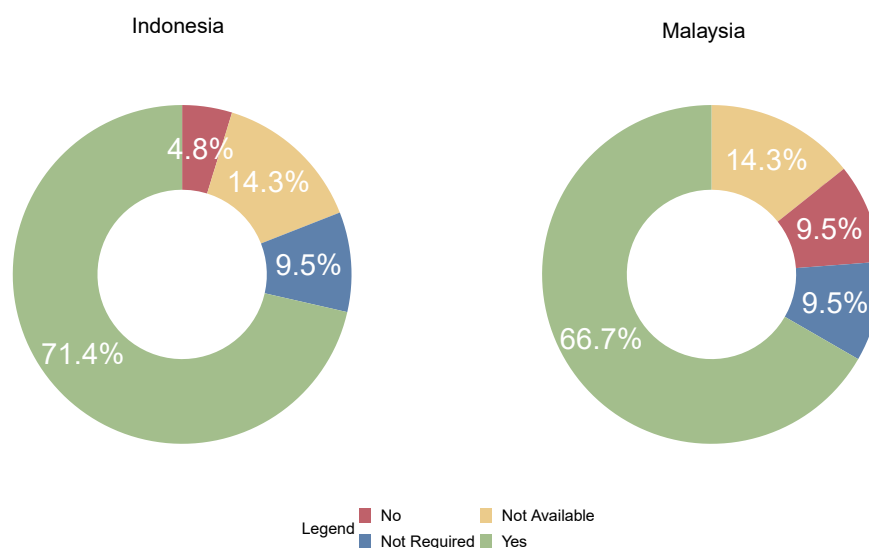
¹⁴⁸Reasoned Opinions are only issued after the specific member state has answered insufficiently or non-compliant to a Formal Notice of the Commission. The Reasoned Opinion is the pre-stage to a referral to the ECJ and can thus be regarded as sufficiently severe to derive a violation of one of the EU's legal provisions.

too narrow and thus create a systematic disadvantage for residential EU citizens.¹⁴⁹ In turn, this would affect the Free Movement of Persons and the therewith-connected free choice of work location. The case has been closed in 2017 and no further steps by the Commission have been undertaken. As such, it can be assumed that Sweden changed related national provisions on the topic to ensure compliance. As the non-compliance cases relate only to one instance in the Swedish subcase, a more detailed breakdown of compliance per area is desisted from. Especially as the role of regulations – at least for this research project – is of limited use due to their immediate validity upon issuing as well as the difficulty involved in tracing their compliance.

7.2.2 Transposition in the South China Sea Region

The overall compliance of the 53 analyzed ASEAN provisions in the two SCSR subcases as illustrated in Figure 7.8 shows a high degree of uniformity between the two countries. Indonesia has transposed 71.4% of all the ASEAN treaties, 9.5% of the instances do not require ratification through the member states, 4.8% have not been signed, and 14.13% were not available. In the Malaysian case, 66.7% of the agreements have been signed, 9.5% were not required to be transposed, an additional 9.5% were not transposed, and 14.3% could not be identified.

Figure 7.8: ASEAN Overall Compliance



Illustrated is the total amount of transposed ASEAN provisions in Indonesia and Malaysia. Surprising is the relatively high amount of compliance in both cases, while only a small amount of agreements have not been transposed.

¹⁴⁹See https://ec.europa.eu/commission/presscorner/detail/EN/MEMO_15_5162 (Accessed 07.12.2020).

Figure 7.9: Malaysia Sectoral Transposition

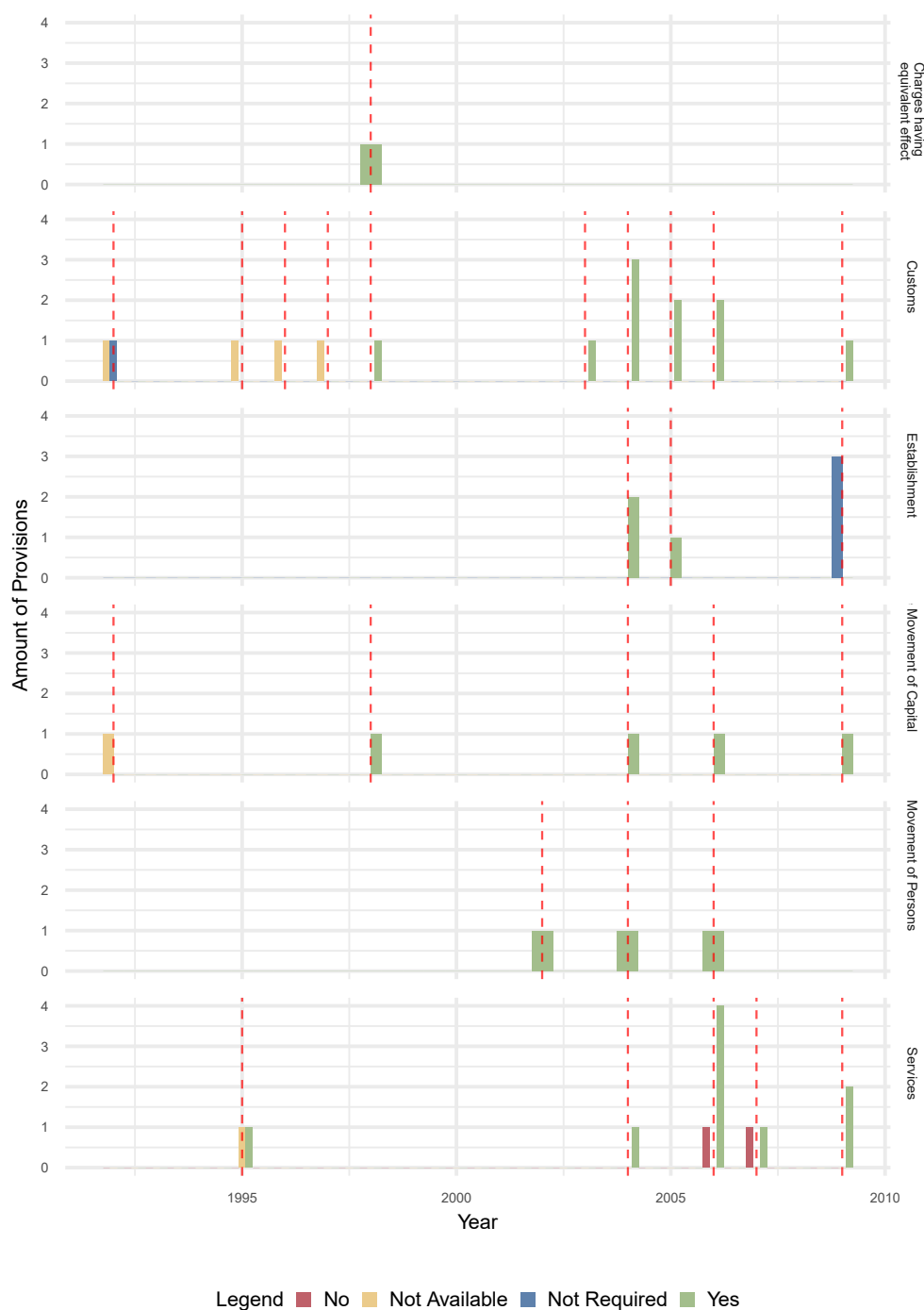


Illustrated is the sectoral transposition of ASEAN agreements in the Malaysian subcase. Instances of non-transposition could be found in the Services, the Free Movement of Persons, and the Customs area. Transpositions in all other areas have been carried out.

Taking into account Figure 7.9 regarding Malaysian sectoral compliance, instances of non-compliance with ASEAN provisions can be found in the Customs, Services, and Free Movement of Persons areas. Specifically, this relates to the Agreement on the 2003 ASEAN Harmonized Cosmetic Regulatory Scheme for the Free Movement of Goods.

The second instance is the 2006 ASEAN Framework Agreement on Visa Exemption, which spans the fields of Free Movement of Services and Persons. Finally, Malaysia did not comply with the 2007 ASEAN Framework Arrangement for the Mutual Recognition of Surveying Qualifications of the Services area.

Figure 7.10: Indonesia Sectoral Transposition



Illustrated is the sectoral transposition of ASEAN agreements in the Indonesian subcase. Instances of non-transposition are limited to the Services area, whereas transpositions in all other areas have been carried out.

Interesting is the high number of ASEAN provisions in the Establishment area that do not require transposition by the member states. The instances relate mainly to the field of Services and specifically to the recognition of professional qualifications. Here, it stands to reason that this form of ‘implementation’ is by design, giving the ASEAN member states a higher degree of freedom to implement more country-specific laws and to govern the necessary qualifications of professionals in order to maintain certain quality levels. However, this in turn also effectively limits the influx of other ASEAN member state citizens on the ground of too narrow requirements. A practice that has to be considered as a protectionist interpretation of the implementation process.

In the Indonesian subcase, the sectoral compliance as illustrated in Figure 7.10 reveals two cases of non-compliance with ASEAN provisions. The first is the 2006 ASEAN Mutual Recognition Arrangement on Nursing Services which has not been ratified by Indonesia and the second is the 2007 ASEAN Framework Arrangement for the Mutual Recognition of Surveying Qualifications. Both of these agreements belong to the Free Movement of Services branch.

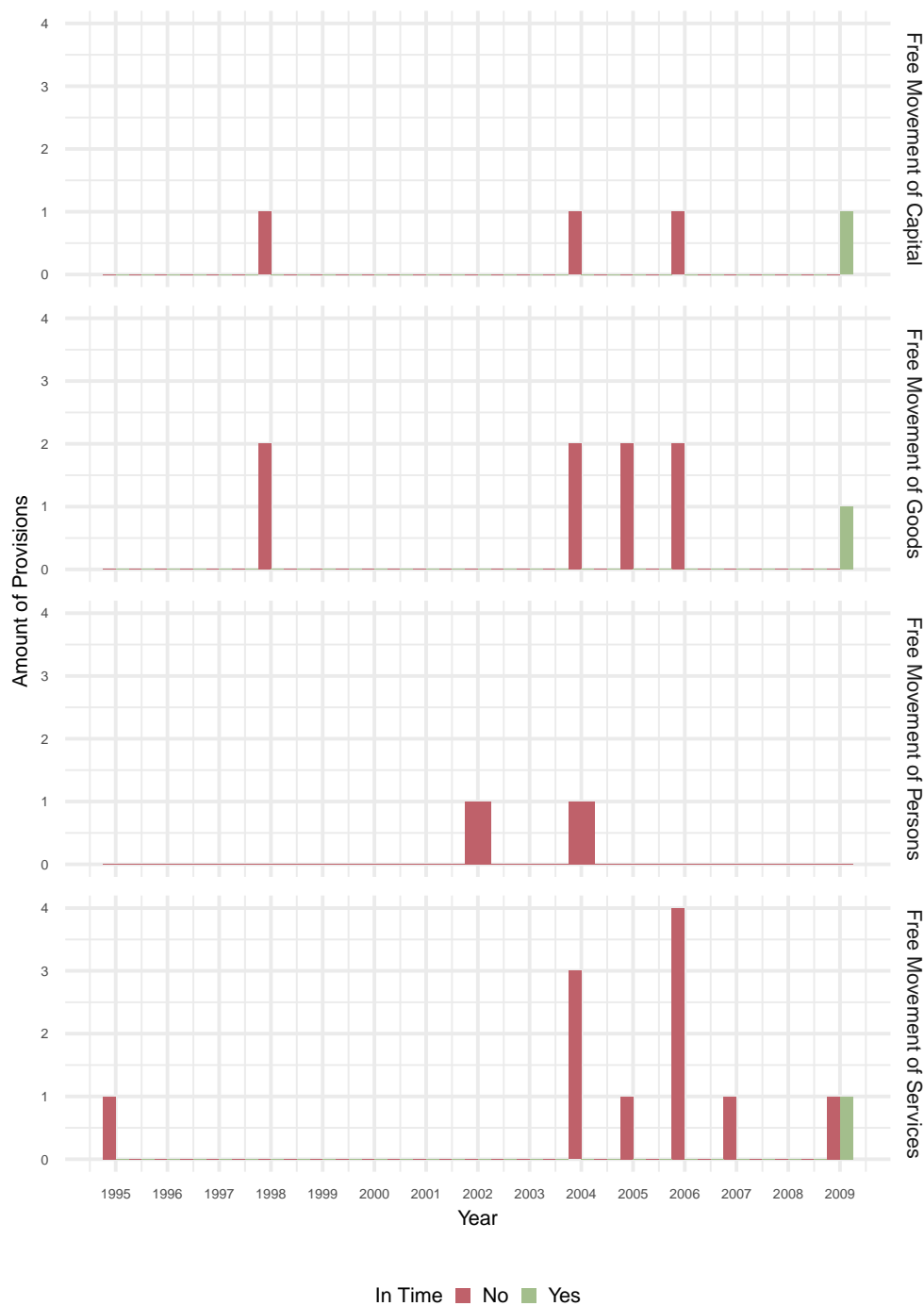
Especially in the first instance is the transposition puzzling as Indonesia is the main provider of nursing personnel and lower-tier medical services to the surrounding states in general but to Malaysia in particular (Kaur 2008). The unwillingness to comply with the agreement could stem from Jakarta’s stance on professional certification, which is – in comparison – rather restrictive and may act as a means to limit the inflow of workers from neighboring (ASEAN) states (Interview G, TS: 23:11).

Similar to the Malaysian case, a larger set of provisions in the Establishment area were marked as not required to transpose, which can be indicative that these provisions could likely provide too much strain on the member states. Given the information contained in the above interview, this is likely an instance in which Indonesia is not complying with ASEAN provision as the Free Movement of Services and thus the influx of labor and persons might not be in the interest of Jakarta.

Turning toward the timeliness of transposition, a general comment has to be made on the two subcases. Both of them show exceedingly delayed transposition. However, this issue is created through the way the delayed time of transpositions is calculated. The validity of an agreement and the therein contained provisions begins with ratification through the member states. ASEAN agreements can only come into force through the unanimous agreement of all members. Yet they only take effect when all members have internally ratified them. In a sense, this is a two-track approach to regional agreements. The ratification on the IGO level and then on the national level. Thus, the time it can take for an agreement to become operative can be years – or even decades – from the original year of inception. The approach taken here, to measure the delay in such a way is inherently theoretically guided. Following the reasoning of Barnett and Finnemore (Barnett and Finnemore 1999) the goal of an IGO – from a bureaucratic perspective – is to create and advocate similar standards across its member, which in turn increases the efficacy of said standards. A timely transposition or adherence to these provisions, therefore, increases the likelihood of agreement and ultimately IGO efficacy. A transposition time frame – like for the EU directives of two years – could have been applied but is not mentioned in any way within the ASEAN frameworks.

Returning to the cases at hand, Figure 7.11 illustrates that Malaysia has transposed the ASEAN provisions in 10.7% of the cases in a timely manner, whereas 85.7% have been delayed. The average delay is 1.75 years, which would be well within a two-year transposition window.

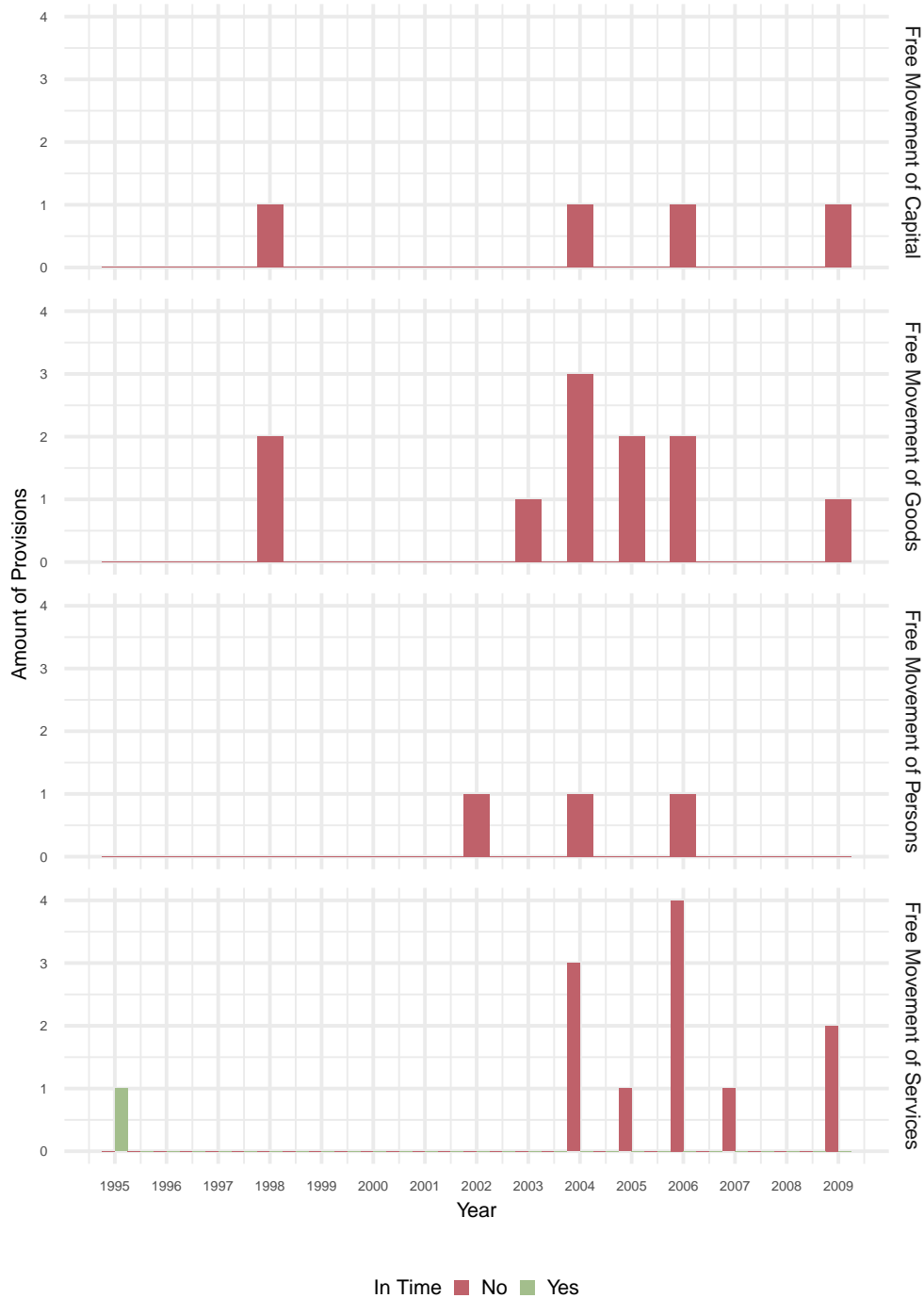
Figure 7.11: Malaysia Timeliness of Compliance



Illustrated is the timeliness of sectoral transpositions of ASEAN agreements in the Malaysian subcase. Here, all areas see instances of protracted transposition, with the only exception of some agreements in 2009.

The most delayed agreement transposition is the 2006 ASEAN Mutual Recognition Arrangement on Nursing Services with a delay of 10 years. An interesting break of the rather consistent delayed transposition of agreements occurs in the latter part of the analysis.

Figure 7.12: Indonesia Timeliness of Compliance



Illustrated is the timeliness of sectoral transpositions of ASEAN agreements in the Indonesian subcase. Here, only a transposition from 1995 (ASEAN Framework Agreement on Services) was carried out in a timely manner. All other instances have been protracted.

Here, most of the agreements were ratified in time – meaning in the same year as each specific ASEAN agreement was signed by all member states. This could be a strong indicator of the rising relevance of the ASEAN for the administration in Kuala Lumpur.

In the Indonesian case, albeit having a similar amount of delayed transpositions of 96.6%, the distribution is flipped. Figure 7.12 illustrates that the 1995 ASEAN Framework Agreement on Services is the only ASEAN agreement transposed in time. The rest of the applicable ASEAN provisions have been delayed.¹⁵⁰

The average delay in terms of transposition in the Indonesian subcase amounts to 4.3 years, while the most delayed transposition was the 2003 Agreement on the ASEAN Harmonized Cosmetic Regulatory Scheme with a delay of seven years. Taking into account the relevance of ASEAN in terms of dominant domestic norms, this distinct delay of transpositions is at odds with the public and governmental relevance that is attributed to ASEAN. A possible explanation for this discrepancy however can be found at the domestic level. As noted above, Indonesia has been struggling to recover economically from the Asian Financial Crisis and has since seen itself confronted with internal issues, which potentially left little room for ASEAN-related legislation.

7.3 Discussion and Summary

The central research question for this chapter was whether dominant norms at the domestic level have an impact on the efficacy of IGO norms. The hypothesized relationship was that antagonistic-oriented domestic norms would lead to a protracted transposition. This also includes instances of non-transposition or only partial transposition. On the other hand, if the domestic norms are congruent with the IGO norms, then the transposition is conducted in a timely and complete manner. The connection between dominant domestic norms and the respective regional IGO has been established through a three-point scale that uses the governmental and media stance towards the IGO as a proxy.

In the Swedish subcase, this scaling has revealed a dynamic stance towards the EU, ranging from reluctance to endorsement, while repeatedly falling back to a more neutral stance. However, Sweden has been demonstrating a surprisingly high level of compliance in terms of timeliness with the transposition of EU directives, which seems paradox as a certain reluctance and ‘neutrality reflex’ seem to be ingrained in Swedish politics (Johansson 2017, p. 372). Comparing the Swedish stance on the EU to both the completeness and timeliness of the transpositions, especially the period prior to 2005 shows an instance of partial and non-transpositions that coincides with a decrease in the governmental stance under the Persson administration towards the EU. Based on the employed mode of analysis, this instance can thus be perceived as a case confirming the first hypothesis as not only transpositions have been transposed incompletely but were also delayed. To a certain degree, this is likely connected to the EU enlargement in 2004 and the therewith-connected uncertainty regarding the influx of labor from the new member states.

¹⁵⁰In order to provide a more coherent and potentially just picture, Indonesia has transposed a majority of ASEAN agreements in time prior to the selected time frame of analysis and accounts for the 1981 Basic Agreement on the ASEAN Industrial Complementation or the 1986 Agreement on ASEAN Energy Cooperation.

The second BSR subcase, Estonia, is rather puzzling. The stance towards the EU is continuously high and the analysis has revealed no instances of partial or non-transposition. Yet the constant delay of transpositions is contradicting the assumption brought forward in the second hypothesis. A contributing factor that would explain these results partially might be found at the bureaucratic level of the Estonian government. ‘Smaller’ states like Estonia often lack the capacities and resources to ensure a swift transposition of the numerous amount of EU directives, let alone those that have far-reaching implications like those directives geared towards harmonizing requirements for professional qualifications (Interview D, TS: 20:34). Additionally, Zubek and Staroňová (2012) have found that Estonia is lacking internal coordination and cohesion. Specific ministries – especially finance, interior, and environment – provide weak internal oversight in regard to transposition measures (*ibid.*, p. 945).

Malaysia, as the first SCSR subcases, reveals non-compliance around 2005 coinciding with the decrease in stance towards ASEAN. This is an indicator that the relevance of the ASEAN – despite its comparatively soft agreements – is dependent on governmental preferences and that the normative power of such agreements is limited. Thus confirming the second hypothesis. An issue for the analysis is the timeliness of provision transposition. As nearly all of the transpositions have been delayed – apart from the most recent ones – any interpretation should be cautious. Nonetheless, most of the delays did not exceed a two-year time frame, which would be well within the usual transposition period of EU directives. As such the timeliness can be perceived as given.

Finally, Indonesia differs from the previous subcase insofar as the timeliness exceeds the nominal two-year period by far. However, the Indonesian subcase reveals fewer non-transposed instances which can be seen as indicative of a high compliance rate. In addition, the high approval ratings towards ASEAN – despite the brief fall under Widodo – are congruent with these high levels of compliance. Despite this, the timeliness of transposition means that the second hypothesis is not applying to this subcase.

Summarizing the four different subcases in terms of the aforementioned research question, a mixed picture presents itself, as can be seen in Table 7.1. Especially in the two ASEAN subcases, a clear-cut evaluation is complicated due to contradictory findings. Therefore, the results of these subcases have been marked as uncertain. When contrasting the two cases of the BSR and the SCSR, it is remarkable that in both cases the respective IGO norms – on a meta-level – are of great importance. However, the thereof following subsidiary norms that specifically lay down the rules of cross-border interaction are highly limited in the case of the SCSR (Interview E, TS: 00:28), whereas in the BSR they have been “[...] *translated into economic reality*” (Interview B, TS: 08:54).

Providing some more information, especially on the SCSR subcases, it is important to stress two points. First, the ASEAN norms are – despite the findings presented here – of great importance for the member states as they represent at the very least channels of communication which then can be used to further cross-border interaction between the states (Interview F, TS: 23:00). This has not to encompass all member states as it would be the case in the BSR/EU. However, this is – due to the stark differences in development – also not an attainable goal in the short- or midterm. Second, a crucial contributing factor to the success of ASEAN norms that are frequently overlooked lies at the domestic level. ASEAN norms and thus cross-border interaction can only be

successful if the industries of the member states push for more liberalization (Interview E, TS: 27:08). Yet this is mainly limited to bigger industries and companies. Well over 95% of companies in the region are small- and medium-sized enterprises that are more interested in protecting their markets and less so in cross-border trade (Interview E, TS: 32:37).

Table 7.1: Summarized Results of Dominant Domestic Norms Analysis

	Sweden	Estonia	Malaysia	Indonesia
Hypothesis 2-1	✓	–	✓	(✓)
Hypothesis 2-2	(✓)	✓	(✓)	×

Closing this chapter, it is important to note that the tracking of transposition mode and timeliness is – figuratively speaking – a two-edged sword. The overall data is available and thus can be employed for research. However, this does not necessarily cover the issue of how these IGO norms are ultimately enforced and followed up within the member states across time. This is not only an issue for this research project but also for institutions like the EU Commission itself, as it is one of its main tasks to review the implementation of EU directives across currently 27 EU member states. Given the multitude of legal documents produced, a wholesome review of every single instance of transposition might be out of scope. Even for an institution like the EU, notwithstanding IGOs with less pronounced bureaucratic overheads like the ASEAN. This, however, is a reoccurring topic in related fields of research. Börzel and Knoll (2012) for instance discussed this issue and noted that – despite a successful legal transposition – member states might be unwilling or unable to follow up on enforcing these measures at the national level. As such, the analysis done here should be subject to further inquiry.

Chapter 8

The Impact of Critical Junctures on Bordering

Continuing the qualitative analysis of the previous chapter, in the following sections, the impact of critical junctures on the adherence of member states to previously transposed IGO provisions related to the four freedoms is being analyzed. The therewith connected hypotheses state that these junctures either have a lessened impact if the dominant domestic norms – in form of the previously introduced proxy mechanism – are supportive of the regional IGO or member states have an increased likelihood to renege on transpositions in case of contesting domestic norms.

This chapter provides a within-case comparison of selected critical junctures for the BSR and the SCSR. As the main goal is not to provide a direct comparison between the two different regions, the selected examples differ across the two regions. The selection of the examples is based on the insight gained in the previous chapters, as well as the information that has been gathered in the different expert interviews. Additionally, the state and year heterogeneity illustrations to be found in section A.1 of the Appendix have been taken into account for guiding the choice.

Based thereon, the critical junctures for the BSR are the 2007 Global Financial Crisis and the 2014 Syrian Refugee Crisis, whereas for the SCSR the examples are the 1997 Asian Financial Crisis and the 2007 Global Financial Crisis. Other critical junctures likely do have an impact as well. Most notable are events like Brexit, the COVID-19 pandemic, and the increasing assertiveness of China. But focusing on the above-mentioned critical junctures provides for a more cohesive within-case comparison that lies largely in the previously set analytical time frame. Additionally, these kinds of critical junctures were relatively all-encompassing. Thus heightening the likelihood to identify instances in which member states potentially circumvent communal norms and initiate re-bordering processes. A prerequisite that might be especially relevant if it comes to the effect on the free movement related to IGO norms.

For each critical juncture, a three-year time period after the onset of the crisis will be evaluated. The choice of the time frame is based on two considerations. First, the descriptive analysis in section A.1 on the heterogeneity of cross-border flows across time and states shows that a decrease in cross-border flows for the chosen examples reached a low point mostly after two to three years. Relevant changes on the national level concerning the IGO norms would thus most likely have happened during this time period. The second consideration relates to practical reasoning. Even though it is assumed that instances of renege on norms might occur relatively swiftly after the onset of a crisis, a shorter period of analysis might leave out critical changes that take effect *a posteriori* and cumulate over time. On the other hand, a longer time frame increases the effort of document analysis and information gathering substantially. The analysis itself focuses on new or amended laws issued within the subcases that relate to one of the four freedoms. If such an instance has been identified, then the content is compared to the standing IGO provisions. If the new national provision introduces restrictive deviations not covered by the applicable IGO norm, then this is counted as an instance of re-bordering. In order to narrow down the queries, the IGO provisions in effect will be used as keywords where possible.

The structure of this chapter then is as follows: *first*, the two critical juncture examples for the BSR are discussed. This includes a brief description of the juncture itself and is followed by a contextualization of the affected subcases. The same is done for

the SCSR. *Second*, the results of the information gathering of the legislative changes in connection to the previously introduced IGO provisions are being presented. The sole focus here is whether some provisions have been reneged on and if so, whether this is within the scope of the IGO provisions or if the member states in question choose to unilaterally suspend the provisions in breach of the IGO norms. This will be contextualized in terms of the dominant domestic norms discussed earlier, to attain whether it is one of the hypothesized instances. *Finally*, the chapter concludes by summarizing and discussing the results in regard to the research question.

8.1 The Baltic Sea Region

Critical junctures affecting the BSR as a European macro-region can be found in abundance. Especially in recent years, a clustering of these junctures – like the Euro Crisis, the Migration/Refugee Crisis, Brexit, etc. – that overlap and aggravate each other are discernible (Castells 2018). These then have led to a multitude of new EU initiatives that were set to bolster the robustness of the institutional framework as well as to assure resilience to future forms of crises.

Finding suitable occurrences of critical junctures for this part of the analysis is therefore limited only by the start of the EU membership of the subcases. Additionally, the previous analysis as well as the expert interviews brought up events that are suitable for analysis. In the following, a general description of each critical juncture is briefly discussed, followed by a more specific contextualization of the Swedish and Estonian subcases. Thereon follows the evaluation of the relevant national laws in connection to the IGO norms. Taking into account the quantitative results of the (lagged) crisis influence – see Table A.15 of the Appendix – the influence of critical junctures is in the BSR more pronounced than in the SCSR. As such, the likelihood of infringements can be considered to be higher.

8.1.1 The 2007 Global Financial Crisis

The Global Financial Crisis, beginning in 2007 and peaking during 2008 and 2009 and which turned later on into an economic and a European debt crisis, was initiated by excessive risk-taking of the financial sector, combined with the bursting of the US housing bubble. In a European context, the crisis had a severe impact on the public finances of most member states, leading to the creation of rescue programs and fiscal policies that resulted in increased budget deficits (Bergman 2011, p. 431). As a consequence, this affected labor movement within the region due to cutbacks in the social systems and a decrease in imports and exports of goods among the EU member-states. Thus causing a severe decline in production and employment plans and resulting in a repeatedly shrinking GDP across the member states (Ibison 2008).

Sweden under Prime Minister Reinfeldt was – at least in terms of public finances – one of the least affected member states of the EU. Most of this resilience can be attributed

to a strong fiscal framework as well as relatively stable unemployment rates (Bergman 2011). In the period of this analysis, 737 bills have been identified.¹⁵¹

In general, most of the laws found detail the incorporation of specific EU directives in national law. This relates for instance to Government bill 2006/07:128, which transposes the Public Procurement Directive (2004/18/EC) and the Water, Energy, Transport and Postal Services Directive (2004/17/EC) while replacing the Public Procurement Act (1992:1528). Other examples are Government bill 2008/09:195, implementing Directive 2007/65/EC that amends the Council Directive 89/552/EEC on television broadcasting activities or Government bill 2009/10:60 that transposed Directive 2004/18/EC on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts. In all of these instances, no violations of applicable EU directives could be identified.

However, an interesting change could be found in Government bill 2009/10:48 set to rectify aspects concerning the implementation of Directive 96/71/EC that is related to the posting of workers in the framework of the provision of services, which eventually led to a more restrictive application of foreign worker benefits.

The background for the changes is that *Laval un Partneri Ltd* (a Latvian construction company) filed a lawsuit against *Svenska Byggnadsarbetareförbundet* (the Swedish Building Workers' Union) at the *Arbetsdomstolen* (Swedish Labor Court) as the Union initiated a blockade at one of the companies construction sites. The Workers' Union – together with other Swedish unions – criticized that the Laval workers that were posted in Sweden were not entitled to receive similar payments and social benefits as the Swedish workers. This is a situation of unequal treatment of service providers within the EU and therefore warranted for the Workers' Union to organize a strike to rectify the situation. The Swedish Union referenced Directive 96/71/EC (the *Posted Workers Directive*), which provides a set of rules or minimum standards that applies to all employers who post their employees within other EU states. This refers for instance to working time, health and safety conditions, or discrimination laws among others. The case has been subsequently escalated from the Swedish Labor Court to the ECJ.

The ECJ ruled that Directive 96/71/EC is to be interpreted as precluding a trade union from attempting – for instance by means of collective action in the form of a blockade or strike – to force a foreign service provider to enter into negotiations about more favorable conditions than those resulting from the relevant legislative provisions.¹⁵² Even though the directive itself – just like Directive 2006/123/EC on services in the internal market (Bolkenstein Directive) that is mentioned in similar cases – was to ease service provision across the EU and to ward against social dumping, the Swedish implementation – from the perspective of the ECJ – has proven to be too imprecise in regard to payment and benefits.

Concerning the rectification in Government bill 2009/10:48, Article 33 mentions that “[...] the text of the law states that the minimum wage should be ‘clearly defined’ and that

¹⁵¹This includes bills and letters. The number is partially inflated due to budget bills that have been listed individually as chapters for each area while relating to one and the same document. The search results can be seen here: <https://www.riksdagen.se/sv/global/sok/?q=&doktyp=prop&datum=2007-01-01&tom=2009-12-31&p=1&st=3> (Accessed: 22.12.2020).

¹⁵²See European Court Reports 2007 I-11767 (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX-3A62005CJ0341>), Accessed: 12.05.2020.

the other conditions should be ‘clearly stated’. The Labour Court rejects this proposal on the grounds that it should be sufficient to clarify that the conditions required relate only to a specified minimum wage and conditions. The [Swedish] government shares the court’s view.”

Especially the last sentence is striking, as it could be interpreted that the Swedish government approves the narrowing of the underlying directive and thus restricting the influx of foreign service providers. Due to providing full measures to the directive, substantive allowances for foreign workers that are within the country for a limited time would benefit from national employee benefits.

In regard to the research interest, however, it is important to note that the Swedish government did not initiate this reading of the directive or unilaterally interpreted it in that way. Effectively, the ECJ provided the Swedish government with a means to limit the scope of the directive, eventually leading to a more limited access of foreign workers being posted in other member states to the social benefits system of said state. The fact, that this issue came up during the financial crisis – and the therewith connected heavy burdens on all member states’ public finances – is likely a coincidence and not necessarily a case of reneged on IGO norms. Taking into account the results of the dominant domestic norms analysis in the previous chapter, Figure 7.1 shows that Sweden has – both at the governmental and the media level – returned to a more favorable perspective of the EU. Thus excluding the possibility of a dominant domestic norm working against EU provisions.

The effects of the Financial Crisis – and therewith connected to the Economic Crisis and the European Debt Crisis – did not lead to a re-bordering process but to an economic contraction that caused a subsequent decline in cross-border interaction.

“It was the pure lack of demand [...]. It’s that simple explanation. We have a lot of market share to some extent but we have tried to rectify that as well but I think that peak was in the same reason for ... which behind the dropping GDP that there was a lack of demand” (Interview B, TS: 21:29).

Subsequently, this crisis eventually led to stronger cooperation within the capital sector. Svante Öberg, then Deputy Governor of the Sveriges Riksbank noted during a speech in 2009 that this juncture led to new supervision mechanisms – mostly under the auspices of the EU Commission – for regulating the financial markets across the EU that would also be in line with Swedish recommendations and which would provide for a more resilient financial system (Öberg 2009).

For Estonia, the Global Financial Crisis of 2007 can be considered the most influential one since the Russian Financial Crisis¹⁵³ and led to an extreme decline in the general productivity sector between 20 and 30% (Purfield and Rosenberg 2010, p. 3). Ultimately causing a “[...] collapse of credit and demand, and a dramatic swing in the current account [...],” as the contagious effect of the crisis was greater due to multi-level interrelations with other EU member-states (Syllignakis and Kouretas 2011, p. 731).

¹⁵³Estonia was insofar affected as – despite political animosities – most FDI flows were connected to the industry sector and Russia was an important economic partner. Accounting for 15% of Estonia’s exports and conversely a crucial supplier of energy imports. The Russian meltdown subsequently led to a downsizing of Russian companies located within Estonia, causing economic depression and a subsequent reorientation of the Estonian economy as the Russian market broke away (Eamets et al. 2003, p. 6).

While the Ansip administration was at the beginning of the crisis in 2007 still optimistic – a budget surplus was expected and joining the Eurozone in palpable reach (ERR 2007) – the coming years caused the administration to revise the state budget several times and led to a decrease in public spending, while initially rejecting the idea of a deficit budget (ERR 2008c). Eventually, however, precisely such a budget has been adopted and the spending across ministries was cut by about 8% (ERR 2008b). Interestingly, Prime Minister Ansip was not overly worried about Estonia’s financial sector. However, he expressed concern about the Estonian export market.¹⁵⁴

Especially in terms of service provisions, the crisis led to a severe reduction in demands in the internal market. Being struck in the final phase of economic transformation, the crisis also caused a short-term increase in unemployment, peaking at 20% in 2010 but already falling to 12% in 2013, which can be attributed to an increase in labor emigration (Friedrich and Reiljan 2015, p. 39). While the decline in GDP had been modest in the first year of the crisis, it reached a deficit of 15.1% in 2009 as domestic and foreign demand retracted drastically (Mardiste 2009). In this course, Estonia underwent a process of fiscal retrenchment through tax increases and expenditure cuts. In combination with waning consumer demand and therewith decreasing GDP, this fiscal policy placed considerable strain on the Estonian economy (Raudla and Kattel 2011).

In the period of analysis, the Estonian government adopted 378 laws of which most were set to cushion the impact of the crisis on public finances through curbing social benefits or increasing penalty payments, while also limiting future risks. Notable examples – in connection to EU provisions – relate for instance to RT I 2001, 89, 532 (amended 2007) *Väärtpaberituru seadus* (Securities Market Act) that transposes Directive 89/646/EEC on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions. Interesting in this example is that the Estonian government was extraordinarily precise in clarifying regulative approaches, which can be interpreted as a first reaction to the unfolding financial crisis. The approach taken by the Estonian government can also be interpreted as a contraction in the sense that an even stronger focus on the EU institutions and their guiding principles – e.g. implementing supervision and regulatory aspects – is discernible.

Thereon follows RT I 2008, 15, 108 (amended 2009) *Reklaamiseadus* (Advertising Act) transposing Directive 2002/65/EC concerning the distance marketing of consumer financial services, while also increasing fines for non-compliance or infringement of the advertising act through articles 33-35. Another example, this time related to the implementation of safety mechanisms, is RT I 1999, 23, 349 (amended 2009) *Krediitiasutuste seadus* (Credit Institutions Act) that implements Directive 2002/83/EC concerning life assurances. Specifically, article 141 on transitional provisions for the calculation of capital requirements introduces the obligation for foreign EU companies to provide calculations of credit risk assessment to the Financial Supervision Authority before establishment within Estonia would be allowed. Thus highlighting a lesson-learned approach by creating conditions that only ‘healthy’ credit institutions may operate within the country.

Finally, RT I 2004, 19, 134 (amended 2009) is concerned with the employment conditions stated in the above-mentioned Posted Workers Act. This includes substantial

¹⁵⁴ “Ma ei näe mingit tõenäosust, et finantskriis mõjutaks meie finantssektorit, kuid järelmõjud meie majandusele tulevad kindlasti” (ERR 2008a).

specifications of the conditions of posted workers while applying the Estonian minimum standards. Thus, the act can be seen as a reaction to the aforementioned ECJ ruling in the Swedish case. Any points of deviation or additional restrictions within the national law that would be more restrictive for cross-border service provision could not be identified.

All of these acts have seen repeated alterations and amendments throughout the course of the crisis, however, in no instance, could a limiting of cross-border interaction or re-bordering be identified that is in conflict with established EU law. If contextualized with the dominant domestic norms, this result is not overly surprising. Especially as Estonia was still within the transformation process connected to its EU membership and aimed for membership in the Eurozone. Deviating from established provisions would have sent a decisively negative signal to Brussels.

8.1.2 The 2014 Syrian Refugee Crisis

The second instance of crisis under investigation is the Syrian Refugee Crisis, which was triggered by the ongoing Syrian Civil War and led to over a million displaced persons, seeking refuge within the EU member states. This influx sparked discord from the various member states about how to allocate the refugees within the Union and what ratio of distribution should be employed. The spectrum of willingness to take in refugees ranged from welcoming readiness to categorical refusal (Almustafa 2021).

As a consequence, several member states – mostly those highly exposed to the influx of refugees – closed borders and reintroduced checkpoints, while others ignored the issue. Most refugees came to Austria, France, Germany, Sweden, and Norway (Karolewski and Benedikter 2017). Consequentially the regular cross-border movement of goods, services, and especially persons was eventually affected by the increasing number of refugees and the gradual restrictions at the borders imposed by several member states.

Sweden has been one of the few EU members that took a humanitarian stance during the crisis and – next to Germany – admitted the most refugees. The willingness of Sweden to receive refugees – especially in regard to the unwillingness of other member states – eventually led to a breaking point in which Sweden reached its intake and processing capacity. During a press conference in November 2015, Prime Minister Stefan Löfven and his deputy Åsa Romson announced that the intake had to be restricted and border controls would need to be implemented (Hagelund 2020). Partially, this step is also grounded on the incapability of the EU as a whole to find a suitable mechanism to distribute the amount of incoming refugees across all member states. A situation that lead to tensions within the Union as wealthier countries – like Denmark – took in a mere 500 refugees while having the capacity to take in far more (Interview B, TS: 14:22). As a consequence, specific Swedish borders – particularly those to Denmark and Germany – saw a decrease of cross-border interaction (Interview A, TS: 43:42), affecting not only refugees but commuters and the regional cross-border cooperation between Malmö and Copenhagen (Interview C, TS: 51:02).

In the time frame of analysis from 2014 to the end of 2016, 707 bills and letters have been passed. Most of the bills that could be identified to be relating to an EU Directive were of no relevance to the research question. An example of these include for instance

Government bill 2013/14:243 on Directive 2002/83/EC concerning life assurance that saw a resolution between the Swedish conflict-of-law rules – related to insurance contracts and maritime transport contracts – and the Rome I Regulation (EC/593/2008) on contractual obligations as well as the Rome II Regulation (EC/864/2007) that deals with other types of private law obligations like damages. Connected to that is Government bill 2014/15:95 which transposes Directive 2002/83/EC concerning life assurance and introduced new obligations for maritime carriers in order to increase security for maritime transport passengers. None of these and other identified bills had any discernible negative impact on the Swedish bordering practices during the period of analysis.

Turning to the broached subject of closed borders during the height of the crisis as mentioned above, the Swedish government did indeed pass Government Bill 2015/16:174 that would allow reintroducing (temporary) border controls and tightening security at the border crossings. This step has stirred considerable attention from the international media (Kingsley et al. 2015). Especially as Sweden has been regarded as a prime example of the aforementioned humanitarianism among EU member states during the crisis.

However, this law did not reference any applicable EU law for enabling these restrictions but invoked the Swedish *Utlänningslag* (Aliens Act). It also made it clear that these restrictions are based solely on circumstances of providing temporary residence permits that would create an artificial bottleneck at the various border crossing points. As such, the above-mentioned closing of borders was more of a deceleration of admittance. Additionally, the Swedish government did stress the fact that it still adhered to EU and international law and that no EU provisions have been violated in that course.¹⁵⁵ Nonetheless, these measures still led – as a side effect – to a reduction of other border crossings. Here especially between the metropolitan areas of Copenhagen in Denmark and Malmö in Sweden (Interview A, TS: 43:42).

In the Estonian example of the Syrian Refugee Crisis, 378 laws have been analyzed. Estonia was one of the least affected states within the region and only took in 77 persons under the European Agenda on Migration (Valdaru et al. 2017, p. 55). The socio-economic impact is therefore negligible. The Estonian government under Taavi Rõivas initially signaled a willingness to provide assistance with the increasing amount of refugees arriving in the Mediterranean. However, this assistance was mostly geared toward combating illegal trafficking networks and strengthening FRONTEX (ERR 2015c). With the EU Commission proposing a minimal intake quota of refugees – Estonia was initially set to accommodate 738 refugees – a certain reluctance to accept higher refugee numbers became apparent. Rõivas and Pevkur, the Estonian Minister of the Interior, argued that the quota scheme would burden Estonia disproportionately and that the decision of how many refugees should be taken in is a decision of the EU member states, not the EU Commission (ERR 2015a). Interestingly, during the press conference with Dimitris Avramopoulos, then European Commissioner for Migration, Home Affairs and Citizenship, the Estonian media representatives inquired whether immigration to Estonia during the Soviet occupation could also be taken into account when calculating the quota.¹⁵⁶ The refusal to increase the refugee intake was repeated consistently (ERR 2015e) and

¹⁵⁵ “*En av åtgärderna var den tidsbegränsade lag som här föreslås för att under en begränsad tid anpassa det svenska regelverket till miniminivån enligt EU-rätten och internationella konventioner.*”

¹⁵⁶ “*“Aktuaalse kaamera” küsimuse peale, kas kvoodi arvutamisel võiks silmas pidada ka nõukogude okupatsiooni käigus Eestisse toimunud sisserännet, vastas Kreeka volinik esmalt hämmingu ja naeru-*

Rõivas argued that Estonia could only accept refugees if a security threat occurs (ERR 2015d). Eventually, the administration agreed to receive less than 200 people over a period of two years (ERR 2015b).

Turning towards the analysis of the Estonian legislation in the time frame under investigation, the only law that specifically included one of the EU directives related to the four freedoms was RT I 1995, 26, 355 (amended 2016) *Äriseadustik* (Commercial Code) that transposed elements of Directive 2005/56/EC on cross-border mergers of limited liability companies. More specifically, the law states in Article 433 that in case of cross-border mergers the involvement of the acquired companies' workers would need to be required for a successful conclusion of the merger. Thus, essentially providing affected workers a voice in any (hostile) acquisition of companies. This could be interpreted as a protective measure but lacks any foundation rooted in the critical juncture of interest. Otherwise, no further relevant laws have been found that would indicate that Estonia broke any of the applicable EU provisions during that time. Here, it is important to stress that the Estonian government was at the time also preoccupied with the unfolding Ukraine crisis and tried to raise awareness of the situation within the EU (ERR 2014b). A factor that might contribute to limited attention concerning the Syrian Refugee Crisis and thereof resulting implications.

8.2 The South China Sea Region

Like the BSR, the SCSR has been afflicted repeatedly with crises and other forms of critical junctures. However, unlike the situation in the BSR, most of these instances are bound to local phenomena, encompassing in most situations only a few of the member states at a time. Examples include the recurring escalations in the Sabah region (Interview E, TS: 1:02:08), the *Konfrontasi*, or the yearly Haze issue. Large-scale critical junctures are relatively few. Most notably the Asian Financial Crisis of 1997 and the Global Financial Crisis of 2007 that – just like in the BSR – unfolded in subsequent crises. Taking into account the results of the quantitative analysis and the influence crises have there – see Table A.16 of the Appendix – the effect however is not as clear-cut as in the BSR examples.

A basic issue with the analysis of the SCSR cases relates to the findings of the previous chapter. Most of the ASEAN agreements have no explicit deadline for member state ratification and they only come into effect when all members have submitted their respective Instrument of Ratification. Thus, the actual applicability of most ASEAN agreements is lagged.¹⁵⁷ This, however, creates an obstacle to the analysis of the impact of critical junctures on norm compliance. In order to stay coherent with the analysis, the chosen path is to retain the approach already implemented with the BSR subcases, even if this means that fewer national transpositions can be referenced against applicable norm-bearing ASEAN agreements.

pahvakaga, öeldes seejärel, et kui Ida-Euroopat peaks edaspidi tabama massiline immigratsioonitulu, võib komisjon ulatada abikäe" (ERR 2015a).

¹⁵⁷Important to note in this regard is that member states can already act with each other according to the agreements without them taking full effect. This is a phenomenon related to the informal and forum-like aspects of ASEAN itself.

Additionally, the rather soft and general wording of ASEAN agreements – stating more often than not a broad and basic intent – makes it difficult to identify distinct cases of norm deviation or even reneged on norms. Especially as most ASEAN agreements have an extra clause that permits member states to either opt out or reduce their commitment based on national preferences. As such, the following analysis should be considered with these restraining factors in mind.

8.2.1 The 1997 Asian Financial Crisis

The Asian Financial Crisis of 1997 was caused by the financial collapse of the Thai Baht which was pegged to the US dollar. With revoked international support of the Baht, the pegging mechanism could not be upheld and subsequently led to Thailand not being able to fulfill its credit commitments. The rapid devaluation of the Baht and the thereof resulting financial instability spread quickly to other states like Indonesia, South Korea, the Philippines, and Malaysia.

During the course of the crisis, the Malaysian national economy contracted by nearly 7% and caused then Malaysian Prime Minister Mahathir Mohamad to proclaim a ‘war on globalization’ (Acharya 2014, p. 33; Henderson 1999, p. 42). Leading to a ‘prosper-thy-neighbor’ policy – or ‘new Regionalism’ – as an alternative to the regionally prevailing ‘beggar-thy-neighbor’ policy. According to Mohamad, the latter was the main reason for the severity of the crisis. In the same vein, he also stressed consolidating cooperation with ASEAN partners, in order to limit economic and financial dependence on Western states (Mohamad 1997, pp. 10–11). However, the actual translation of this agenda into politics took more the form of national protectionism that heavily focused on pro-Mahathir companies, who either received subsidies or outright advantageous government deals (S. Johnson and Mitton 2003, p. 430).¹⁵⁸ As such, the often prevailing amalgamation of politics and national businesses – or crony capitalism – is surfacing in this scenario again and the impact of the crisis caused an inward focus on the Malaysian financial industry (Nesadurai 2012, p. 318). In turn, the influence of the ASEAN in terms of creating a deeper integration in times of crises is negligible, especially as several member-states started to reorient themselves externally (Henderson 1999, p. 44).

Concerning the analysis, 125 laws have been introduced in the period of interest, of which only one has been flagged as relating to a specific ASEAN provision. This is the Communications and Multimedia Bill of 1998, in which Article 144 provides the responsible Minister with the ability to implement rules against foreign communication and network providers. More specifically, the law provides the Minister to bar any foreign service provider whose action “[...] will, or is likely to lead to, a substantial lessening of competition in a communications market; or [...] the misuse of market power in a communications market.” As such, the law is potentially in conflict with Article 3 (a, b) of the 1995 ASEAN Framework Agreement on Services which states that barriers to foreign service providers should be eliminated. Even though the law could quite easily fall within the field of antitrust legislation, the non-specification of concrete grounds in which access is barred provides for a rather broad scope of applying the law. It is noteworthy that this law was passed during the administration of Prime Minister Mahathir, who was

¹⁵⁸A process that is exemplary for the so-called ‘shallow integration’ and which is characterized by the “... use of economic instruments to pursue political objectives” (Ravenhill 2010, p. 179).

more inclined to support ASEAN but who also had a rather protectionist stance if it comes to specific areas of the Malaysian industry (Interview F, TS: 37:01).

Other laws did not or only partially address applicable ASEAN agreements. An interesting find, however, is the Finance Act (No. 2, amended) of 1998, which – in a first reaction to the crisis – has preponed several articles of the original Finance Act in regard to taxation for the years 1997 and 1998 in order to cushion the effects of the crisis on the Malaysian economy and public.

Just like in the Malaysian case, the Indonesian economy shrunk by 13% and caused a similar political inward turn (*ibid.*, p. 42). However, this crisis was then aggravated by the strained relations with the IMF in 1998 and by East Timor's independence movement in 1999 (*ibid.*, p. 45). Effectively ending the Suharto era, limiting the authority of the Indonesian military, and ultimately leading to a crisis of national identity (Lee 2011, p. 83). What is interesting here is that Indonesia – regularly seen as the *de facto* leader of the region due to its population and economic size – received economic, financial, and diplomatic aid from other ASEAN members. Thus effectively overriding the non-interference principle of the ASEAN Way and accepting Indonesia as an equal partner within the Association (Henderson 1999, p. 45). In a sense, an awareness came to the fore that Indonesia is inextricably linked to the region and its future. Interestingly, a communal contraction is again visible during times of all-affecting crisis. Yet here the main difference is that the ASEAN itself was not able to implement decisive measures in time. Nonetheless, member-states themselves were more active in trying to resolve the situation and to ensure the future of the organization *per se*.

“Indonesia somehow was not able to manage that capital outflow quickly enough, effective enough. So we were hit by the crisis. The effect of this crisis on the integration ... actually ASEAN learned from how bad the impact of the crisis on each of our economies. From then on, ASEAN financial ministers they gathered, they started to think about how ASEAN could strengthen its financial sector. So, there are a lot of initiatives based on the crisis” (Interview G, TS: 49:11).

Concerning the research interest, 99 acts in the time frame of analysis were passed, of which several could be identified to violate standing ASEAN agreements. The first instance relates to the 1997 Law number 24 on Broadcasting which has been amended by Article 31 (1) and now requires governmental permission for foreign radio operators and service providers to cooperate with Indonesian institutions.¹⁵⁹

This requirement of permission violates Article 3 (a, b) of the 1995 ASEAN Framework Agreement on Services, which states that all existing discriminatory measures and market access limitations among member states shall be eliminated. It also prohibits member states to introduce new or discriminatory measures and market access limitations. Interestingly, Article 6 (c) of the same law states that broadcasting serves the purpose – among others – to increase national cultural resilience¹⁶⁰ under the *Pan-*

¹⁵⁹ “Dengan izin Pemerintah, kerjasama pemancaran siaran, teknik, dan jasa dengan Lembaga Penyiaran Asing di luar negeri dilakukan atas dasar prinsip saling menguntungkan.”

¹⁶⁰ “[...] meningkatkan ketahanan budaya bangsa [...].”

casila.¹⁶¹ The introduction of the amendment to the law at the end of September 1997 falls in a time when the Asian Financial Crisis was already in full swing. The question at this point is why Indonesia implemented such a change. A possible explanation – apart from the crisis itself – could be the waning support for Suharto, who eventually left office in 1998. Combined with the unfolding crisis, this law then could serve the purpose of curbing critical foreign media reporting which violated the Pancasila norm.

The second instance relates to Law No. 25 of 1997 concerning employment. Here, especially Articles 152 and 153 introduce severe restrictions for foreign workers to find employment within Indonesia as companies that employ foreign workers would have to obtain a ministerial license while also needing to state the reasons for using foreign workers. At this point, it is unclear if this act is directly connected to the crisis or the growing domestic challenges. The latter is more probable as in the same year the Indonesian government adopted the “*Transmigrasian*” (Law No. 15 of 1997) that provides for a voluntary resettlement program of urban Indonesians and their families to rural regions. Nonetheless, an influx of foreign workers could be seen as weakening social cohesion and also increasing strain on the already affected labor market. The law makes no mention of the 1986 Agreement on the Preferential Shortlisting of ASEAN Contractors. As such, it is assumed that this instance is a case of norm violation.

Other laws that were found relate predominantly to a reconfiguration of financial and investment conditions. This is exemplified by Law No. 1 1998 on the Suspension of Law No. 21 of 1997 (Land and Buildings Acquisition Duty) where enacting the 1997 law is postponed and thus forgoing the fees associated with the acquisition of land and buildings but easing the financial burden on the population. Other examples include Law No. 4 of 1998 (Amendment to the Bankruptcy Law), Law No. 10 of 1998 amending Law No. 7 of 1992 on Banking, or Law No. 12 of 1998 amending the enactment of Law 25 of 1997 on Employment. All of them specify conditions laid out in the referred to laws based on the financial and economic condition, in which Indonesia found itself in.

8.2.2 The 2007 Global Financial Crisis

As this critical juncture has already been discussed in broad terms for the two BSR subcases, the general description of the crisis will be abbreviated. For the SCSR region, the crisis is insofar noteworthy as especially countries like Malaysia, Singapore, and Thailand are geared to international trade, which left them particularly exposed to the unfolding recession. In turn, states like Indonesia or the Philippines are dependent on the economic and financial thrive of the former. Thus, a cascading effect of GDP decline could be witnessed across the region. However, most of the regional states have implemented far-reaching stability mechanisms and safeguards in the wake of the 1997 Asian Financial Crisis in order to deflect similar threats (Green 2010).

In the Malaysian case, 145 acts were introduced from 2014 to the end of 2016. A noticeable instance that could be counted as reneged on IGO norm is Bill 13/2009 amending the Rubber Industry Smallholders Development Authority Act of 1972. In Article 26 (2) of the amended act, the responsible Minister may impose any condition, limitation, or

¹⁶¹Pancasila refers to the five guiding principles of Indonesian politics as introduced by Sukarno and includes belief in God, humanity, unity, democracy, and social justice. For a fundamental evaluation of Pancasila in Indonesian politics see Weatherbee (1985).

restriction related to accessing this industry through foreign companies and investors. As in similar cases discussed above, the scope of law provides for a nearly unlimited set of reasons to bar access of foreign companies to this vital branch of the Malaysian industry. This protectionist aspect of the amended law conflicts with Article 4 (3) of the Basic Agreement on the ASEAN Industrial Complementation Application, which only allows for a three-year period of exclusive manufacturing of a specific product package within the Association. Even though the article allows for exceptions, none have been found for the Malaysian rubber industry.

Additionally, this industry has been one of the most important branches of the Malaysian economy since its independence. In 2015 Malaysia ranked third in production and nearly 95% of manufacturing companies were smallholders (Abdulla and Arshad 2017, p. 28). Thus, not only contributing to the overall GDP but also being an important factor in the labor market. As such, it is unlikely that new exceptions would have been granted by the ASEAN Economic Minister Council. At this point, however, it is not clear if Malaysia included the rubber industry in its list of protected industries. As the previous Mahathir administration placed a heavy emphasis on establishing an independent automotive industry, the administration likely sought to protect critical suppliers, industries of key components, and the downstream production section of local smallholders.

Generally speaking, this kind of behavior is not necessarily surprising. Most states in the region try to place crucial goods or services on sensitive exclusion lists if the specific sector is threatened through foreign competition or – as in this case – through a crisis that threatens the sector as a whole (Interview E, TS: 24:23).

Puzzling is that the implementation of the law falls into the term of Prime Minister Najib Razak whose focus on ASEAN was at least initially considered to be a departure from his more reluctant predecessors. Especially his strong position in terms of favoring a more liberal provision of cross-border services has been evaluated as a refocusing on intra-ASEAN cooperation. As such, the implementation of far-reaching protectionist measures for the Malaysian rubber industry is contradictory. As no other information could be found that would plausibly explain the need for such a protectionist law or provide information on ASEAN shortlisting, this instance needs to be counted as a violation of the respective ASEAN provision, and it becomes visible how readily ASEAN agreements are violated if national interests are seemingly threatened (Interview F, TS: 50:25).

Turning to the last subcase analysis, Indonesia issued 156 acts and 22 Presidential Decrees. The latter, however, relate exclusively to the ratification of older ASEAN instruments and thus holds no relevance for the analysis. Of the former, Law No. 25 of 2007 on Investment could be identified to affect standing ASEAN provisions. More specifically, Article 12 (3) of said act introduced an exception clause that allows the Indonesian government – through a Presidential Decree – to bar any form of foreign investment based on considerations related to health, morals, culture, environment, defense and national security, as well as other national interests.¹⁶² Thus, effectively implementing a mechanism that can potentially limit any engagement of other ASEAN members within the

¹⁶² “Pemerintah berdasarkan Peraturan Presiden menetapkan bidang usaha yang tertutup untuk penanaman modal, baik asing maupun dalam negeri, dengan berdasarkan kriteria kesehatan, moral, kebudayaan, lingkungan hidup, pertahanan dan keamanan nasional, serta kepentingan nasional lainnya” (Indonesian Government 2007).

country *ad libitum*. This, however, runs contrary to the 1998 Framework Agreement on the ASEAN Investment Area, in which Article 3 (a (iv)) requires member states to “[...] *eliminate investment regulations and conditions which may impede investment flows.*” Additionally, Article 5 (b) requires members to “[...] *ensure transparency and consistency in the application and interpretation of their investment laws, regulations and administrative procedures.*”

Again, a similar picture as in the Malaysian case. Specific branches of the national industry are protected through these additional laws that are brought up in situations in which an external threat exists or is perceived to exist. From a legal perspective, this procedure is largely in line with ASEAN provisions. But these exception lists are being updated frequently and thus contribute to the creation of additional barriers that can appear nearly at random (Interview G, TS: 14:30; Interview G, TS: 26:59).

Adding to this information, Indonesia has – despite the ASEAN agreements and the provisions therein concerning eliminating barriers to capital movement and investment – created a ‘negative investment list’ for foreign investment (Interview G, TS: 11:51). The behavior of Indonesia has thus to be considered as a breach of standing ASEAN provisions. This is especially interesting as this falls into the presidency of Yudhoyono, who declared ASEAN as the main pillar of Indonesian foreign policy in his inauguration speech of 2005. This implies that the cohesion of ASEAN norms in the case of Indonesia is naught.

8.3 Discussion and Summary

The goal of this chapter was to assess whether critical junctures lead to instances during which member states renege on or deviate from previously agreed-upon norms that are provided for by the respective regional IGO. The first hypothesis is that member states do not deviate from these norms as long as the dominant domestic norm(s) point towards a more favorable perception of the regional IGO. Alternatively, when the dominant domestic norm is not favorable towards the regional IGO, then are member states more likely to violate already agreed and transposed norms. In order to evaluate these hypotheses, two large-scale critical junctures for each region have been identified based on the previous evaluation of cross-border flows and the information gathered through the expert interviews.

Summarizing the findings of this chapter in relation to the question of whether critical junctures lead to a retraction of border-related IGO norms, Table 8.1 provides an overview of the subcases, hypotheses and chosen critical junctures. The allocation of results to the respective hypothesis is based on the dominant domestic norm for the analyzed period in question. If the dominant domestic norm indicated a favorable perception of the regional IGO, then hypothesis 1 has been taken into account. Otherwise, hypothesis 2 was applied.

Based on this evaluation scheme, Hypothesis 1 can be confirmed for the BSR subcases. Sweden and Estonia did not – during both analyzed crises – deviate from or break applicable EU law. Instances for Hypothesis 2 could not be identified due to favorable dominant domestic norms in both periods of analysis in both subcases. In contrast, the SCSR subcases have shown – at least partially – a confirmation of Hypothesis 2 during

the 1997 Asian Financial Crisis, while disconfirming Hypothesis 1 during the 2007 Global Financial Crisis. Especially the latter seemed not to have such a decisive impact on the ASEAN member states as initially assumed (Interview E, TS: 1:08:12).

Table 8.1: Summarized Results of the Critical Junctures Analysis

Critical Juncture	Hypothesis	Sweden	Estonia	Malaysia	Indonesia
Asian Financial Crisis 1997	3-1	–	–	–	–
	3-2	–	–	(✓)	✓
Global Financial Crisis 2007	3-1	✓	✓	×	×
	3-2	–	–	–	–
Syrian Refugee Crisis 2014	3-1	✓	✓	–	–
	3-2	–	–	–	–

Indonesia's behavior deviates from the hypothesized behavior even while having a positive attitude towards the ASEAN. Additionally, Malaysia did implement new laws that provided the executive branch with far-reaching protective measures. Albeit in the case of the 1997 Asian Financial Crisis, it is not clear whether this instance counts as an actual violation of ASEAN agreements or if it was a measure of antitrust legislation. With that in mind, it should still be pointed out that abolishing or reneging on previously agreed ASEAN provisions is not necessarily an exception within the region. Two main factors could be identified in that context. The first contributing factor is the previously identified 'soft' approach taken in ASEAN agreements, while the other is the primacy of national interests and national norms over any communal provisions (Interview F, TS: 50:25). Especially the last point needs to be stressed as the analysis of the two ASEAN subcases has shown that the IGO norms of the region are likely always to be suspended if they run contrary to national interests. Taking into account the results of the quantitative analysis of crises (see Table A.16) that indicate that the impact on the four forms of cross-border interaction was mostly limited, then the analyzed subcases underline the assumption that any ASEAN provision is of minor consideration in contrast to national interests.

Despite these findings, some points need to be considered in this context. First, despite a throughout analysis of the relevant sources, material that is important or might contradict claims made in this chapter might have been missed. This applies to all cases and can be attributed to language barriers and the large time frame of the analysis. Second, even though no violations of EU norms during the two chosen critical junctures could be identified, this does not imply that the general adherence of EU member states during such critical junctures might be higher. The listing of infringement procedures of the EU Commission is a testament to this issue and member states might have found other ways to circumvent provisions that are deemed inconvenient under difficult circumstances.

Chapter 9

Conclusion

The goal of this thesis was to analyze how and under what circumstances regional IGOs have a facilitating effect on cross-border interactions among its member states through the dissemination of specific normative provisions. For that purpose, two regional settings with corresponding regional IGO have been chosen and their diffusion of normative provisions for goods, services, persons, and capital quantified. The main argument is that said normative provisions do have an impact that leads to an increase in cross-border interaction and therefore to more permeable borders among member states of an IGO. The basis for this argument is that a restating and reemphasizing of provisions through an IGO related to a specific set of bordering related topics will bring member states to gradually implement more far-reaching liberalizations. The underlying logic rests on the persuasiveness of norms as intersubjective understandings that not only define identity and interests but also prescribe rights and obligations. Through the issuing of normative provisions within a communal setting, the identities and interests of the member states are gradually shaped and harmonized. This happens to such an extent that potentially conflicting national interests are overwritten by those of the IGO. This understanding of the functioning of norms within a given community ties quite closely to the bureaucratic character inherent to all organizational forms, which favors an application of the same instruments to all receiving entities. Consequently, the result of issuing normative IGO provisions on bordering should lead to an increase in cross-border interaction across all the four previously mentioned dimensions, as long as the IGO in question has the authority to provide binding provisions and to review the implementation.

However, this mechanism can be hampered by either dominant domestic norms that are in conflict with the bordering related IGO provisions or due to critical junctures that can provide a backdrop for member states to circumvent or to lever out inconvenient provisions. The former has been defined as being unique to each state, having an authoritative claim, being deeply ingrained within the wider public, and potentially consisting of a whole subset of complementary norms that form a greater whole and which mutually reinforce each other. Especially the first two parts – the authoritative claim and the strong representation across the wider public – may constitute an obstacle to the authority of an IGO to provide similar provisions among the wider community. As a consequence, these dominant domestic norms may hinder an intensified cross-border interaction in specific situations or for particular dimensions. In a similar manner do critical junctures work. However, they need to be perceived not as the cause itself but more as a catalyst for the aforementioned dominant domestic norms. In times of crisis, established value systems are usually reevaluated. New values emerge and interests are adapted to the specific situation. This does not only affect the relevance of IGO provisions and the authority of the IGO itself but may have repercussions for the dominant domestic norms as well.

For the first part of these theoretical considerations, a novel approach to evaluating the impact of IGO norms has been established that departs from the hitherto usually employed bivariate approach and takes into account the quantified amount of norms that an IGO is issuing for specific dimensions of cross-border interaction. This has then been complemented by a gravimetric approach in the form of a Poisson Pseudo-Maximum Likelihood model. The two following theoretical considerations have been evaluated by more traditional qualitative means. More specifically, a corpus of governmental and

media sources has been established in addition to the main provisions of the two regional IGOs. This has been supplemented by additional material like secondary sources and a set of expert interviews. Based on these sources a matching and descriptive approach has been used to answer the related research questions.

Taking into account these theoretical and methodological considerations, this final chapter provides in the first part a joint summary of the previous chapters with an evaluation of the relevance of bordering related IGO norms for the two analyzed regions. Primarily, the results of the leading questions and corresponding hypotheses will be presented in a condensed form for each of the regions. Thereon follows a discussion on the methodological approaches, in which the methods employed for answering the different hypotheses are being evaluated. Here the advantages and disadvantages – including pitfalls that have come up during the analysis – stand in focus. Subsequently, the open questions that have either not been addressed or that came up throughout the work on this thesis are being discussed. Finally, a section with policy recommendations follows. This part is again discussed separately along the regional lines as the recommendations are highly idiosyncratic for each of the IGOs and the member states of a region. A transfer of the recommendations would therefore be of limited value for the other region.

9.1 Main Findings

As noted above, the main findings for each region and regional IGO are presented separately. Each region has unique traits and idiosyncrasies that need to be taken into account and thus do not allow for a joint evaluation of the results. However, where parallels exist, the findings will be contrasted.

9.1.1 The BSR and the EU

Considering the regional setting, the BSR and its states constitute – for EU standards – a rather heterogeneous subset. This does not only relate to the Cold War divide and the accession of former socialist East European states but is also reflected in the discrepancy in economic development, population size, and additional subregional institutionalizations. Surprisingly, this discrepancy is not necessarily reflected throughout the results. Table 9.1 provides an overview of the different hypotheses, including the focus component or mechanism and the corresponding result.

The Impact of EU Norms

Turning to the first mechanisms, the results indicate strong support for the hypothesis that with a growing amount of EU norms the general BSR cross-border interaction across the four dimensions increase. More specifically this holds true for the trade in goods, services, and the free movement of persons. This did not hold true for the free movement of capital. However, based on the first sighting of the relevant norms throughout the EU provisions, this was to be expected as not only the amount of norms was considerably diminished *vis-à-vis* the other norms, but also the scope of the capital-related provisions is geared mostly towards limiting money laundry or restricting access of third parties. As such, the result of a non-supported hypothesis is in this regard not surprising. Notwith-

Table 9.1: Hypotheses and Results

Mechanism	Hypothesis	Result
Amount of IGO Norms	H1: The more cross-border liberalizing norms a regional IGO issues through agreements, treaties, and other provisions, the higher the cross-border interaction across the member states	Goods: Strong Support Services: Strong Support Persons: Strong Support Capital: Not Supported
Opposing Dominant Domestic Norms	H2-1: When dominant norms at the domestic level exist that contest the bordering related IGO norm, then transposition is protracted or rejected.	Estonia: Not Verifiable Sweden: Strong Support
Supportive Dominant Domestic Norms	H2-2: When dominant norms at the domestic level exist that support the bordering related IGO norms, then IGO norms are transposed in a timely manner.	Estonia: Strong Support Sweden: Supported
Critical Juncture and Supportive Dominant Domestic Norm	H3-1: When a decisive event occurs combined with a supportive dominant domestic norm, then contestation of IGO norms is less likely.	Estonia: Strong Support Sweden: Strong Support
Critical Juncture and opposing Dominant Domestic Norm	H3-2: When a decisive event occurs combined with a contesting dominant domestic norm, then rejection of IGO norms is more likely.	Estonia: Not Verifiable Sweden: Not Verifiable

Notes: In the case of the quantitative analysis for hypothesis H1 the indicator “Strong Support” refers to results that are robust to additional model specifications and fixed effects. “Supported” indicate results with the expected direction of coefficients but are not significant or have not been robust across all of the model specifications and/or fixed effects. The main benchmark for this evaluation is the destination/origin-year-fixed effects and the dyadic cluster models (Models 5 and 6) of the Appendix (see section A.3). In the case of the quantitative analysis, “Strong Support” is used for instances in which no violations and no divergent behavior or intentions could be identified. “Supported” are those instances in which violations and/or divergent behavior have been found but no evidence for either purposeful or IGO norm circumventing intentions could be identified.

standing this instance, the main results have shown to be robust while employing varying model specifications and different fixed effects.

The Relevance of Dominant Domestic Norms

Of the manifold crises that have occurred and which have had a severe impact on the EU as a whole, the two junctures that have been chosen for the analysis provide a mixed picture. While in the Swedish case the impact of opposing dominant domestic norms could be linked to a lagged and occasionally incomplete transposition of EU norms, no instances of opposing dominant domestic norms could be found in the Estonian case. The near-constant delay of norm transpositions that have been identified could be convincingly explained through the lack of administrative and bureaucratic limitations within the Estonian government. Therefore, the hypothesis could not be evaluated. In the case of supportive dominant domestic norms, the Estonian case indicates strong support for the hypothesis. For the Swedish case, some cases of protracted or incomplete transpositions could be identified even though these did not specifically relate to instances of purposeful circumvention of community provisions.

The Role of Critical Junctures

Of the manifold crises that have occurred and which have had a severe impact on the EU as a whole, for the two junctures that have been chosen for the analysis, no negative

impacts on the adherence to EU norms could be identified for the instances in which supportive or contesting dominant domestic norms existed. As such, the results confirm hypothesis 3-1 while negating hypothesis 3-2. This is especially relevant for the Swedish case as the afore-described ‘neutrality reflex’ regarding the EU has been reappearing throughout the analysis. As such, the commitment and centrifugal effect of the EU’s norms seem to override national ambivalence.

Another interesting result of the analysis of critical junctures – besides the limiting effect on cross-border interaction – is their rallying effect. In both case regions, the impact of crises and the likes led to an increase and consolidation of intra-communal activity that resulted quite often in new agreements that are not only set to increase the robustness of regional cooperation *vis-à-vis* future crises but also to harmonize cross-border interaction itself.

In summary, the results of the BSR cases and the general impact of the EU’s normative provisions on cross-border interaction provide for a rather strong support for their efficacy and debordering capacities. Despite some outliers in the findings – like the instances of Swedish protraction or the delayed transpositions of Estonia – the findings have shown to be robust under difficult circumstances. One of the main driving factors – besides the embedded control mechanisms of the EU itself like the EU Commissions – lies within the predictable yet flexible way of forwarding new provisions.¹⁶³ They move largely within a specific frame of reference to other provisions and are layered on top of each other. Thus making it for the member states easier to allocate transposable arrangements within their national frameworks. The effect resulting thereof is then a progressive convergence or harmonization. A feature that has been discussed within the theoretical considerations regarding the bureaucratic effect of IGOs in general.

9.1.2 The SCSR and the ASEAN

The analysis in regard to the SCSR provides a similar heterogeneous subset as that of the BSR. The findings however are not relatable to that of the BSR. In most cases, the results of the hypotheses indicate that the normative impact of ASEAN provisions on the member states in the region is less pronounced. Regarding ASEAN itself, one of the main findings in the analysis of the structure and scope of the normative provisions has been a lack of cohesion, resulting in a generally weaker efficacy. However, the assumption here is that this result is a mere consequence of deeper issues. Namely, the ASEAN itself as a regional IGO is lacking sufficient legitimacy – and thus authority – to compel its members not only to adhere to the provisions but more importantly to abandon exit clauses and special treatments. This issue is not necessarily novel but it is so persistent that ASEAN’s relevance as a regional IGO – especially in terms of the AEC – is in peril. In Table 9.2 the results for the hypotheses and their central component are presented in a condensed form.

¹⁶³In fact, the EU’s approach follows the principle of “*effet utile*” which means the effective reading of EU laws in order to reach the therein described goals with the need of certain flexibility in regard to the different situations within the member states. The EU Directives are essentially the tool to create this optimal effect while retaining flexibility.

Table 9.2: Hypotheses and Results

Mechanism	Hypothesis	Result
Amount of IGO Norms	H1: The more cross-border liberalizing norms regional IGO issues through agreements, treaties, and other provisions, the higher the cross-border interaction across the member states	Goods: Supported Services: Not Supported Persons: Not Supported Capital: Not Supported
Opposing Dominant Domestic Norms	H2-1: When dominant norms at the domestic level exist that contest the bordering related IGO norm, then transposition is protracted or rejected.	Malaysia: Strong Support Indonesia: Supported
Supportive Dominant Domestic Norms	H2-2: When dominant norms at the domestic level exist that support the bordering related IGO norms, then IGO norms are transposed in a timely manner.	Malaysia: Supported Indonesia: Not Supported
Critical and Dominant Domestic Norm	H3-1: When a decisive event occurs combined with a supportive dominant domestic norm, then contestation of IGO norms is less likely.	Malaysia: Not Supported Indonesia: Not Supported
Critical and Dominant Domestic Norm	H3-2: When a decisive event occurs combined with a contesting dominant domestic norm, then rejection of IGO norms is more likely.	Malaysia: Supported Indonesia: Strong Support

Notes: In the case of the quantitative analysis for hypothesis H1 the indicator “Strong Support” refers to results that are robust to additional model specifications and fixed effects. “Supported” indicate results with the expected direction of coefficients but are not significant or have not been robust across the model specifications and/or fixed effects. The main benchmarks for this evaluation are the destination/origin-year-fixed effects and the dyadic cluster models (Models 5 and 6) of the Appendix (see section A.3). In the case of the quantitative analysis, a “Strong Support” is used for instances in which no violations and no divergent behavior or intentions could be identified. “Supported” are those instances in which violations and/or divergent behavior have been found but no evidence for either purposeful or IGO norm circumventing intentions could be identified.

The Impact of ASEAN Norms

The impact of the ASEAN norms resulted in a largely negative picture. Except for the free movement of goods, no other dimension of cross-border interaction seems to respond to the ASEAN’s provisions. The results of the extended model testing in section A.3 also provide in most cases a not expected direction of the results. Indicating that an increase in ASEAN provisions does lead to less actual intra-communal cross-border interaction. A result that runs contrary to the expectations. The reason for these results is unclear. An assumption – which rests mainly on the background information and the results for the other hypotheses – is a severely limited relevance and authority of ASEAN in general and its provisions in particular. This has been noted throughout the conducted interviews as well.

The Relevance of Dominant Domestic Norms

The relevance of dominant domestic norms regarding the timeliness and the completeness of ASEAN norm transposition points in a similar direction as the above-described quantitative results. If the specific dominant domestic norms run contrary to the envisioned IGO frameworks then the member states seem to be willing to give national

interests primacy. In both subcases, severe instances of delayed or non-transposed norms could be identified. In the case of Indonesia, this even holds true when the dominant domestic norm provides a supportive backdrop. A finding that indicates that not only the authority of ASEAN is limited at best but nearly irrelevant in the Indonesian case. The reason for this behavior – which also can be found occasionally in the Malaysian subcase – is the domestic instability that repeatedly forces decision-makers to consolidate their political support *vis-à-vis* their electorate and specific (economic) interest groups.

The Role of Critical Junctures

The role of critical junctures – especially in regard to the above findings – sediments the picture. Whereas the Asian Financial Crisis did constitute an instance in which both of the analyzed subcases had an unfavorable stance towards the ASEAN and reneged on already agreed-upon provisions, the Global Financial Crisis in 2007 has a more negative impact in terms of this analysis as both states reneged on provisions while having a more positive stance to the ASEAN. In summary, this means – as noted above – that the relevance of ASEAN and therefore its cross-border interaction facilitating capacities do not provide for the effect that is usually associated with the role and purpose of such institutions. Again, however, here the special status of the ASEAN as a forum should be highlighted. Even though the ‘ASEAN Way’ is rather loose and its direct capacities to enact regional integration are severely restricted and even outright ignored, its function as a platform for bi- or multilateral agreements has not been regarded in this context and may thus be a source of bias in the results.

Notwithstanding this evaluation, a core issue with ASEAN and the reluctant integration in terms of cross-border interaction lies within the founding principles and the historical setting of the association. Conceived as a form of security institution first and economic institution second, the protection and solidification of member states’ borders – most of whom just had gained independence from colonial rule – stood as the primary goal. “*ASEAN, through its various treaties, solidified the borders of the members and helped improve national resilience*” (A. L. Smith 2000, p. 502). In this context especially the non-interference and unanimity principle imposed a rigidity on the Association that consequentially has – and probably will for the foreseeable future – undermined all efforts to dismantle intra-communal bordering. A decisive indicator here is not only the amount of treaties and agreements that relate to forms of bordering – which is meager in comparison to the EU’s – but more importantly the content. Most of the analyzed documents contain forms of ‘escape-clauses,’ are unable to enforce compliance, neglect thorough monitoring, and are hampered by their ‘singularity.’ This effectively leads to a patchwork of provisions that lacks cohesion. Especially the latter is in contrast to the EU’s approach striking. An additional aspect that aggravates the ASEAN’s capacity and scope of action is that in both analyzed subcases the general public is only invested to a limited degree. The ASEAN project is first and foremost an elite-driven political project, which is causing issues as a participatory and identificatory level at the public level is missing.

Summarizing the above discussion on the two investigated regions, the main finding is that norms provided by regional IGOs that are related to bordering practices have shown to be a relevant source for the establishment and enforcement of bordering frameworks.

They advance regional integration through cohesion and assessable behavior of other member states. But in order to unfold their effectiveness, they need to be embedded into an institutional framework that ensures compliance while simultaneously providing flexibility for member states to implement them according to national idiosyncrasies. Two points connected to this finding stand out. First, the regional IGO has to consider the national administrative and bureaucratic capacities of their member states in regard to the transposition process. Especially the example of Estonia has shown that smaller and recently transformed states lack the bureaucratic capacities of bigger states which then leads to a 'transposition jam.'

Second, monitoring of transposition and subsequent implementation has to be scrutinized consequently by the IGO. In both analyzed regional settings, instances of norm deviation could be identified. While the EU Commission is adequately set up to enforce such a practice, the approach of member states to provide a plethora of older laws as proof of transposition is a questionable practice. In contrast, the ASEAN does not provide any form of meaningful monitoring regarding the implementation or even adherence to community standards. As such, the efficacy of normative provisions is from the outset questionable.

9.2 Discussion on the Methodological Approach

In this section, the employed methodological approaches for the previous analysis will be discussed and evaluated. The main focus here is placed on instances where a refinement is deemed to be necessary or where other methodological approaches might provide a more nuanced evaluation.

Concerning the main methodological approach of quantifying IGO norms, the approach itself has shown to provide considerably more differentiated results than the usually employed bivariate method of analyzing regional integration that stands synonymous for an increase in cross-border interaction. However, as the results of the ASEAN case have shown, this approach is not without difficulties. The main drawback is the pure focus on the amount of norms an IGO issues for a specific area of cross-border interaction. This does not allow for a differentiation between supportive and more extensive norms and their respective influence. Essentially, weighting norms in combination with the total amount would seem to be a favorable approach. Yet due to the idiosyncrasies of the various regional IGOs – not only these discussed in this thesis – this might prove to be difficult to follow up. As noted before, the EU for instance follows a distinct embedded or layered approach, where each new provision is connected to either previous provisions in the same issue area or connects to other issue areas. The ASEAN on the other hand follows a more encapsulated approach where each issuing of provisions is either detached from previous ones or only relates to direct predecessor provisions. Other IGOs might employ completely different mechanisms. A possible alternative to gauge the relevance of specific norms might be found in their interrelatedness. As noted already in the discussion about the structure and scope of the normative provisions of both IGOs, the EU features a distinct linking of provisions that transcend their main issue area. Especially these with a greater scope – and therefore more far-reaching implications for the member states – contain more linkages to provisions within the same issue area or to other issue

areas. As such, the rationale is that a provision – for instance EU Directive 95/47/EC on the use of standards for the transmission of television signals – that is characterized by a form of low interrelatedness, will probably create fewer incentives for the member states to implement far-reaching measures in order to fulfill their transposition obligations. A provision, however, like EU Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the member states that is characterized by a high interrelatedness – due to tapping into the fields of free movement of persons, services, and capital – will exact more far-reaching and likely complex adjustments within the member states, which then increases the general convergence of national laws.

Another methodological issue area connected to the IGO norms themselves relates to the occasional non-distinctiveness of norm transpositions based on directives. Here, not always a one-to-one correspondence between the issued EU directive and the corresponding transposition measure of the member states could be identified. For example, Directive 94/24/EC results in five Swedish transposition measures that content-wise do relate to the intention of the directive, but it is not immediately clear which one of these represents the main transposition measure or which parts of the directive have already been transposed previously. Case in point, the Swedish government is providing a legal act of 1966 as a form of *fait accompli*. Here, a direct contact with the responsible administrative unit in the member states might have clarified matters. However, due to the amount of IGO provisions analyzed this did not seem feasible.

The main approach taken for the qualitative parts of the analysis has shown to produce sufficient information that could be evaluated. Occasionally, however, the time gaps between data points that could be evaluated were rather large and thus could constitute a source of bias. This mostly relates to documents provided by governments. In the Swedish case, this has been no problem as each year a government declaration is provided. However, especially in the two subcases for the SCSR, this issue has been more pronounced. A straightforward solution would be to add a layer of sources that might compensate for the lack of information. Potential sources could be the respective programs of the government parties or foreign newspaper sources. The latter might be especially useful when a new government takes over. In general, this would likely increase the validity of the matching process and lead to more robust results.

The last point in the evaluation of the methodological approach concerns the expert interviews. Generally speaking, the information that could be gained through these has been beneficial for the analysis as they provided useful background details concerning the standing of specific member states as well as the perception of the regional IGOs in each setting. However, conducting and evaluating the expert interviews have proven to be less expedient than expected. First and foremost, the interviews have been conducted at a too early stage in this research. As a result, the question categories have been lacking conciseness. Also, the rather broad conceptualization of question categories led to an unclear identification of addressees. This then led either to non-response or forwarding of the requests to other instances. As a case in point serves the two interviews conducted with members of the EU Commission. Even though highly informative and useful for further research, they contributed only in a limited way to the research project as their fields of expertise deviated from the inquiry. Summarizing the review of the

expert interviews, it is important to stress that this method should not be disregarded altogether. This form of information gathering does provide valuable insights and details that are not necessarily found in other sources. In this case, however, they should have been used more in an open format in order to allow for a gathering of more general background information which then could have been used as guiding and supplementary material for the formulation of research questions.

9.3 Discussion on Open Questions

Regarding open questions that might advance research on the topic of borders and bordering under the auspices of normative IGO influencing, especially the phenomenon of the aforementioned norm interrelatedness stands in focus. As noted above, the resilience and robustness of norms *vis-à-vis* countering member states' interests or critical junctures should be approached and incorporated.

Another issue area that is worth investigating further is the heterogeneity of member states. The question related to this is if there are specific pre-conditions that lead to a willingness to renege on established IGO norms or to refuse them outright. Some aspects have been partially approached in this research. Mainly through the gravimetric approach and the relevant 'masses' of the states. As a next step, this approach should also incorporate the political systems, ethnic compositions, and other factors that represent heterogeneity within a state community. In an extended variant of this heterogeneity approach, the issue of norm subsidiarity of Acharya (2011) might come to bear. The question here would be to what extent specific bordering norms are carried over from other IGOs and how much have they been adapted to regional idiosyncrasies and whether they then still lead to the originally envisaged results. As the EU acts partially as a role model for other regional IGOs, this regional adaptation process in more heterogeneous settings might lead to wholly unexpected results.

Another point worth following up on is the research on compliance. This specifically focuses on the long-term adherence and enforcement of IGO provisions. As noted during the analysis, this research has focused solely on transposition. But the adherence to IGO provisions in the long term has also a decisive impact on the bordering process. Connected to that stands the question of norm compliance during times of crisis. The impact of crises has been discussed within the analytical chapters. However, the kind of crisis – analogous to the research of Schimmelfennig (2018) – might have an implication for the course and severeness on intra-communal bordering. Subsequently, it has been repeatedly indicated throughout the analysis that forms of crisis can have a rallying effect on the member states, leading to more IGO provisions and closer cooperation. Further analysis of the workings of this mechanism seems to be a fruitful endeavor.

Finally, a more general proposal for further research relates to regional IGOs other than the EU. Most of the techniques and research approaches used herein stem from a field of research that is heavily focused on the EU's system of multilevel governance. The idiosyncrasies of other forms of regionally bound multilevel governance are less pronounced within the wider literature. This is a serious obstacle to advancing research through projects like this, as a substantial analysis of the functioning and normative approaches of these IGOs is missing.

9.4 Policy Recommendation

The results of this research have implications for the IGOs themselves in regard to their practices of targeting and structuring cross-border interaction within their realm of authority. The following policy recommendations will be provided for each of the two regional IGOs separately.

9.4.1 Recommendations in Case of the EU

The EU has over the years of its existence established an extensive and highly integrated set of institutions and mechanisms that allows it to exert considerable levels of authority on its member states. This includes not only the conception and dissemination of binding provisions that lead to an increase in regional integration and thus to a debordering process but also the ability to monitor transposition and adherence across the member states.

Two issue areas could be identified nonetheless. The first one relates to the administrative capacities of the EU's member states. Especially the subcase of Estonia has revealed a severe lack of institutional maturity. Here, either the Copenhagen Criteria could be adapted to control for such capacities in applicant states or – for ideational reasons – to provide assistance in establishing such capacities. This could be done by providing a framework and guidance so that the administrative branches of newer member states can orient themselves.

The second policy recommendation relates to the evaluation of transposing directives. As has been shown in both of the analyzed subcases, the member states occasionally tend to provide a plethora of older national laws to signal successful transposition. Even the EU with its extensive bureaucratic structures is hard-pressed to follow up on each of these instances. This, however, provides a chance for member states to circumvent or water down specific directives. Similar to the above issue area, a form of framework that explicitly states and summarizes specificities of the transposition mechanism would be useful. However, this should not impede the intrinsic value of the directives approach that enables a more flexible realization of the implementation of EU provisions.

9.4.2 Recommendations in Case of the ASEAN

In contrast to the EU's extensive net of institutions and overlapping control mechanisms, the ASEAN is lacking most forms of monitoring or other follow-up mechanisms that allow it to verify the implementation or even adherence to its provisions. However, as noted repeatedly throughout this research, this is an inherent design choice and is perceived more as a feature than as an obstacle by its members. Yet if ASEAN as a community wants to prevail – especially *vis-à-vis* an increasingly dominant China – a more coordinated and obligatory approach has to be found. It is clear that the discrepancy between the development levels of the ASEAN member states makes any bureaucratically infused 'one-size-fits-all' approach impractical.

An alternative approach could be a community of different integration levels or speeds with an increasing rigidity of obligations. The less developed members thus experience fewer compulsory transposition requirements, while more developed members con-

sequently need to follow stricter stipulations. In order to differentiate between the different levels of development in the region, certain threshold criteria would need to be conceived that also allow for a certain transition period and take national idiosyncrasies into account.

However, this approach would only work if ASEAN members start to convey more authority to ASEAN itself. This includes not only an increase of resources but also an elevation of the ASEAN secretary or the establishment of new sub-institutions that provide guidance in the establishment of new (binding) provisions and who also have the capability to monitor the transposition and adherence. This does not have to follow the rigid approach taken by the EU. Taking the *effet utile* principle and the therein enshrined flexible design of provisions would already enhance the ASEAN integration efforts. But this would work only as long as the member states actually can be held accountable. Reiterating on the manipulated score-card system that was employed for the first phases of the AEC, a more independent and overarching control mechanism seems necessary.

All in all, ASEAN would need to change fundamentally if deeper levels of integration are a goal. As noted before, due to the geopolitical and economic situation within the region, such an approach seems not only advisable but imperative.

Chapter 10

Bibliography

- Abbott, Kenneth W., Robert O. Keohane, Andrew Moravcsik, Anne-Marie Slaughter, and Duncan Snidal (2000). "The Concept of Legalization". In: *International Organization* 54.3, pp. 401–419.
- Abdulla, Ibragimov and Fatimah Mohamed Arshad (2017). "Exploring Relationships between Rubber Productivity and R&D in Malaysia". In: *Outlook on Agriculture* 46.1, pp. 28–35.
- Abel, Guy J. (2010). "International Migration Flow Table Estimation". In: *Statistics in Society* 173.4, pp. 797–825.
- Acharya, Amitav (2007). *ASEAN at 40: Mid-Life Rejuvenation?* Foreign Affairs. URL: <https://www.foreignaffairs.com/articles/asia/2007-08-15/asean-40-mid-life-rejuvenation> (visited on 08/26/2017).
- (2011). "Norm Subsidiarity and Regional Orders: Sovereignty, Regionalism, and Rule-Making in the Third World". In: *International Studies Quarterly* 55.1, pp. 95–123.
- (2014). *Constructing A Security Community in Southeast Asia: Asean and the Problem of Regional Order*. Oxon: Routledge.
- Adcock, Robert and David Collier (2001). "Measurement Validity: A Shared Standard for Qualitative and Quantitative Research". In: *American Political Science Review* 95.3, pp. 529–546.
- Agastia, I.G.B. Dharma (2017). *3 Years Later, Where Is Indonesia's 'Global Maritime Fulcrum'?* The Diplomat. URL: <https://thediplomat.com/2017/11/3-years-later-where-is-indonesias-global-maritime-fulcrum/> (visited on 01/13/2018).
- Agence France-Presse (2015). *Malaysian Taskforce Investigates Allegations \$700m Paid to PM Najib*. The Guardian. URL: <http://www.theguardian.com/world/2015/jul/06/malaysian-task-force-investigates-allegations-700m-paid-to-pm-najib> (visited on 06/08/2021).
- Agnew, John (1994). "The Territorial Trap: The Geographical Assumptions of International Relations Theory". In: *Review of International Political Economy* 1.1, pp. 53–80.

- Ahrne, Göran, Nils Brunsson, and Dieter Kerwer (2016). "The Paradox of Organizing States: A Meta-Organization Perspective on International Organizations". In: *Journal of International Organizations Studies* 7.1, pp. 5–24.
- Ahrne, Göran, Nils Brunsson, and Kristina Tamm Hallström (2007). "Special Issue: Organizing Organizations". In: *Organization* 14.5, pp. 619–727.
- (2009). "International Metaorganisationen Und Ihre Mitglieder". In: *Die Organisierte Welt: Internationale Beziehungen Und Organisationsforschung*. Baden-Baden: Nomos, pp. 41–59.
- Albert, Mathias (1999). "On Boundaries, Territory and Postmodernity: An International Relations Perspective". In: *Territory, Boundaries and Postmodernity*. Ed. by David Newman. London: Frank Cass Publishers, pp. 53–68.
- Albert, Mathias, David Jacobson, and Yosef Lapid (2001). *Identities, Borders, Orders: Rethinking International Relations Theory*. Minneapolis: University of Minnesota Press.
- Almustafa, Maissaa (2021). "Reframing Refugee Crisis: A "European Crisis of Migration" or a "Crisis of Protection"?" In: *Environment and Planning C: Politics and Space*, pp. 1–19.
- Alper, Don K. and Debra J. Salazar (2005). "Identification with Transboundary Places and Support for Ecological Transboundary Governance: A Case Study of British Columbia Environmental Activists". In: *Journal of Borderlands Studies* 20.1, pp. 23–43.
- Amilhat Szary, Anne-Laure and Frédéric Giraut (2015). *Borderities and the Politics of Contemporary Mobile Borders*. Palgrave Macmillan.
- Ancel, Jacques (1938). *Géographie Des Frontières: Préface d'André Siegfried*. Paris: Gallimard.
- (1940). *Manuel Géographique de Politique Européenne*. Paris: Librairie Delagrave.
- Anderson, James and Liam O'Dowd (1999). "Borders, Border Regions and Territoriality: Contradictory Meanings, Changing Significance". In: *Regional Studies* 33.7, pp. 593–604.
- Anderson, James E. and Eric van Wincoop (2003). "Gravity with Gravitas: A Solution to the Border Puzzle". In: *The American Economic Review* 93.1, pp. 170–192.
- Andrijasevic, Rutvica and William Walters (2010). "The International Organization for Migration and the International Government of Borders". In: *Environment and Planning D: Society and Space* 28.6, pp. 977–999.
- Anwar, Dewi Fortuna (1997). *Indonesia in ASEAN: Foreign Policy and Regionalism*. Singapore: Institute of Southeast Asian Studies.
- Armin, Ash (2004). "Regions Unbound: Towards a New Politics of Place". In: *Geografiska Annaler. Series B, Human Geography* 86.1, pp. 33–44.
- Artner, Annamaria (2017). "Role of Indonesia in the Evolution of ASEAN". In: *Journal of East Asian Affairs* 31.1, pp. 1–38.
- ASEAN (2004). *Chairman's Statement of the 10th ASEAN Summit Vientiane, 29 November 2004*. URL: https://asean.org/?static_post=chairman-s-statement-of-the-10th-asean-summit-vientiane-29-november-2004 (visited on 10/13/2020).
- (2011). *Lecture by H.E. Dr. Susilo Bambang Yudhoyono, President of the Republic of Indonesia, on the Occasion of the 44th Anniversary of ASEAN*. URL: <https://>

- [//asean.org/?static_post=lecture-by-he-dr-susilo-bambang-yudhoyono-president-of-the-republic-of-indonesia-on-the-occasion-of-the-44th-anniversary-of-asean](http://asean.org/?static_post=lecture-by-he-dr-susilo-bambang-yudhoyono-president-of-the-republic-of-indonesia-on-the-occasion-of-the-44th-anniversary-of-asean) (visited on 10/22/2020).
- Asian Development Bank Institute (2013). *ASEAN 2030: Toward a Borderless Economic Community*. Chiyoda-ku: Asian Development Bank Institute.
- Attard, Lucienne (2017). *Priority Dossiers under the Estonian EU Council Presidency*. European Parliamentary Research Council. URL: [http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/607253/EPRS_BRI\(2017\)607253_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/607253/EPRS_BRI(2017)607253_EN.pdf) (visited on 08/02/2017).
- Austin, John L. (1962). *How to Do Things with Words*. Oxford: Clarendon Press.
- Axelrod, Robert (1986). "An Evolutionary Approach to Norms". In: *The American Political Science Review* 80.4, pp. 1095–1111.
- Aziz, Rahimah A. (1996). "Paradigm Shift: Malaysia's Development Plans". In: *Akademika* 49, pp. 67–82.
- Baccini, Leonardo and Soo Yeon Kim (2012). "Preventing Protectionism: International Institutions and Trade Policy". In: *Review of International Organizations* 7.4, pp. 369–398.
- Baier, Scott L. and Jeffrey H. Bergstrand (2007). "Do Free Trade Agreements Actually Increase Members' International Trade?" In: *Journal of International Economics* 71.1, pp. 72–95.
- Baier, Scott L., Jeffrey H. Bergstrand, and Michael Feng (2014). "Economic Integration Agreements and the Margins of International Trade". In: *Journal of International Economics* 93.2, pp. 339–350.
- Bailey, Jennifer L. (2008). "Arrested Development: The Fight to End Commercial Whaling as a Case of Failed Norm Change". In: *European Journal of International Relations* 14.2, pp. 289–318.
- Baldwin, Richard and Taglioni Daria (2006). "Gravity for Dummies and Dummies for Gravity Equations". In: *Nber Working Paper Series*, pp. 1–29.
- Balibar, Etienne (1998). "The Borders of Europe". In: *Cosmopolitics: Thinking and Feeling beyond the Nation*. Ed. by Pheng Cheah and Bruce Robbins. Minneapolis: University of Minnesota Press.
- (2002). *Politics and the Other Scene*. London: Verso.
- Baltagi, Badi H. (2013). *Econometric Analysis of Panel Data*. Chichester: John Wiley & Sons.
- Baltagi, Badi H., Peter Egger, and Michael Pfaffermayr (2008). "Estimating Regional Trade Agreement Effects on FDI in an Interdependent World". In: *Journal of Econometrics* 145.1-2, pp. 194–208.
- (2014). "Panel Data Gravity Models of International Trade". In: *CESIFO Working Paper* 4616, pp. 1–58.
- Bandoro, Bantarto (2004). *Foreign-Policy Agenda for the New President*. The Jakarta Post.
- Barnard, Catherine (2016). *The Substantive Law of the EU: The Four Freedoms*. 4th ed. Oxford: Oxford University Press.
- Barnett, Michael and Martha Finnemore (1999). "The Politics, Power, and Pathologies of International Organizations". In: *International Organization* 53.4, pp. 699–732.

- Barnett, Michael and Martha Finnemore (2004). *Rules for the World: International Organizations in Global Politics*. Ithaca: Cornell University Press.
- Baud, Michiel and Willem Van Schendel (1997). "Toward a Comparative History of Borderlands". In: *Journal of World History* 8.2, pp. 211–242.
- Bauder, Harald (2015). "Perspectives of Open Borders and No Border". In: *Geography Compass* 97.10, pp. 395–405.
- Bearce, David H. and Stacy Bondanella (2007). "Intergovernmental Organizations, Socialization, and Member-State Interest Convergence". In: *International Organization* 61.4, pp. 703–733.
- Beckfield, Jason (2008). "The Dual World Polity: Fragmentation and Integration in the Network of Intergovernmental Organizations". In: *Social Problems* 55.3, pp. 419–442.
- (2010). "The Social Structure of the World Polity". In: *American Journal of Sociology* 115.4, pp. 1018–1068.
- Bergman, Michael (2011). "Best in Class: Public Finances in Sweden during the Financial Crisis". In: *Panoeconomicus* 58.4, pp. 431–453.
- Bergstrand, Jeffrey H., Mario Larch, and Yoto V. Yotov (2015). "Economic Integration Agreements, Border Effects, and Distance Elasticities in the Gravity Equation". In: *European Economic Review* 78, pp. 307–327.
- Bergström, Hans (1995). *Nostalgin Som Säkerhetspolitik*. Dagens Nyheter 08.10.1995. URL: <https://www.dn.se/arkiv/ledare/nostalgin-som-sakerhetspolitik/> (visited on 06/02/2020).
- Beukel, Erik (2008). "ASEAN and ARF in East Asia's Security Architecture: The Role of Norms and Power". In: *DIIS Report* 4.
- Biermann, Rafael (2008). "Towards a Theory of Inter-Organizational Networking". In: *Review of International Organizations* 3.2, pp. 151–177.
- (2011). "Inter-Organizational Relations: An Emerging Research Programme". In: *The Ashgate Research Companion to Non-State Actors*. Ed. by Bob Reinalda. Farnham: Ashgate.
- Bigo, Didier (2001). "The Möbius Ribbon of Internal and External Security(Ies)". In: *Identities, Borders, Orders: Rethinking International Relations Theory*. Ed. by Mathias Albert, David Jacobson, and Yosef Lapid. Minnesota: University of Minnesota Press, pp. 91–116.
- Bigo, Didier and Robert B.J. Walker (2007). "Political Sociology and the Problem of the International". In: *Millennium - Journal of International Studies* 35.3, pp. 725–739.
- Björkdahl, Annika (2004). "Normative Influence in World Politics: Towards a Theoretical Framework for Norm Export and Norm Import". In: *New Roles for the European Union in International Politics*. Uppsala, pp. 1–28.
- Björkdahl, Annika, Natalia Chaban, John Leslie, and Annick Masselot (2015). "Introduction: To Take or Not to Take EU Norms? Adoption, Adaptation, Resistance and Rejection". In: *Importing EU Norms: Conceptual Framework and Empirical Findings*. Ed. by Annika Björkdahl, Natalia Chaban, John Leslie, and Annick Masselot. Heidelberg: Springer, pp. 1–9.

- Block-Lieb, Susan and Terence C. Halliday (2017). *Global Lawmakers: International Organizations in the Crafting of World Markets*. Cambridge: Cambridge University Press.
- Bloomfield, Alan and Shirley V. Scott (2017). “Norm Antipreneurs in World Politics”. In: *Norm Antipreneurs and the Politics of Resistance to Global Normative Change*. Ed. by Alan Bloomfield and Shirley V. Scott. Oxon: Routledge.
- Boehmer, Charles and Timothy Nordstrom (2008). “Intergovernmental Organization Membership: Examining Political Community and the Attributes of International Organizations”. In: *International Interactions* 34.3, pp. 282–309.
- Boggs, Samuel W. (1940). *International Boundaries: A Study of Boundary Functions and Problems*. New York: Columbia University Press.
- Bogner, Alexander and Wolfgang Menz (2002). “Expertenwissen Und Forschungspraxis: Die Modernisierungstheoretische Und Methodische Debatte Um Die Experten”. In: *Das Experteninterview: Theorie, Methode, Anwendung*. Opladen: Leske + Budrich, pp. 7–29.
- Boli, John and George M. Thomas (1999). *Constructing World Culture. International Nongovernmental Organizations since 1875*. Stanford: Stanford University Press.
- Bolling, Anders and Hanna Jakobson (2019). *Löfven Vill Ge Polisen Bättre Möjligheter Att Avlyssna Samtal*. Dagens Nyheter 10.09.2019. URL: <https://www.dn.se/nyheter/politik/just-nu-riksmotet-oppnas-lofven-regeringsforklaring/> (visited on 06/02/2020).
- Bond, Ian, Christian Odendahl, and Jennifer Rankin (2015). “Frozen: Frozen: The Politics and The Politics and Economics of Economics of Sanctions against Sanctions against Russia Russia Frozen: The Politics and Economics of Sanctions against Russia”. In: *Centre For European Reform*, p. 23.
- Bondesson, Mikael (2010). *Reinfeldts Regeringsförklaring*. Dagens Nyheter 05.10.2010. URL: <https://www.dn.se/nyheter/politik/reinfeldts-regeringsforklaring/> (visited on 06/02/2020).
- Bones, Stian (2013). “Science In-between: Norway, the European Arctic and the Soviet Union”. In: *Science, Geopolitics and Culture in the Polar Region: Norden Beyond Borders*. Ed. by Sverker Sörlin. Farnham: Ashgate, pp. 143–170.
- Börzel, Tanja A., Tobias Hofmann, and Diana Panke (2012). “Caving in or Sitting It out? Longitudinal Patterns of Non-Compliance in the European Union”. In: *Journal of European Public Policy* 19.4, pp. 454–471.
- Börzel, Tanja A., Tobias Hofmann, Diana Panke, and Carina Sprungk (2010). “Obstinate and Inefficient: Why Member States Do Not Comply with European Law”. In: *Comparative Political Studies* 43.11, pp. 1363–1390.
- Börzel, Tanja A. and Ulrich Sedelmeier (2017). “Larger and More Law Abiding? The Impact of Enlargement on Compliance in the European Union”. In: *Journal of European Public Policy* 24.2, pp. 197–215.
- Börzel, Tanja A. and Michael Zürn (2021). “Contestations of the Liberal International Order: From Liberal Multilateralism to Postnational Liberalism”. In: *International Organization* 75.2, pp. 282–305.
- Boström, Magnus and Christina Garsten (2008). *Organizing Transnational Accountability*. Chenttenham: Edward Elgar.

- Brambilla, Chiara (2015). "Exploring the Critical Potential of the Borderscapes Concept". In: *Geopolitics* 20.1, pp. 14–34.
- Brenner, Neil (1999). "Globalisation as Reterritorialisation: The Re-Scaling of Urban Governance in the European Union". In: *Urban Studies* 36.3, pp. 431–451.
- Broner, Fernando, Tatiana Didier, Aitor Erce, and Sergio L. Schmukler (2013). "Gross Capital Flows: Dynamics and Crises". In: *Journal of Monetary Economics* 60.1, pp. 113–133.
- Brors, Henrik (2002). *Göran Persson Stärker Sin Makt*. Dagens Nyheter. URL: <https://www.dn.se/nyheter/politik/goran-persson-starker-sin-makt/> (visited on 06/02/2020).
- Brunsson, Nils and Bengt Jacobsson (2000). *A World of Standards*. Oxford: Oxford University Press.
- Calmfors, Lars (2002). *DN Debatt: Professor Lars Calmfors Efter Eurostarten: "EMU Kräver Mer Politisk Disciplin"*. Dagens Nyheter. URL: <https://www.dn.se/arkiv/debatt/dn-debatt-professor-lars-calmfors-efter-eurostarten-emu-kraver-mer-politisk-disciplin/> (visited on 06/02/2020).
- Card, David (2001). "Immigrant Inflows, Native Outflows, and the Local Labor Market Impacts of Higher Immigration". In: *Journal of Labor Economics* 19.1, pp. 22–64.
- Carlbohm, Mats (2008). *"EU-Motstånd Inget Hinder För Samarbete"*. Dagens Nyheter. URL: <https://www.dn.se/arkiv/sverige/eu-motstand-inget-hinder-for-samarbete/> (visited on 06/02/2020).
- Carr, Edward H. (1946). *The Twenty Years' Crisis, 1919-1939: An Introduction to the Study of International Relations*. 2nd ed. London: Macmillan.
- Carter, David B. and H. E. Goemans (2011). "The Making of the Territorial Order: New Borders and the Emergence of Interstate Conflict". In: *International Organization* 65.02, pp. 275–309.
- (2018). "International Trade and Coordination: Tracing Border Effects". In: *World Politics* 70.1, pp. 1–52.
- Castells, Manuel (2018). "Introduction: Fading of a Dream?" In: *Europe's Crises*. Ed. by Manuel Castells, Olivier Bouin, Joao Caraca, Gustavo Cardoso, John B. Thompson, and Michel Wieviorka. Cambridge: Polity Press, pp. 1–8.
- Chambers, Peter (2015). "The Embrace of Border Security: Maritime Jurisdiction, National Sovereignty, and the Geopolitics of Operation Sovereign Borders". In: *Geopolitics* 20.2, pp. 404–437.
- Checkel, Jeffrey T. (1999). "Norms, Institutions, and National Identity in Contemporary Europe". In: *International Studies Quarterly* 43.1, pp. 83–114.
- (2001a). "The Europeanization of Citizenship?" In: *Transforming Europe: Europeanization and Domestic Change*. Ed. by Maria Green Cowles, James A. Caporaso, and Thomas Risse. Cornell University Press, pp. 180–199.
- (2001b). "Why Comply? Social Learning and European Identity Change". In: *International Organization* 55.3, pp. 553–588.
- (2005). "International Institutions and Socialization in Europe: Introduction and Framework". In: *International Organization* 59.4, pp. 801–826.

- Childs, Sarah and Mona Lena Krook (2006). “Critical Perspectives: Do Women Represent Women? Rethinking the “Critical Mass” Debate”. In: *Politics & Gender* 2, pp. 491–530.
- Cho, Sungjoon and Jürgen Kurtz (2016). “The Limits of Isomorphism: Global Investment Law and the ASEAN Investment Regime”. In: *Chicago Journal of International Law* 17.2, p. 30.
- Church, Andrew and Peter Reid (1999). “Cross-Border Co-Operation, Institutionalization and Political Space Across the English Channel”. In: *Regional Studies* 33.7, pp. 643–655.
- Cini, Michelle and Nieves Pérez-Solórzano Borragán (2016). “Introduction”. In: *European Union Politics*. Ed. by Michelle Cini and Nieves Pérez-Solórzano Borragán. 5th ed. Oxford: Oxford University Press, pp. 1–8.
- Cirtautas, Arista Maria and Frank Schimmelfennig (2010). “Europeanisation before and after Accession: Conditionality, Legacies and Compliance”. In: *Europe-Asia Studies* 62.3, pp. 421–441.
- Ciuriak, Dan, Ali Dadkhah, and Dmitry Lysenko (2020). “The Effect of Binding Commitments on Services Trade”. In: *World Trade Review* 19.3, pp. 365–378.
- Cobb, Roger W. and Charles Elder (1970). *International Community*. New York: Holt, Rinehart & Winston.
- Cooper, Anthony (2012). “Globalization and Borders: Theorising Borders as Mechanisms of Connection”. University of London.
- Cooper, Anthony and Chris Perkins (2012). “Borders and Status-Functions: An Institutional Approach to the Study of Borders”. In: *European Journal of Social Theory* 15.1, pp. 55–71.
- Cooper, Richard N. (1995). *Review: The End of the Nation State: The Rise of Regional Economies by Kenichi Ohmae*. Foreign Affairs. URL: <https://www.foreignaffairs.com/reviews/capsule-review/1995-07-01/end-nation-state-rise-regional-economies> (visited on 04/06/2016).
- Cortell, Andrew P. and James W. Davis (2000). “Understanding the Domestic Impact of International Norms: A Research Agenda”. In: *International Studies Review* 2.1, pp. 65–87.
- Csehi, Robert and Edit Zgut (2021). “‘We Won’t Let Brussels Dictate Us’: Eurosceptic Populism in Hungary and Poland”. In: *European Politics and Society* 22.1, pp. 53–68.
- Cunningham, Hilary (2001). “Transnational Politics at the Edges of Sovereignty: Social Movements, Crossings and the State at the US-Mexico Border”. In: *Global Networks* 1.4, pp. 369–387.
- (2004). “Nations Rebound?: Crossing Borders in a Gated Globe”. In: *Identities* 11.3, pp. 329–350.
- Czarny, Ryszard M. (2018). *Sweden: From Neutrality to International Solidarity*. Cham: Springer.
- Dai, Xinyuan (2013). “The “Compliance Gap” and the Efficacy of International Human Rights Institutions”. In: *The Persistent Power of Human Rights: From Commitment to Compliance*. Ed. by Thomas Risse and Kathryn Sikkink. Cambridge: Cambridge University Press, pp. 85–102.

- David, Harry Lane (2007). "A Guide to Measures of Trade Openness and Policy". In: *Claremon Working Papers*, pp. 1–39.
- De Vries, Catherine E., Sara B. Hobolt, and Stefanie Walter (2021). "Politicizing International Cooperation: The Mass Public, Political Entrepreneurs, and Political Opportunity Structures". In: *International Organization* 75.2, pp. 306–332.
- Dedina, Serge (1995). "The Political Ecology of Transboundary Development: Land Use, Flood Control and Politics in the Tijuana River Valley". In: *Journal of Borderlands Studies* 10.1, pp. 89–110.
- Deitelhoff, Nicole and Lisbeth Zimmermann (2020). "Things We Lost in the Fire: How Different Types of Contestation Affect the Robustness of International Norms". In: *International Studies Review* 22.1, pp. 51–76.
- Dekker, Ige F. and Ramses A. Wessel (2004). "Governance by International Organizations: Rethinking the Normative Force of International Organizations". In: *Governance and International Legal Theory*. Ed. by Ige F. Dekker and Wouter Werner. Dordrecht: Springer, pp. 215–236.
- Delgado, Richard and Jean Stefancic (2012). *Critical Race Theory: An Introduction*. New York: New York University Press.
- Desker, Berry (2008). "Where the ASEAN Charter Comes up Short". In: *The Straits Times*.
- Deutsch, Karl W. (1969). *Nationalism and Its Alternatives*. New York: Random House.
- Deutsch, Karl W., Sidney A. Burrell, Robert A. Kann, and Maurice Lee Jr. (1957). *Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience*. Princeton: Princeton University Press.
- Devare, Sudhir T. (2004). *A Step Closer to Asian Mega-Merger*. New Straits Times. URL: <http://digital.nstp.com.my/nst/pageflip/swipe/nstnews/20041127nstnews> (visited on 05/20/2020).
- DeWaard, Jack and James Raymer (2012). "The Temporal Dynamics of International Migration in Europe: Recent Trends". In: *Demographic Research* 26.21, pp. 543–592.
- Dhingra, Swati and Thomas Sampson (2016). "UK-EU Relations after Brexit: What Is Best for the UK Economy?" In: *Brexit Beckons: Thinking Ahead in Leading Economists*. Ed. by Simon Tilford. London: Centre for Economic Policy Research, pp. 59–64.
- Diehl, Paul F. and Gary Goertz (1992). *Territorial Changes and International Conflict*. London: Routledge.
- Diener, Alexander C. and Joshua Hagen (2009). "Theorizing Borders in a 'Borderless World': Globalization, Territory and Identity". In: *Geography Compass* 3.3, pp. 1196–1216.
- Diez, Thomas, Michelle Pace, Bahar Rumelili, and Jevgenia Viktorova (2006). *EUBorder-Conf: Final Report (2003-2005)*. URL: <http://www.birmingham.ac.uk/Documents/college-social-sciences/government-society/polsis/research/eu-border-conflict/eu-border-conf-final-report.pdf> (visited on 05/10/2016).
- Dijstelbloem, Huub and Dennis Broeders (2015). "Border Surveillance, Mobility Management and the Shaping of Non-Publics in Europe". In: *European Journal of Social Theory* 18.1, pp. 21–38.

-
- DiMaggio, Paul J. and Walter W. Powell (1983). "The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields". In: *American Sociological Review* 48.2. Ed. by Paul J. DiMaggio and Walter W. Powell, pp. 63–82.
- Dingwerth, Klaus and Phillipp Pattberg (2009). "World Politics and Organizational Fields: The Case of Transnational Sustainability Governance". In: *European Journal of International Relations* 15.4, pp. 707–743.
- Doherty, Brian and Timothy Doyle (2006). "Beyond Borders: Transnational Politics, Social Movements and Modern Environmentalisms". In: *Environmental Politics* 15.5, pp. 697–712.
- Donnelly, Jack (2013). *Universal Human Rights in Theory and Practice*. Ithaca: Cornell University Press.
- Donno, Daniela (2010). "Who Is Punished? Regional Intergovernmental Organizations and the Enforcement of Democratic Norms". In: *International Organization* 64.4, pp. 593–625.
- Donno, Daniela, Shawna K. Metzger, and Bruce Russett (2015). "Screening Out Risk: IGOs, Member State Selection, and Interstate Conflict, 1951-2000". In: *International Studies Quarterly* 59.2, pp. 251–263.
- Dorakh, Alena (2020). "A Gravity Model Analysis of FDI across EU Member States". In: *Journal of Economic Integration* 35.3, pp. 426–456.
- Dörge, Freidrich C. (2004). "Illocutionary Acts". Inaugural-Dissertation. Eberhard-Karls-Universität Tübingen.
- Dosch, Jörn (2017). "The ASEAN Economic Community: Deep Integration or Just Political Window Dressing". In: *Trans -Regional and -National Studies of Southeast Asia* 5.1, pp. 25–47.
- Doyle, Michael W. (1983). "Kant, Liberal Legacies, and Foreign Affairs". In: *Philosophy & Public Affairs* 12.3, pp. 205–235.
- (2005). "Three Pillars of the Liberal Peace". In: *American Political Science Review* 99.3, pp. 463–466.
- Drezner, Daniel W. (2013). "The Tragedy of the Global Institutional Commons". In: *Back to Basics: State Power in a Contemporary World*. Ed. by Martha Finnemore and Judith L. Goldstein. Oxford: Oxford University Press, pp. 280–312.
- Drori, Gili S., John W. Meyer, and Hokyu Hwang (2006). *Globalization and Organization: World Society and Organizational Change*. Oxford: Oxford University Press.
- Dubois, Alexandre, Sigrid Hedin, Peter Schmitt, and José Sterling (2009). "EU Macro-Regions and Macro-Regional Strategies: A Scoping Study". In: *Nordregio Working Paper* 4, pp. 1–43.
- Duc, Cindy, Clotilde Granger, and Jean-Marc Siroën (2004). "Trade and Democracy: An Empirical Investigation". In: *European Trade Study Group*. Nottingham, pp. 1–13.
- Duffield, John S. (1999). "Political Culture and State Behavior: Why Germany Confounds Neorealism". In: *International Organization* 53.4, pp. 765–803.
- Eamets, Raul, urmas Varblane, and Kaja Sõstra (2003). "External Macroeconomic Shocks and the Estonian Economy: How Did the Russian Financial Crisis Affect Estonian Unemployment and Foreign Trade". In: *Baltic journal of Economics* 3.2, pp. 5–24.

- Ehin, Piret (2015). "The Estonian Parliament and EU Affairs: A Watchdog That Does Not Bark?" In: *The Palgrave Handbook of National Parliaments and the European Union*. Ed. by Claudia Heffler, Christine Neuhold, Oliver Rozenberg, and Julie Smith. Basingstoke: Palgrave MacMillan, pp. 513–530.
- Elden, Stuart (2005). "Missing the Point: Globalization, Deterritorialization and the Space of the World". In: *Transactions of the Institute of British Geographers* 30.1, pp. 8–19.
- Elman, Miriam Fendius (1997). "The Need for a Qualitative Test of the Democratic Peace Theory". In: *Paths to Peace: Is Democracy the Answer?* Ed. by Miriam Fendius Elman. Cambridge: MIT Press, pp. 1–57.
- Emerson, Michael (2014). "The EU-Ukraine-Russia Sanctions Triangle". In: *CEPS Commentary* (October), pp. 1–6.
- Engert, Stefan (2010). *EU Enlargement and Socialization: Turkey and Cyprus*. Oxon: Routledge.
- Epstein, Charlotte (2012). "Stop Telling Us How to Behave: Socialization or Infantilization?" In: *International Studies Perspective* 13.2, pp. 135–145.
- Erikson, Robert S., Pablo M. Pinto, and Kelly T. Rader (2009). "'Dirty Pool' Revisited: When Less Is More". In: *Meeting of the American Political Science Association*.
- Erlanger, Steven (1992). *In the Baltics, There May Be No Home for Russians*. The New York Times. URL: <https://www.nytimes.com/1992/11/22/world/in-the-baltics-there-may-be-no-home-for-russians.html> (visited on 06/05/2020).
- ERR (2004a). *Parts on Vastu Kahekiiruselisele Euroopale*. URL: <https://www.err.ee/416861/parts-on-vastu-kahekiiruselisele-euroopale> (visited on 05/31/2021).
- (2004b). *Parts: Euroopaga Liitumine on Väljakutse Kõigile Erakondadele*. URL: <https://www.err.ee/416944/parts-euroopaga-liitumine-on-valjakutse-koigile-erakondadele> (visited on 05/31/2021).
- (2005a). *Ansip Rõhutas Koostöösuhete Vajalikkust EL-is*. URL: <https://www.err.ee/430268/ansip-rohutas-koostoosuhete-vajalikkust-el-is> (visited on 06/01/2021).
- (2005b). *Valitsuse Pöördumine EL-i Astumise Aastapäevaks*. URL: <https://www.err.ee/429993/valitsuse-poordumine-el-i-astumise-aastapaevaks> (visited on 09/09/2020).
- (2007). *Ansip: Eesti Jätkab Konservatiivse Eelarvepoliitika*. URL: <https://www.err.ee/458046/ansip-eesti-jatkab-konservatiivse-eelarvepoliitika> (visited on 06/01/2021).
- (2008a). *Ansip: Finantskriis Mõjutab Meie Eksportturge*. URL: <https://www.err.ee/481624/ansip-finantskriis-mojutab-meie-eksportturge> (visited on 06/01/2021).
- (2008b). *Ansip: Koostame Võimalikult Kiiresti Negatiivse Eelarve*. URL: <https://www.err.ee/472112/ansip-koostame-voimalikult-kiiresti-negatiivse-eelarve> (visited on 06/01/2021).
- (2008c). *Ansip: Praegune Valitsus Defitsiidis Eelarvet Vastu Ei Võta*. URL: <https://www.err.ee/469745/ansip-praegune-valitsus-defitsiidis-eelarvet-vastu-ei-vota> (visited on 06/01/2021).

-
- (2014a). *Rõivas: Eesti Soovib Muuta EL-i Ja NATO-t Tugevamaks*. URL: <https://www.err.ee/512003/roivas-eesti-soovib-muuta-el-i-ja-nato-t-tugevamaks> (visited on 06/01/2021).
 - (2014b). *Rõivase Sõnul Hakkab Euroopa Tasapisi Nimetama Ukrainas Toimuvat Õigete Nimedega*. URL: <https://www.err.ee/519105/roivase-sonul-hakkab-euroopa-tasapisi-nimetama-ukrainas-toimuvat-oigete-nimedega> (visited on 06/01/2021).
 - (2015a). *Komisjoni Plaan: Eesti Peaks Itaaliast Võtma 443 Ja Kreekast 295 Põgenikku*. URL: <https://www.err.ee/535757/komisjoni-plaan-eesti-peaks-itaaliast-votma-443-ja-kreekast-295-pogenikku> (visited on 06/02/2021).
 - (2015b). *Ministeerium: Eesti Võtab Ümberpaigutamise Esimeses Etapis Vastu 150 Põgenikku*. URL: <https://www.err.ee/538834/ministeerium-eesti-votab-umberpaigutamise-esimeses-etapis-vastu-150-pogenikku> (visited on 06/02/2021).
 - (2015c). *Peaminister Rõivas: Inimkaubandus Vahemerel Peab Lõppema*. URL: <https://www.err.ee/533793/peaminister-roivas-inimkaubandus-vahemerel-peab-loppema> (visited on 06/02/2021).
 - (2015d). *Praegu Saab Eesti Põgenikke Valida Vaid Julgeolekuhu Puhul*. URL: <https://www.err.ee/536243/praegu-saab-eesti-pogenikke-valida-vaid-julgeolekuhu-puhul> (visited on 06/02/2021).
 - (2015e). *Rõivas Ja Pevkur: Eesti Ei Saa 1064 Põgeniku Vastuvõtmisega Nõus Olla*. URL: <https://www.err.ee/535801/roivas-ja-pevkur-eesti-ei-saa-1064-pogeniku-vastuvotmisega-nous-olla> (visited on 06/02/2021).
- Esteve-Pérez, Silvano, Salvador Gil-Pareja, and Rafael Llorca-Vivero (2020). “Does the GATT/WTO Promote Trade? After All, Rose Was Right”. In: *Review of World Economics* 156.2, pp. 377–405.
- Estonian Government (1992). *Koalitsioonilepe 19. Oktoobri 1992*. URL: https://www.valitsus.ee/sites/default/files/rk_valitsused/valitsus/19.10.1992_ersp_isamaa_moodukad_koalitsioonilepelaar.pdf (visited on 06/05/2020).
- (1994). *Valitsuse Moodustamise Kokkuleppe Alused*. URL: https://www.valitsus.ee/sites/%20default/files/rk_valitsused/valitsus/03.11.1994_ersp_moodukad_isamaa_valitsuse_moodustamise_kokkuleppe_alusedtarand.pdf (visited on 06/05/2020).
 - (2002). *Siim Kallas Met Today with the President of the European Commission, Romano Prodi*. URL: <https://www.valitsus.ee/en/news/siim-kallas-met-today-president-european-commission-romano-prodi> (visited on 05/31/2021).
 - (2005). *Vabariigi Valitsuse Pöördumine Seoses Aasta Möödumisega Eesti Astumisest Euroopa Liitu*. URL: <https://www.valitsus.ee/et/uudised/vabariigi-valitsuse-poordumine-seoses-aasta-moodumisega-eesti-astumisest-euroopa-liitu> (visited on 06/04/2020).
 - (2006). *Statement of Prime Minister Andrus Ansip on Ratification of the Treaty Establishing a Constitution for Europe*. URL: <https://www.valitsus.ee/en/news/statement-prime-minister-andrus-ansip-ratification-treaty-establishing-constitution-europe> (visited on 06/01/2021).

- European Bank for Reconstruction and Development (1999). *Transition Report 1999: Ten Years of Transition*. Resreport. London: European Bank for Reconstruction and Development.
- European Commission (1998). *Regular Report from the Commission on Estonia's Progress Towards Accession*. URL: http://aei.pitt.edu/44562/1/estonia_1998.pdf (visited on 05/15/2018).
- (2007). *Cohesion Policy 2007–13: Commentaries and Official Texts*. Luxembourg: Office for Official Publications of the European Communities.
- (2021). *A European Green Deal*. URL: https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_en (visited on 07/16/2021).
- European Union (1997). “Treaty of Amsterdam Amending the Treaty of European Union”. In: *Official Journal of the European Union* 40 (C 340).
- (2004). “Council Regulation (EC) No 2007/2004 of 26 October 2004: Establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union”. In: *Official Journal of the European Union* L 349, pp. 1–11.
- (2009). *Macro-Regional Strategies in the European Union*. URL: http://ec.europa.eu/regional_policy/sources/cooperate/baltic/pdf/macroregional_strategies_2009.pdf (visited on 10/21/2015).
- (2012). “Consolidated Versions of the Treaty on European Union and the Treaty on the Functioning of the European Union”. In: *Official Journal of the European Union* 55 (C 326), pp. 1–407.
- (2016). “Consolidated Versions of the Treaty on European Union and the Treaty on the Functioning of the European Union”. In: *Official Journal of the European Union* 59 (C 202), pp. 1–407.
- Fally, Thibault (2015). “Structural Gravity and Fixed Effects”. In: *Journal of International Economics* 97, pp. 76–85.
- Farrell, Theo (2002). “Constructivist Security Studies: Portrait of a Research Program”. In: *International Studies Review* 4.1, pp. 49–72.
- Fein, Lisa C. (2005). “Symbolic Boundaries and National Borders: The Construction of an Estonian Russian Identity”. In: *Nationalities Papers* 33.3, pp. 333–344.
- Feldmann, Magnus and Razeen Sally (2002). “From the Soviet Union to the European Union: Estonian Trade Policy, 1991 - 2000”. In: *The World Economy* 25.1, pp. 79–106.
- Few-Demo, April L. (2014). “Intersectionality as the “New” Critical Approach in Feminist Family Studies: Evolving Racial/Ethnic Feminisms and Critical Race Theories”. In: *Journal of Family Theory & Review* 6.2, pp. 169–183.
- Finnemore, Martha (1996). *National Interests in International Society*. Ithaca: Cornell University Press.
- Finnemore, Martha and Kathryn Sikkink (1998). “International Norm Dynamics and Political Change”. In: *International Organization* 52.4, pp. 887–917.
- Fischer, Eric (1948). “On Boundaries”. In: *World Politics* 1.2, pp. 196–222.
- Flores, Juan (2015). *Flyktingkrisen Präglade Riksdagsinvigningen*. Dagens Nyheter. URL: <https://www.dn.se/nyheter/sverige/flyktingkrisen-praglade-riksdagsinvigningen/> (visited on 06/02/2020).

- Foucault, Michel (2004). *Sécurité, Territoire, Population: Cours Au College de Franc, 1977-1978*. Paris: Gallimard, Seuil, Collection Hautes Etudes.
- Frankel, Jeffrey A. and David H. Romer (1999). “Does Trade Cause Growth?” In: *American Economic Review* 89.3, pp. 379–399.
- Friborg, Charlotta (2003). *APROPÅ/EMU*. Dagens Nyheter. URL: <https://www.dn.se/arkiv/ledare/apropa-emu/> (visited on 06/02/2020).
- Friedrich, Peter and Janno Reiljan (2015). “Estonian Economic Policy during Global Financial Crises”. In: *CESifo Forum* 4, pp. 37–44.
- Fukuyama, Francis (1992). *The End of History and the Last Man*. Vol. 22. New York: Free Press.
- Furtak, Florian T. (2015). “Integration in Regional Organizations? A Comparison of EU, AU, OAS, and ASEAN”. In: *Journal of Civil & Legal Sciences* 4.2, pp. 1–4.
- Gamlen, Alan (2014). “Diaspora Institutions and Diaspora Governance”. In: *International Migration Review* 48.1, pp. 180–217.
- Glaser, Bonnie S. (2012). *Armed Clash in the South China Sea*. Council of Foreign Relations. URL: <http://www.cfr.org/world/armed-clash-south-china-sea/p27883> (visited on 10/20/2015).
- Goertz, Gary and Paul F. Diehl (1995). “The Initiation and Termination of Enduring Rivalries: The Impact of Political Shocks”. In: *American Journal of Political Science* 39.1, pp. 30–52.
- Gomez, Charles J. and Paolo Parigi (2015). “The Regionalization of Intergovernmental Organization Networks: A Non-Linear Process”. In: *Social Networks* 43, pp. 192–203.
- Gouel, Christophe, Houssein Guimbard, and David Laborde (2012). “A Foreign Direct Investment Database for Global CGE Models”. In: *CEPII Working Papers* 2012.8, pp. 1–35.
- Gourieroux, C., A. Monfort, and A. Trognon (1984). “Pseudo Maximum Likelihood Methods: Theory”. In: *Econometrica: Journal of the Econometric Society* 52.3, pp. 681–700.
- Gowa, Joanne and Raymond Hicks (2013). “Politics, Institutions, and Trade: Lessons of the Interwar Era”. In: *International Organization* 67.3, pp. 439–467.
- Graham, Euan (2016). *The Hague Tribunal’s South China Sea Ruling: Empty Provocation or Slow-Burning Influence?* Council of Foreign Relations. URL: http://www.cfr.org/councilofcouncils/global_memos/p38227 (visited on 09/21/2016).
- Green, David Jay (2010). “Southeast Asia’s Policy Response to the Global Economic Crisis”. In: *ASEAN Economic Bulletin* 27.1, pp. 5–26.
- Gussarsson, Maria (2005). “Combining Dependence with Distance: Sweden”. In: *European Union Enlargement: A Comparative History*. Ed. by Wolfram Kaiser and Jürgen Elvert. London: Routledge, pp. 181–200.
- Hagelund, Anniken (2020). “After the Refugee Crisis: Public Discourse and Policy Change in Denmark, Norway and Sweden”. In: *Comparative Migration Studies* 8.1, p. 13.
- Halim, Haeril (2017). *Jokowi Encourages ASEAN to Take on Global Challenges*. The Jakarta Post. URL: <https://www.thejakartapost.com/seasia/2017/04/30/>

- [jokowi-encourages-asean-to-take-on-global-challenges.html](#) (visited on 10/22/2020).
- Hartlapp, Miriam (2008). “Two Variations on a Theme? Different Logics of Implementation Policy in the European Union and the International Labor Organization”. In: *International Organizations and Implementation: Enforcers, Managers, Authorities?* Ed. by Jutta Joachim, Bob Reinalda, and Bertjan Verbeek. Oxon: Routledge, pp. 21–30.
- Hartlapp, Miriam and Gerda Falkner (2009). “Problems of Operationalization and Data in EU Compliance Research”. In: *European Union Politics* 10.2, pp. 281–304.
- Hawkins, Darren G., David A. Lake, Daniel L. Nielson, and Michael J. Tierney (2006). “Delegation under Anarchy: States, International Organizations, and Principal-Agent Theory”. In: *Delegation and Agency in International Organizations*. Cambridge: Cambridge University Press, pp. 3–38.
- Head, Keith, Thierry Mayer, and John Ries (2010). “The Erosion of Colonial Trade Linkages after Independence”. In: *CEPII Working Papers* 81.1, pp. 1–14.
- Hedetoft, Ulf (2003). *The Global Turn: National Encounters with the World*. Aalborg: Aalborg University Press.
- Heiduk, Felix (2016). “Indonesia in ASEAN: Regional Leadership between Ambition and Ambiguity”. In: *SWP Research Paper* 6.1, pp. 1–38.
- Henderson, Jeannie (1999). *Reassessing ASEAN*. London: Routledge.
- Hern, Alex (2019). *What Do Major Copyright Changes Mean for Internet Freedom?* The Guardian. URL: <https://www.theguardian.com/technology/2019/mar/26/what-do-major-copyright-changes-mean-for-internet-freedom> (visited on 07/12/2019).
- Hirsch, Michal Ben-Josef and Jennifer M. Dixon (2021). “Conceptualizing and Assessing Norm Strength in International Relations”. In: *European Journal of International Relations* 27.2, pp. 521–547.
- Hitzler, Ronald, Anne Honer, and Christoph Maeder (1994). *Expertenwissen: Die Institutionalisierte Kompetenz Zur Konstruktion von Wirklichkeit*. Opladen: Westdeutscher Verlag.
- Hoang, Hong Hiep and Michaël Goujon (2019). “Determinants of Intra-Region and Extra-Region Foreign Direct Investment Inflow in ASEAN: A Spatial Econometric Analysis”. In: *Applied Spatial Analysis and Policy* 12.4, pp. 965–982.
- Hogan, John (2006). “Remoulding the Critical Junctures Approach”. In: *Canadian Journal of Political Science* 39.3, pp. 657–679.
- Hoong, Khong Kim (1991). “Malaysia 1990: The Election Show-Down”. In: *Southeast Asian Affairs*, pp. 161–179.
- Huntley, Wade L (1996). “Kant’s Third Image: Systemic Sources of the Liberal Peace”. In: *International Studies Quarterly* 40.1, pp. 45–76.
- Ibison, David (2008). *Swedish Economy in Recession*.
- Ignatieff, Michael, Juliette Keeley, Betsy Ribble, and Keith McCammon (2016). “The United States and the European Refugee Crisis: Standing with Allies”. In: *Faculty Research Working Paper Series* 16.20, p. 15.
- Ikenberry, G. John (2008). “Explaining Crisis and Change in Transatlantic Relations: An Introduction”. In: *The End of the West? Crisis and Change in the Atlantic Order*.

- Ed. by G. John Ikenberry, Jeffrey J. Anderson, and Thomas Risse. Ithaca: Cornell University Press, pp. 1–27.
- IMF (2016). *Direction of Trade Statistics Database*. URL: <http://data.imf.org/?sk=9D6028D4-F14A-464C-A2F2-59B2CD424B85> (visited on 11/11/2016).
- Indonesian Government (2007). *Nomor 25 Tahun 2007: Tentang Penanaman Modal*. URL: <https://peraturan.go.id/common/dokumen/ln/2007/uu25-2007.pdf> (visited on 05/31/2021).
- (2008). *INPRES No. 5 Tahun 2008 Tentang Fokus Program Ekonomi Tahun 2008-2009 [JDIH BPK RI]*. URL: <https://peraturan.bpk.go.id/Home/Details/11291/inpres-no-5-tahun-2008> (visited on 10/22/2020).
- (2011). *INPRES No. 11 Tahun 2011 Tentang Pelaksanaan Komitmen Cetak Biru Masyarakat Ekonomi Association Of Southeast Asian Nations Tahun 2011 [JDIH BPK RI]*. URL: <https://peraturan.bpk.go.id/Home/Details/11356/inpres-no-11-tahun-2011> (visited on 10/22/2020).
- (2014a). *INPRES No. 6 Tahun 2014 Tentang Peningkatan Daya Saing Nasional Dalam Rangka Menghadapi Masyarakat Ekonomi Association Of Southeast Asian Nations [JDIH BPK RI]*. URL: <https://peraturan.bpk.go.id/Home/Details/77385/inpres-no-6-tahun-2014> (visited on 10/22/2020).
- (2014b). *KEPPRES No. 37 Tahun 2014 Tentang Komite Nasional Persiapan Pelaksanaan Masyarakat Ekonomi Association Of Southeast Asian Nations [JDIH BPK RI]*. URL: <https://peraturan.bpk.go.id/Home/Details/54586/keppres-no-37-tahun-2014> (visited on 10/22/2020).
- Iordache, Mihaela and Mihaela Matei (2020). “Explaining Recent Romanian Migration: A Modified Gravity Model with Panel Data”. In: *Journal of Social and Economic Statistics* 9.1, pp. 46–64.
- James, Paul and Ronen Palan (2007). “Globalizing Economic Regimes and Institutions”. In: *Globalization and Economy*. Ed. by Paul James and Ronen Palan. Vol. 3. London: SAGE Publication, pp. ix–xxxii.
- Jandhyala, Srividya and Anupama Phene (2015). “The Role of Intergovernmental Organizations in Cross-Border Knowledge Transfer and Innovation”. In: *Administrative Science Quarterly* 60.4, pp. 712–743.
- Johansson, Karl Magnus (2017). “Fifteen Into One? The European Union and Its Member States”. In: *Oxford Research Encyclopedia of Politics*. Ed. by Wolfgang Wessell, Andreas Maurer, and Jürgen Mittag. Manchester: Manchester University Press, pp. 369–387.
- Johnson, Corey, Reece Jones, Anssi Paasi, Louise Amoore, Alison Mountz, Mark Salter, and Chris Rumford (2011). “Interventions on Rethinking ‘The Border’ in Border Studies”. In: *Political Geography* 30.2, pp. 61–69.
- Johnson, Simon and Todd Mitton (2003). “Cronyism and Capital Control: Evidence from Malaysia”. In: *Journal of Financial Economics* 67, pp. 351–382.
- Johnson, William (2015). *Why a Forceful U.S. Response to Chinas Artificial Island-Building Won’t Float*. Reuters. URL: <http://blogs.reuters.com/great-debate/2015/05/21/wh%20y-a-forceful-u-s-response-to-chinas-artificial-island-building-wont-float/> (visited on 10/20/2015).

- Jönsson, Christer (1986). "Interorganization Theory and International Organization". In: *International Studies Quarterly* 30.1, pp. 39–57.
- (2016). "IR Paradigms and Inter-Organizational Theory: Situating the Research Program within the Discipline". In: *The Palgrave Handbook of Inter-Organizational Relations*. Houndmills: Palgrave Macmillan, pp. 49–66.
- Kahouli, Bassem and Samir Maktouf (2015). "The Determinants of FDI and the Impact of the Economic Crisis on the Implementation of RTAs: A Static and Dynamic Gravity Model". In: *International Business Review* 24.3, pp. 518–529.
- Kanska, Klara (2005). "The Normative Force of Decisions of International Organizations". In: *European Society of International Law, Florence Agora Papers*, pp. 1–6.
- Karns, Margaret P., Kendall W. Stiles, and Karen A. Mingst (2015). *International Organizations: The Politics and Processes of Global Governance*. Boulder: Lynne Rienner Publishers.
- Karolewski, Ireneusz Pawel and Roland Benedikter (2017). "Europe's Refugee and Migrant Crisis: Economic and Political Ambivalences". In: *Challenge* 60.3, pp. 294–320.
- Katzenstein, Peter J. (1996). *The Culture of National Security: Norms and Identity in World Politics*. New York: Columbia University Press.
- Kaur, Amarjit (2008). "International Migration and Governance in Malaysia: Policy and Performance". In: *UNEAC Asia Papers* 22, pp. 4–18.
- Kelley, Bradford J. and Chase J. Edwards (2017). "France's Roma Row: An Examination of the French Government's Violation of EU and International Law". In: *Willamette Journal of International Law and Dispute Resolution* 24.2, pp. 169–210.
- Kent, Ann (1999). *China, the United Nations, and Human Rights: The Limits of Compliance*. Philadelphia: University of Pennsylvania Press.
- Kern, Kristine (2011). "Governance for Sustainable Development in the Baltic Sea Region". In: *Journal of Baltic Studies* 42.1, pp. 21–35.
- Ketels, Christian and Timo Summa (2014). *State of the Region Report*. Copenhagen: Baltic Development Forum.
- Kingsley, Patrick, Matthew Weaver, and Ashifa Kassam (2015). *Sweden Introduces Border Checks as Refugee Crisis Grows*. The Guardian. URL: <http://www.theguardian.com/world/2015/nov/12/refugee-crisis-sweden-introduces-border-checks> (visited on 06/08/2021).
- Kinzelbach, Katrin (2013). "Resisting the Power of Human Rights: The People's Republic of China". In: *The Persistent Power of Human Rights: From Commitment to Compliance*. Ed. by Thomas Risse and Kathryn Sikkink. Cambridge: Cambridge University Press, pp. 164–181.
- Kliot, Nurit (2005). *Water Resources and Conflict in the Middle East*. Oxon: Routledge.
- Koitzsch, Constanze (2016). "Institutional Similarities between Regional Organizations: An Analysis of ECOWAS and Arab League". In: *Roads to Regionalism: Genesis, Design, and Effects of Regional Organizations*. Ed. by Tanja A. Börzel, Lukas Goltermann, Mathis Lohaus, and Kai Striebinger. Oxon: Routledge.
- Kolossov, Vladimir (2005). "Border Studies: Changing Perspectives and Theoretical Approaches". In: *Geopolitics* 10, pp. 606–632.

- Konrad, Victor (2015). "Toward a Theory of Borders in Motion". In: *Journal of Borderlands Studies* 30.1, pp. 1–17.
- Koon, Heng Pek (1997). "The New Economic Policy and the Chinese Community in Peninsular Malaysia". In: *The Developing Economies* 35.3, pp. 262–292.
- Koops, Joachim A. (2013). "Inter-Organisational Approaches". In: *Routledge Handbook on the European Union and International Institutions: Performance, Policy, Power*. Ed. by Knud Erik Jørgensen and Katie Verlin Laatikainen. New York: Routledge.
- Koschut, Simon (2014). "Transatlantic Conflict Management Inside-out: The Impact of Domestic Norms on Regional Security Practices". In: *Cambridge Review of International Affairs* 27.2, pp. 339–361.
- Krasner, Stephen D. (1982). "Structural Causes and Regime Consequences: Regimes as Intervening Variables". In: *International Organizations* 36.2, pp. 185–205.
- (1983). *International Regimes*. Ithaca: Cornell University Press.
- Kreuder-Sonnen, Christian (2019). *Emergency Powers of International Organizations: Between Normalization and Containment*. Oxford: Oxford University Press.
- Kristof, Ladis K. D. (1959). "The Nature of Frontiers and Boundaries". In: *Annals of the Association of American Geographers* 49.3, pp. 269–282.
- Krisztin, Tamás and Manfred M. Fischer (2015). "The Gravity Model for International Trade: Specification and Estimation Issues". In: *Spatial Economic Analysis* 10.4, pp. 451–470.
- Kucharczyk, Jacek and Grigorij Mesežnikov (2015). *Diverging Voices, Converging Policies: The Visegrad States' Reactions to the Russia-Ukraine Conflict*. Prague: Heinrich-Böll-Stiftung.
- Kunroo, Mohd Hussain, Irfan Ahmad Sofi, and Naushad Ali Azad (2016). "Trade Implications of the Euro in EMU Countries: A Panel Gravity Analysis". In: *Empirica* 43.2, pp. 391–413.
- Laar, Mart (2009). "Estonia's New Beginning". In: *Estonia's Way into the European Union*. Ed. by Karin Rannu. Tallinn: Estonian Ministry of Foreign Affairs, pp. 8–15.
- Lajus, Julia (2013). "Field Stations on the Coast of the Arctic Ocean in the European Part of Russia from the First to Second IPY". In: *Science, Geopolitics and Culture in the Polar Region: Norden Beyond Borders*. Ed. by Sverker Sörlin. Farnham: Ashgate, pp. 111–142.
- Lantis, Jeffrey S. (2017). *Theories of International Norm Contestation: Structure and Outcomes*. Oxford: Oxford University Press.
- Laursen, Finn (2010). "Requirements for Regional Integration: A Comparative Perspective on the EU, the Americas and East Asia". In: *Comparative Regional Integration: Europe and Beyond*. Ed. by Finn Laursen. Farnham: Ashgate, pp. 239–270.
- Lavenex, Sandra and Frank Schimmelfennig (2009). "EU Rules Beyond EU Borders: Theorizing External Governance in European Politics". In: *Journal of European Public Policy* 16.6, pp. 791–812.
- Lee, David (2011). "Historical Survey of Borders in Southeast Asia". In: *The Borderlands of Southeast Asia: Geopolitics, Terrorism, and Globalization*. Ed. by James Clad, Sean M. McDonald, and Bruce Vaughn. Washington: National Defense University Press.

- Legrenzi, Matteo and Marina Calculli (2013). *Regionalism and Regionalization in the Middle East: Options and Challenges*. International Peace institute. URL: <https://www.ipinst.org/2013/03/regionalism-and-regionalization-in-the-middle-east-options-and-challenges> (visited on 04/08/2017).
- Leps, Ando (1997). *Maarahva Ainus Ellujäämise Võimalus*. Postimees. URL: <https://arvamus.postimees.ee/2502381/maarahva-ainus-ellujaamise-voimalus> (visited on 06/04/2020).
- Levy, Jack S. (1994). "Learning and Foreign Policy: Sweeping a Conceptual Minefield". In: *International Organization* 48.2, pp. 279–312.
- Liik, Kadri (2016). *The EU Gives a Small Country like Estonia a Voice*. The Guardian. URL: <https://www.theguardian.com/commentisfree/2016/jun/15/eu-gives-small-country-estonia-voice> (visited on 03/21/2018).
- Linderfalk, Ulf (2007). *On the Interpretation of Treaties: The Modern International Law as Expressed in the 1969 Vienna Convention on the Law of Treaties*. Dordrecht: Springer.
- Littig, Beate (2009). "Interviewing the Elite – Interviewing Experts: Is There a Difference?" In: *Interviewing Experts*. Ed. by Alexander Bogner, Beate Littig, and Wolfgang Menz. Basingstoke: SAGE Publication, pp. 98–113.
- Liu, Xuepeng (2009). "GATT/WTO Promotes Trade Strongly: Sample Selection and Model Specification". In: *Review of International Economics* 17.3, pp. 428–446.
- Ljungberg, Dick (1991). *Forskning Och Företag Får En Nyckelroll*. Dagens Nyheter. URL: <https://arkivet.dn.se/tidning/1991-10-05/271/5?searchTerm=EG> (visited on 06/08/2020).
- Longo, Matthew (2017). "From Sovereignty to Imperium: Borders, Frontiers and the Specter of Neo-Imperialism". In: *Geopolitics* 22.4, pp. 757–771.
- Lundgren, Magnus (2017). "Which Type of International Organizations Can Settle Civil Wars?" In: *The Review of International Organizations* 12.4, pp. 613–641.
- Malaysian Government (1991a). *The International Conference on "The Asean Countries and the World Economy: Challenge of Change"*. URL: <https://www.pmo.gov.my/ucapan/index.php?qt=%asean%&m=p&p=all&id=1178> (visited on 10/13/2020).
- (1991b). *The Opening Ceremony of the 24th Asean Ministerial Meeting*. URL: <https://www.pmo.gov.my/ucapan/index.php?qt=%asean%&m=p&p=all&id=1460> (visited on 10/13/2020).
- (1997). *Majlis Makan Malam Dewan Perniagaan Dan Perindustrian Kebangsaan Malaysia*. URL: <https://www.pmo.gov.my/ucapan/index.php?qt=%Krisis%20%&m=p&p=all&id=218> (visited on 10/14/2019).
- (2003). *Mewarisi Kejayaan (Usul Ucapan Terima Kasih Kepada Tun Dr Mahathir Mohamad)*. URL: <https://www.pmo.gov.my/ucapan/index.php?m=p&p=paklah&id=2817> (visited on 10/13/2020).
- (2004). *The Official Dinner in Honour of His Excellency Phan Van Khai, Prime Minister of the Socialist Republic of Vietnam (21-04-2004)*. URL: <https://www.pmo.gov.my/ucapan/index.php?m=p&p=paklah&id=2836> (visited on 10/13/2020).
- (2009). *Rang Undang-Undang Perbekalan Tambahan*. URL: <https://www.pmo.gov.my/ucapan/index.php?qt=%ASEAN%&m=p&p=all&id=3543> (visited on 10/14/2020).

-
- (2013a). *27th Asia-Pacific Roundtable*. URL: <https://www.pmo.gov.my/ucapan/index.php?qt=%ASEAN%&m=p&p=all&id=4185> (visited on 10/15/2020).
- (2013b). *Invest Malaysia 2013*. URL: <https://www.pmo.gov.my/ucapan/index.php?qt=%ASEAN%&m=p&p=all&id=4358> (visited on 10/15/2020).
- Malkowska, Agnieszka (2016). “The Barriers to and Directions of Cross-Border Cooperation in the Northern Part of the Polish-German Borderland”. In: *Contemporary Economic Issues* 12, pp. 9–20.
- Manners, Ian (2002). “Normative Power Europe: A Contradiction in Terms?” In: *Journal of Common Market Studies* 40.2, pp. 235–258.
- Mansfield, Edward D. and Eric Reinhardt (2003). “Multilateral Determinants of Regionalism: The Effects of GATT/WTO on the Formation of Preferential Trading Arrangements”. In: *International Organization* 57.04, pp. 829–862.
- Manyin, Mark E and Dick K Nanto (2010). “The Kaesong North-South Korean Industrial Complex”. In: *Congressional Research Service* 5700.7, pp. 1–28.
- Mardiste, David (2009). *Estonian Economy Contracts Sharply in First Quarter*. Investing. URL: <https://www.investing.com/news/forex-news/estonian-economy-contracts-sharply-in-first-quarter-61196> (visited on 05/25/2021).
- Martinez-Zarzoso, Inmaculada (2003). “Gravity Model: An Application to Trade between Regional Blocs”. In: *Atlantic Economic Journal* 31.2, pp. 174–187.
- Massola, James and Peter Hartcher (2018). *Indonesian President Widodo Says Australia Should Be in ASEAN*. The Sydney Morning Herald. URL: <https://www.smh.com.au/world/asia/indonesian-president-widodo-says-australia-should-be-in-asean-20180315-p4z4ha.html> (visited on 10/22/2020).
- Mattes, Michaela and Mariana Rodríguez (2014). “Autocracies and International Cooperation”. In: *International Studies Quarterly* 58.3, pp. 527–538.
- Maurer, Andreas, Miroudot Magdeleine, and Rainer Lanz (2016). “Measuring Trade in Services in a World of Global Value Chains”. In: *Research Handbook on Trade in Services*. Ed. by Pierre Sauvé and Martin Roy. Edward Elgar Publishing.
- Mayer, Thierry and Soledad Zignago (2011). *Notes on CEPII’s Distances Measures: The GeoDist Database*. SSRN Electronic Journal. URL: <http://www.ssrn.com/abstract=1994531> (visited on 12/01/2020).
- Mayring, Philipp and Thomas Fenzl (2019). “Qualitative Inhaltsanalyse”. In: *Handbuch Methoden Der Empirischen Sozialforschung*. Ed. by Nina Baur and Jörg Blasius. Wiesbaden: Springer Fachmedien Wiesbaden, pp. 633–648.
- McCallum, John (1995). “National Borders Matter”. In: *American Economic Review* 85.3, pp. 615–623.
- McCormick, John (2016). *The New Divided Kingdom: A Brexit Post-Mortem*. Foreign Affairs. URL: <https://www.foreignaffairs.com/articles/united-kingdom/2016-06-25/new-divided-kingdom> (visited on 06/25/2016).
- McGillivray, Fiona and Allan C. Stam (2004). “Political Institutions, Coercive Diplomacy, and the Duration of Economic Sanctions”. In: *Journal of Conflict Resolution* 48.2, pp. 154–172.
- McLaughlin Mitchell, Sara (2014). “Mediation in Interstate Disputes”. In: *International Negotiation* 19.2, pp. 191–200.

- Meade, James E. (1956). "Benelux: The Formation of the Common Customs". In: *Economica* 23.91, pp. 201–213.
- Medeiros, Eduardo (2013). "Euro-Meso-Macro: The New Regions in Iberian and European Space". In: *Regional Studies* 47.8, pp. 1249–1266.
- Medve-Bálint, Gergő (2013). "Incentives and Obstacles to Cross-Border Cooperation in Post-Communist Central Europe". In: *Europe's Changing Geography: The Impact of Inter-Regional Networks*. Ed. by Nicola Bellini and Ulrich Hilpert. 2nd ed. Oxon: Routledge, pp. 145–162.
- Meuser, Michael and Ulrike Nagel (2009). "Experts and Changes in Knowledge Production". In: *Interviewing Experts*. Ed. by Alexander Bogner, Beate Littig, and Wolfgang Menz. Basingstoke: Palgrave MacMillan, pp. 17–42.
- Meyer, John W. (2005). *Weltkultur: Wie Die Westlichen Prinzipien Die Welt Durchdringen*. Frankfurt a.M.: Suhrkamp.
- Meyer, John W., John Boli, George M. Thomas, and Francisco O. Ramirez (1997). "World Society and the Nation-State". In: *American Journal of Sociology* 103.1, pp. 144–181.
- Mezzadra, Sandro and Brett Neilson (2013). *Border as Method, or, the Multiplication of Labor*. Durham: Duke University Press.
- Middell, Matthias and Katja Naumann (2010). "Global History and the Spatial Turn: From the Impact of Area Studies to the Study of Critical Junctures of Globalization". In: *Journal of Global History* 5.1, pp. 149–170.
- Mihkelson, Marko (1997a). *Balti Riigid Helsingis Kaubaks?* Postimees. URL: <https://arvamus.postimees.ee/2502613/balti-riigid-helsingis-kaubaks> (visited on 06/04/2020).
- (1997b). "Suured Ootused, Umbusk Ja Usaldus, Venemaa Nõuab:, Ameeriklased Tahavad:, Venemaa Ei Kavatses Helsingis Alla Anda". In: *Postimees*.
- Mikkil, Evald and Geoffrey Pridham (2004). "Clinching the 'Return to Europe': The Referendums on EU Accession in Estonia and Latvia". In: *West European Politics* 27.4, pp. 716–748.
- Minghi, Julian (1963). "Boundary Studies in Political Geography". In: *Annals of the Association of American Geographers* 53, pp. 407–428.
- Miroudot, Sébastien, Jehan Sauvage, and Ben Shepherd (2013). "Measuring the Cost of International Trade in Services". In: *World Trade Review* 12.04, pp. 719–735.
- Mohamad, Mahathir (1997). "The Challenges and Opportunities We Face". In: *Executive Intelligence Review* 24.40, pp. 10–15.
- Moraczewska, Anna (2010). "The Changing Interpretation of Border Functions in International Relations". In: *Revista Română de Geografie Politică* 10.2, pp. 329–340.
- Müller, Andreas (2013). "Territorial Borders As Institutions". In: *European Societies* 15.3, pp. 353–372.
- (2014). *Governing Mobility Beyond the State: Centre, Periphery and the EU's External Borders*. Hampshire: Palgrave Macmillan.
- Müller, Patrick, Karolina Pomorska, and Ben Tonra (2021). "The Domestic Challenge to EU Foreign Policy-Making: From Europeanisation to de-Europeanisation?" In: *Journal of European Integration* 43.5, pp. 519–534.

- Nesadurai, Helen E. S. (2012). "Trade Policy in Southeast Asia: Politics, Domestic Interests and the Forging of New Accommodations in the Regional and Global Economy". In: *Routledge Handbook of Southeast Asian Politics*. Ed. by Richard Robison. London: Routledge, pp. 315–329.
- New Straits Times (1993). *PM Calls on Steel Makers to Explore New Markets*. URL: <https://news.google.com/newspapers?nid=1309&dat=19931221&id=hNh0AAAAIBAJ&sjid=wxMEAAAAIBAJ&pg=4519,8457> (visited on 10/07/2020).
- Newman, David (2001). "Boundaries, Borders, and Barriers: Changing Geographic Perspectives on Territorial Lines". In: *Identities, Borders, Orders: Rethinking International Relations Theory*. Ed. by Mathias Albert, David Jacobson, and Yosef Lapid. Minneapolis: University of Minnesota Press, pp. 137–152.
- (2006a). "Borders and Bordering: Towards an Interdisciplinary Dialogue". In: *European Journal of Social Theory* 9.2, pp. 171–186.
- (2006b). "The Lines That Continue to Separate Us: Borders in Our 'Borderless' World". In: *Progress in Human Geography* 30.2, pp. 143–161.
- Newman, David and Beer Sheva (2005). "World Society, Globalization and a Borderless World". In: *World Society Focus Paper Series*, pp. 1–24.
- Niemann, Holger and Henrik Schillinger (2017). "Contestation 'all the Way down'? The Grammar of Contestation in Norm Research". In: *Review of International Studies* 43.01, pp. 29–49.
- North, Douglass C. (1981). *Structure and Change in Economic History*. New York: Norton.
- North, Michael and Barnard Turner (2010). "The Baltic Sea and South China Sea Regions: Incomparable Models of Regional Integration?" In: *Asia Europe Journal* 8.3, pp. 271–278.
- Nygaard, Kristen (1990). "Er Självtändighet Hotas" Norge Varnar Sverige För EG - Kritiserar Anderssons Inhopp i Norsk Debatt. Dagens Nyheter. URL: <https://arkivet.dn.se/tidning/1990-10-04/269/4?searchTerm=Europ> (visited on 06/08/2020).
- O'Reilly, K. P. (2013). "A Rogue Doctrine?: The Role of Strategic Culture on US Foreign Policy Behavior". In: *Foreign Policy Analysis* 9.1, pp. 57–77.
- Öberg, Svante (2009). *Sweden and the Financial Crisis*. Bank for International Settlement. URL: <https://www.bis.org/review/r090128d.pdf> (visited on 05/16/2020).
- OECD (2017). *International Migration Database*. URL: <https://stats.oecd.org/Index.aspx?DataSetCode=MIG> (visited on 06/21/2017).
- Ohmae, Kenichi (1995). *The End of Nation States: The Rise of Regional Economies*. London: Harper Collins.
- Olivero, María Pía and Yoto V. Yotov (2012). "Dynamic Gravity: Endogenous Country Size and Asset Accumulation". In: *The Canadian Journal of Economics / Revue canadienne d'Economique* 45.1, pp. 64–92.
- Orefice, Gianluca (2010). "Skilled Migration and Economic Performance: Evidence from OECD Countries". In: *Swiss Journal of Economics and Statistics* 146, pp. 781–820.
- Orlova, Daria and Timo Jost (2006). "Zur Erklärung Der Zuwanderungen Nach Deutschland: Ein Gravitationsmodell". In: *ISÖ Arbeitspapier* 36, pp. 1–27.

- Paasi, Anssi (1986). "The Institutionalization of Regions: A Theoretical Framework for Understanding the Emergence of Regions and the Constitution of Regional Identity". In: *Fennia* 164.1, pp. 105–146.
- (1999). "The Finnish-Russian Border as a Shifting Discourse: Boundaries in the World of De-Territorialization". In: *The NEBI Yearbook 1999: North European and Baltic Sea Integration*. Ed. by Lars Hedegaard and Bjarne Lindström. Berlin, Heidelberg, New York: Springer, pp. 215–229.
- (2011). "A Border Theory: An Unattainable Dream or a Realistic Aim for Border Scholars". In: *The Ashgate Research Companion to Border Studies*. Ed. by Doris Wastl-Walter. Farnham: Ashgate, pp. 11–31.
- (2014). "The Shifting Landscape of Border Studies and the Challenge of Relational Thinking". In: *The New European Frontiers: Social and Spatial (Re)Integration Issues in Multicultural and Border Regions*. Ed. by Milan Bufon, Julian Minghi, and Anssi Paasi. Newcastle: Cambridge Scholars, pp. 361–377.
- Parameswaran, Prashanth (2015). *ASEAN Creates New Community Under Malaysia's Chairmanship*. The Diplomat. URL: <https://thediplomat.com/2015/11/asean-creates-new-community-under-malaysias-chairmanship/> (visited on 04/13/2018).
- Parker, Noel (2009). "From Borders to Margins: A Deleuzian Ontology for Identities in the Postinternational Environment". In: *Alternatives: Global, Local, Political* 34.1, pp. 17–39.
- Pastore, Francesco, Anna Maria Ferragina, and Giorgia Giovannetti (2009). "A Tale of Parallel Integration Processes: A Gravity Analysis of EU Trade with Mediterranean and Central and Eastern European Countries". In: *Review of Middle East Economics and Finance* 5.2, pp. 21–44.
- Pasture, Patrick (2005). "Trade Unions as a Transnational Movement in the European Space 1955-65: Falling Short of Ambitions?" In: *Transnational European Union: Towards a Common Political Space*. Ed. by Wolfram Kaiser and Peter Starie. London: Routledge, pp. 109–130.
- Perkman, Markus (2003). "Cross-Border Regions in Europe: Significance and Drivers of Regional Cross-Border Co-Operation". In: *European Urban and Regional Studies* 10.2, pp. 153–171.
- Perkman, Markus and Ngai-Ling Sum (2002). *Globalization, Regionalization and Cross-Border Regions*. London: Palgrave Macmillan.
- Perlez, Jane (2004). *Southeast Asia Urged to Form Economic Bloc*. The New York Times. URL: <https://www.nytimes.com/2004/11/29/world/asia/southeast-asia-urged-to-form-economic-bloc.html> (visited on 10/13/2020).
- Perwita, Anak Agung Banyu (2007). *Indonesia and the Muslim World: Islam and Secularism in the Foreign Policy of Soeharto and Beyond*. Copenhagen: NIAS Press.
- Peters, Maaïke, Miet Vanderhallen, and Hans Nelen (2016). "Cross-Border Criminal Investigation in the Meuse-Rhine Euroregion: International Policing and the Theory of (Inter-) Organisational Conflict". In: *European Journal on Criminal Policy and Research* 22.1, pp. 41–60.

- Pevehouse, Jon C. W., Timothy Nordstrom, Roseanne W. McManus, and Anne Spencer Jamison (2019). "Tracking Organizations in the World: The Correlates of War IGO Version 3.0 Datasets". In: *Journal of Peace Research* 57.3, pp. 492–503.
- Pfaffermayr, Michael (2019). "Gravity Models, PPML Estimation and the Bias of the Robust Standard Errors". In: *Applied Economics Letters* 26.18, pp. 1467–1471.
- Pfeffer, Jeffrey and Gerald R. Salancik (2003). "Social Control of Organizations". In: *The External Control of Organizations: A Resource Dependence Perspective*. Ed. by Jeffrey Pfeffer and Gerald R. Salancik. Stanford: Stanford University Press, pp. 39–61.
- Polachek, Solomon W., John Robst, and Yuan-Ching Chang (1999). "Liberalism and Interdependence: Extending the Trade-Conflict Model". In: *Journal of Peace Research* 36.4, pp. 405–422.
- Prescott, John R. V. (1965). *The Geography of Frontiers and Boundaries*. London: Hutchinson University Library.
- Puar, Jasbir K. (2007). *Terrorist Assemblages: Homonationalism in Queer Times*. Durham: Duke University Press.
- Pura, Raphael (1992). "ASEAN Leaders See Need to Create United Market to Avoid Loss of Trade". In: *Asian Wall Street Journal* A 10.
- Purfield, Catriona and Christoph B. Rosenberg (2010). "Adjustment under a Currency Peg: Estonia, Latvia and Lithuania during the Global Financial Crisis 2008-09". In: *IMF Working Paper* 213, pp. 3–35.
- Quintana, Penelope J. E., Paul Ganster, Paula E. Stigler Granados, Gabriela Muñoz-Meléndez, Margarito Quintero-Núñez, and José Guillermo Rodríguez-Ventura (2015). "Risky Borders: Traffic Pollution and Health Effects at US-Mexican Ports of Entry". In: *Journal of Borderlands Studies* 30.3, pp. 287–307.
- Ramadhani, Eryan (2020). "Perception of Survival and Overconfidence: The Case of Najib Razak (2009–2018)". In: *Asian Journal of Comparative Politics*, pp. 1–18.
- Ramutsindela, Maano and Christine Noe (2015). "Bordering and Scalar Thickening in Nature Conservation". In: *The International Handbook of Political Ecology*. Ed. by Raymond L. Bryant. Cheltenham: Edward Elgar, pp. 501–514.
- Rasler, Karen and William R. Thompson (2005). *Puzzles of Democratic Peace: Theory, Geopolitics, and the Transformation of World Politics*. New York: Palgrave Macmillan.
- Rathbun, Brian C. (2010). "Interviewing and Qualitative Field Methods: Pragmatism and Practicalities". In: *The Oxford Handbook of Political Methodology*. Ed. by Janet M. Box-Steffensmeier, Henry E. Brady, and David Collier. Oxford: Oxford University Press, pp. 685–701.
- Raudla, Ringa and Rainer Kattel (2011). "Why Did Estonia Choose Fiscal Retrenchment after the 2008 Crisis?" In: *Journal of Public Policy* 31.2, pp. 163–186.
- Ravenhill, John (2010). "The 'New East Asian Regionalism': A Political Domino Effect". In: *Review of International Political Economy* 17.2, pp. 178–208.
- Richardson, Lewis F. (1960). *Statistics of Deadly Quarrels*. Ed. by Quincy Wright and C. C. Lineau. Pittsburgh: Boxwood Press.
- Richburg, Keith B. (1999). *Muslim Figure Named Leader of Indonesia: A Frail and near Blind Wahid Picked over Favored Megawati*. The Washington Post. URL: <https://>

- www.washingtonpost.com/wp-srv/WPcap/1999-10/21/017r-102199-idx.html (visited on 10/21/2020).
- Riddervold, Marianne, Jarle Trondal, and Akasemi Newsome (2021). "European Union Crisis: An Introduction". In: *The Palgrave Handbook of EU Crises*. Cham: Palgrave MacMillan, pp. 3–47.
- Risse, Thomas (2010). *A Community of Europeans?: Transnational Identities and Public Spheres*. Ithaca: Cornell University Press.
- Risse, Thomas, Stephen C. Ropp, and Kathryn Sikkink (1999). *The Power of Human Rights: International Norms and Domestic Change*. Cambridge: Cambridge University Press.
- Risse, Thomas and Kathryn Sikkink (1999). "The Socialization of International Human Rights Norms into Domestic Practices: Introduction". In: *The Power of Human Rights: International Norms and Domestic Change*. Ed. by Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink. Cambridge: Cambridge University Press, pp. 1–38.
- Robison, Richard and Andrew Rosser (1998). "Contesting Reform: Indonesia's New Order and the IMF". In: *World Development* 26.8, pp. 1593–1609.
- Rojas-Romagosa, Hugo and Johannes Bollen (2018). "Estimating Migration Changes from the EU's Free Movement of People Principle". In: *CPB Discussion Paper* 385, pp. 1–42.
- Rose, Andrew K. (2004). "Do We Really Know That the WTO Increases Trade?" In: *The American Economic Review* 94.1, pp. 98–114.
- Rosert, Elvira (2012). "Fest Etabliert Und Weiterhin Lebendig: Normenforschung in Den Internationalen Beziehungen". In: *Zeitschrift für Politikwissenschaft* 22.4, pp. 599–623.
- Rüland, Jürgen (2014). "The Limits of Democratizing Interest Representation: ASEAN's Regional Corporatism and Normative Challenges". In: *European Journal of International Relations* 20.1, pp. 237–261.
- Rumford, Chris (2006). "Theorizing Borders". In: *European Journal of Social Theory* 9.2, pp. 155–169.
- (2014). *Cosmopolitan Borders*. Hampshire: Palgrave Macmillan.
- Santos Silva, João M. C. and Silvana Tenreiro (2006). "The Log of Gravity". In: *The Review of Economics and Statistics* 88.4, pp. 641–658.
- Saurugger, Sabine and Fabien Terpan (2021). "Normative Transformations in the European Union: On Hardening and Softening Law". In: *West European Politics* 44.1, pp. 1–20.
- Savun, Burcu (2008). "Information, Bias, and Mediation Success". In: *International Studies Quarterly* 52.1, pp. 25–47.
- Schenker, Claude (2015). *Practice Guide to International Treaties*. Swiss Federal Department of Foreign Affairs. URL: https://www.eda.admin.ch/dam/eda/en/documents/publications/Voelkerrecht/Praxisleitfaden-Voelkerrechtliche-Vertraege_en.pdf (visited on 06/14/2016).
- Schimmelfennig, Frank (2001). "The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union". In: *International Organization* 55.1, pp. 47–80.

-
- (2018). “European Integration (Theory) in Times of Crisis. A Comparison of the Euro and Schengen Crises”. In: *Journal of European Public Policy* 25.7, pp. 969–989.
- Schneider, Christina J. (2017). “Political Economy of Regional Integration”. In: *Annual Review of Political Science* 20.1, pp. 1–30.
- Scholte, Jan Aart (2005). *Globalization: A Critical Introduction*. 2nd ed. Houndmills: Palgrave Macmillan.
- Schymik, Carsten (2011). “Blueprint for a Macro-Region: EU Strategies for the Baltic Sea and Danube Regions”. In: *SWP Research Paper*, pp. 1–31.
- Scott, W. Richard and Gerald F. Davis (2006). *Organizations and Organizing: Rational, Natural, and Open Systems Perspectives*. Oxon: Routledge.
- Searle, John R. (1975). *A Taxonomy of Illusionary Acts*. Minneapolis: University of Minnesota Press.
- Sedelmeier, Ulrich (2008). “After Conditionality: Post-Accession Compliance with EU Law in East Central Europe”. In: *Journal of European Public Policy* 15.6, pp. 806–825.
- Serr, Marcel (2015). “Bilateral Arms Cooperation: The Roots of German–Israeli Relations”. In: *Israel Journal of Foreign Affairs* 9.2, pp. 213–225.
- Shepherd, Ben (2019). *The Gravity Model of International Trade: A User Guide (Revision)*. Bangkok: United Nations ESCAP.
- Simmons, Beth A. (2005). “Rules over Real Estate: Trade, Territorial Conflict, and International Borders as Institution”. In: *Journal of Conflict Resolution* 49.6, pp. 823–848.
- Simmons, Beth A. and Hein E. Goemans (2021). “Built on Borders: Tensions with the Institution Liberalism (Thought It) Left Behind”. In: *International Organization* 75.2, pp. 387–410.
- Sjörger, Helena and Börje Karlsson (1994). *Borgerliga Saknar Mål - Schyman Rätt Nöjd*. Dagens Nyheter. URL: <https://www.dn.se/arkiv/politik/borgerliga-saknar-mal-schyman-ratt-nojd/> (visited on 06/02/2020).
- Sjursen, Helene (2006). “The EU as a ‘Normative’ Power: How Can This Be?” In: *Journal of European Public Policy* 13.2, pp. 235–251.
- Smith, Anthony L. (1999). “Indonesia’s Role in ASEAN: The End of Leadership”. In: *Contemporary Southeast Asia* 21.2, pp. 238–260.
- (2000). “Indonesia’s Foreign Policy under Abdurrahman Wahid: Radical or Status Quo State?” In: *Contemporary Southeast Asia* 22.3, pp. 498–526.
- Smith, Sara, Nathan W. Swanson, and Banu Gökariksel (2015). “Territory, Bodies and Borders”. In: *Area* 48.3, pp. 258–261.
- Sörlin, Sverker (2013). “Introduction: Polar Extensions - Nordic States and Their Polar Strategies”. In: *Science, Geopolitics and Culture in the Polar Region: Norden Beyond Borders*. Farnham: Ashgate.
- Starr, Harvey (2006). “International Borders: What They Are, What They Mean, and Why We Should Care”. In: *SAIS Review of International Affairs* 26.1, pp. 3–10.
- (2009). *Borders, Ease of Interactions, Transactions and Cooperation: Tracking Integration in the EU Across Waves of Expansion*. Peace Science Society: Chapel Hill, November 20–22.

- Starr, Harvey (2013). *On Geopolitics: Space, Place, and International Relations*. Boulder: Paradigm Publishers.
- Starr, Harvey and Benjamin A. Most (1976). "The Substance and Study of Borders in International Relations Research". In: *International Studies Quarterly* 20.4, pp. 581–620.
- Starr, Harvey and G. Dale Thomas (2005). "The Nature of Borders and International Conflict: Revisiting Hypotheses on Territory". In: *International Studies Quarterly* 49.1, pp. 123–139.
- Stekhoven, Daniel J. and Peter Bhlmann (2012). "Missforest: Non-Parametric Missing Value Imputation for Mixed-Type Data". In: *Bioinformatics* 28.1, pp. 112–118.
- Stavis-Gridneff, Matina (2021). *Virus Variants Deliver Fresh Blow to Europe's Open Borders*. The New York Times. URL: <https://www.nytimes.com/2021/02/21/world/europe/european-union-coronavirus-borders.html> (visited on 08/24/2021).
- Ström Melin, Annika (2013). *Europapolitik: Allt Längre Från Kärnan*. Dagens Nyheter. URL: <https://www.dn.se/ledare/signerat/europapolitik-allt-langre-fran-karnan/> (visited on 06/02/2020).
- Suharto, Haji Mohamed (1998). *Text of Suharto's Resignation Speech*. The New York Times. URL: <https://archive.nytimes.com/www.nytimes.com/library/world/asia/052198indonesia-suharto-text.html> (visited on 10/20/2020).
- Sukarnoputri, Megawati (2001). *State Address of the President of the Republic of Indonesia and the Government Statement*. Papua Web. URL: <http://papuaweb.org/v1/www/02/010816-presidential-address.html> (visited on 10/21/2020).
- Swedish Government (1990). *Regeringsförklaringen (October 2, 1990)*. URL: <https://www.svenskatal.se/19901002-ingvar-carlsson-regeringsforklaringen-1990/> (visited on 06/08/2020).
- (1991). *Regeringsförklaringen (October 4, 1991)*. URL: https://www.riksdagen.se/sv/dokument-lagar/dokument/protokoll/riksdagens-snabbprotokoll-1991926-fredagen-den_GF096 (visited on 06/08/2020).
- (1992). *Regeringsförklaringen (October 5, 1992)*. URL: https://www.riksdagen.se/sv/dokument-lagar/dokument/protokoll/riksdagens-snabbprotokoll-19929348-fredagen-den_GG0948/html (visited on 06/08/2020).
- (1994). *Regeringsförklaringen (October 7, 1994)*. URL: <https://www.regeringen.se/49b6b5/contentassets/98bb8343ba2049b08406e2f773b5ac96/regeringsforklaringen-7-oktober-1994> (visited on 04/15/2020).
- (1995). *Regeringsförklaringen (October 3, 1995)*. URL: <https://www.regeringen.se/49b6b5/contentassets/cb4f5b160b3e4191b06396eb7ed808be/regeringsforklaringen-3-oktober-1995> (visited on 04/15/2020).
- (1996). *Regeringsförklaringen (September 17, 1996)*. URL: <https://www.regeringen.se/49b6b5/contentassets/8379bde7d2f141f7ac2bc7af698c635b/regeringsforklaringen-17-september-1996> (visited on 04/15/2020).
- (2002). *Regeringsförklaringen (October 1, 2002)*. URL: <https://www.regeringen.se/49b6b4/contentassets/9a945c387342477d89427a120d7e13df/regeringsforklaringen-1-oktober-2002> (visited on 04/15/2020).

-
- (2006). *Regeringsförklaringen (October 6, 2006)*. URL: <https://www.regeringen.se/49b6b2/contentassets/dd07b957646c429f9180294ac247bd71/regeringsforklaringen-6-oktober-2006> (visited on 04/15/2020).
 - (2007). *Regeringsförklaringen (September 18, 2007)*. URL: <https://www.regeringen.se/49b6b1/contentassets/bbc0c69669ab447a8bf6a8e11e4de26b/regeringsforklaringen-18-september-2007> (visited on 04/15/2020).
 - (2010). *Regeringsförklaringen (October 5, 2010)*. URL: <http://www.regeringen.se/49b6d4/contentassets/1e413e86fff2466f8dce5a3299a3b242/regeringsforklaringen-5-oktober-2010> (visited on 04/15/2020).
 - (2011). *Regeringsförklaringen (September 15, 2011)*. URL: <https://www.regeringen.se/49b6d3/contentassets/8cb9b8bcc23d4598bbc56cd57686f876/regeringsforklaringen-15-september-2011> (visited on 04/15/2020).
 - (2012). *Regeringsförklaringen (September 18, 2012)*. URL: <https://www.regeringen.se/49b6d2/contentassets/833899593bd44ecc81ef897446adc14a/regeringsforklaringen-18-september-2012> (visited on 04/15/2020).
 - (2014). *Regeringsförklaringen (October 3, 2014)*. URL: <https://www.regeringen.se/tal/2014/10/regeringsforklaringen-den-3-oktober-2014/> (visited on 04/15/2020).
- Syllignakis, Manolis N. and Georgios P. Kouretas (2011). “Dyanmic Correlation Analaysis of Financial Contagion: Evidence from the Central and Eastern European Markets”. In: *International Review of Economics and Finance* 20, pp. 717–732.
- Tam Cho, W. K. and E. P. Nicley (2008). “Geographic Proximity Versus Institutions: Evaluating Borders as Real Political Boundaries”. In: *American Politics Research* 36, pp. 803–823.
- The Jakarta Post (2001). “Mega Calls on Buisnesses to Prepare for Free Trade Era”. In: *The Jakarta Post*.
- (2002a). *Mega Says AFTA Needs ‘Escape Clause’*. The Jakarta Post. URL: <https://jawawa.id/newsitem/mega-says-afta-needs-escape-clause-1447893297> (visited on 10/24/2021).
 - (2002b). *RI Farmers Not Ready to Compete in AFTA*. The Jakarta Post. URL: <http://scholar.google.com/scholar?hl=en&q=The+Jakarta+Post+%282002k%29%2C+RI%27s+quiet+entry+into+AFTA+breeds+free+trade+distrust%2C+January+2%2C+Jakarta.> (visited on 10/24/2021).
 - (2008). *ASEAN Launches Recovery Effort*. The Jakarta Post.
 - (2009a). *An Assertive Inaugural Speech*. URL: <https://www.thejakartapost.com/news/2009/10/21/an-assertive-inaugural-speech.html> (visited on 10/22/2020).
 - (2009b). *SBY Inaugural Speech Draws Criticism*. URL: <https://www.thejakartapost.com/news/2009/10/21/sby-inaugural-speech-draws-criticism.html> (visited on 10/22/2020).
- The Straits Time (2014). *Joko Widodo Inaugurated as Indonesia’s Seventh President*. URL: <https://www.straitstimes.com/asia/se-asia/joko-widodo-inaugurated-as-indonesias-seventh-president> (visited on 10/22/2020).
- Tilford, Simon (2016). “Britain, Immigration and Brexit”. In: *CER Bulletin* 105, pp. 1–2.

- Tinbergen, Jan (1962). *Shaping the World Economy: Suggestions for an International Political Economy*. New York: Twentieth Century Fund.
- Tomsa, Dirk (2008). "Introduction: The Remarkable Resilience of Golkar". In: *Party Politics and Democratization in Indonesia: Golkar in the Post-Suharto Era*. Oxon: Routledge, pp. 1–7.
- Tóth, Judit (2003). "Relations of Kin-State and Kin-Minorities in the Shadow of the Schengen Regime". In: *European Journal of Migration and Law* 5, pp. 201–227.
- United Nations (1969). *Vienna Convention on the Law of Treaties (with Annex)*. Vienna: United Nations.
- (1982). *United Nations Convention on the Law of the Sea*. URL: https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf (visited on 05/30/2018).
- (2015). *Adoption of the Paris Agreement, 21st Conference of the Parties*. URL: <http://unfccc.int/resource/docs/2015/cop21/eng/l09r01.pdf>.
- Vachudova, Milada A. (2005). *Europe Undivided: Democracy, Leverage, and Integration after Communism*. Oxford: Oxford University Press.
- Valdaru, Kert, Eva-Maria Asari, and Lauri Mälksoo (2017). *The Impact of the Refugee Crisis on Europe and Estonia*. In collab. with Tiit Tammaru. Estonian Human Development Report 2016/2017. URL: <http://inimareng.ee/en/migration-and-demographic-changes-in-estonia-and-europe/the-impact-of-the-refugee-crisis-on-europe-and-estonia/> (visited on 06/02/2021).
- Van Baar, Huub (2014). "The Centripetal Dimension of the EU's External Border Regime". In: *Etnofoor, Participation* 26.2, pp. 87–93.
- Van Mol, Christof and Helga de Valk (2016). "Migration and Immigrants in Europe: A Historical and Demographic Perspective". In: *IMISCOE Research Series: Integration Processes and Policies in Europe*. Springer, pp. 31–55.
- Vasagar, Jeevan (2018). *Mahathir Mohamad Is Back: Malaysians' Smiles May Be Brief*. The Guardian. URL: <https://www.theguardian.com/commentisfree/2018/may/11/mahathir-mohamad-malaysia-prime-minister-reelection> (visited on 12/06/2018).
- Vatikiotis, Miachel (2004). "Susilo, Regional Affairs and Lessons from Sukarno". In: *The Jakarta Post*.
- Vaughan-Williams, Nick (2015). *Europe's Border Crisis: Biopolitical Security and Beyond*. Oxford: Oxford University Press.
- Verhezen, Peter, Ian Williamson, Natalia Soebagjo, and Marc Crosby (2016). "Introduction: Doing Business in ASEAN Markets: What Is so Different?" In: *Doing Business in ASEAN Markets: Leadership Challenges and Governance Solutions Across Asian Borders*. Ed. by Peter Verhezen, Ian Williamson, Mark Crosby, and Natalia Soebagjo. London: Palgrave Macmillan, pp. 1–16.
- Villem, Andrus (1997). *Uued Jõujooned*. Postimees. URL: <https://arvamus.postimees.ee/2502475/uued-joujuoned> (visited on 06/04/2020).
- Vinokurov, Evgeny and Alexander Libman (2012). "Sub-Regional Aspects of Eurasian Integration". In: *Eurasian Integration: Challenges of Transcontinental Regionalism*. Ed. by Evgeny Vinokurov and Alexander Libman. Hampshire: Palgrave Macmillan, pp. 187–198.

- Wain, Berry (2000). *After the Party*. Asian Wall Street Journal. URL: <https://www.wsj.com/articles/SB975015597511847351> (visited on 02/06/2021).
- Walter, Wolfgang (1994). “Strategien Der Politikberatung: Die Interpretation Der Sachverständigen-Rolle Im Lichte von Experteninterviews”. In: *Expertenwissen: Die Institutionalisierte Kompetenz Zur Konstruktion von Wirklichkeit*. Ed. by Ronald Hitzler, Ane Honer, and Christoph Maeder. Opladen: Westdeutscher Verlag, pp. 268–284.
- Walther, Olivier J. and Denis Retailié (2015). “Rethinking Borders in a Mobile World: An Alternative Model”. In: *Borderities and the Politics of Contemporary Mobile Borders*. Ed. by Anne-Laure Amilhat Szary and Frédéric Giraut. Basingstoke: Palgrave Macmillan, pp. 191–203.
- Walzer, Michael (2006). *Just and Unjust Wars: A Moral Argument with Historical Illustrations*. New York: Basic Books.
- Wang, Ching-Hsing, Dennis Lu-Chung Weng, and Hyun-Jin Cha (2017). “Personality Traits and Voter Turnout in South Korea: The Mediation Argument”. In: *Japanese Journal of Political Science* 18.3, pp. 426–445.
- Wardani, Ekoninyas Margu (2013). *A Nation of Fire: What Should We Learn from the 1997/1998 Haze?* The Jakarta Post. URL: <https://www.thejakartapost.com/news/2013/06/25/a-nation-fire-what-should-we-learn-19971998-haze.html> (visited on 10/16/2020).
- Warren, Mark E. (2008). “Democracy and the State”. In: *The Oxford Handbook of Political Theory*. Ed. by John S. Dryzek, Bonnie Honig, and Anne Phillips. Oxford: Oxford University Press, pp. 382–399.
- Wastl-Walter, Doris and Andrea Ch. Kofler (2000). “European Integration and Border-Related Institutions: A Practical Guide”. In: *Journal of Borderlands Studies* 15.1, pp. 85–106.
- Weatherbee, Donald E. (1985). “Indonesia in 1984: Pancasila, Politics, and Power”. In: *Asian Survey* 25.2, pp. 187–197.
- Weidmann, Nils B., Doreen Kuse, and Kristian Skrede Gleditsch (2010). “The Geography of the International System: The CShapes Dataset”. In: *International Interactions* 36.1, pp. 86–106.
- Weiss, Thomas G. and Rorden Wilkinson (2014). “Rethinking Global Governance? Complexity, Authority, Power, Change”. In: *International Studies Quarterly* 58.1, pp. 207–215.
- Widmaier, Wesley W., Mark Blyth, and Leonard Seabrooke (2007). “Exogenous Shocks or Endogenous Constructions? The Meanings of Wars and Crises”. In: *International Studies Quarterly* 51.4, pp. 747–759.
- Wiener, Antje (2007). “The Dual Quality of Norms and Governance beyond the State: Sociological and Normative Approaches to ‘Interaction’”. In: *Critical Review of International Social and Political Philosophy* 10.1, pp. 47–69.
- (2014). *A Theory of Contestation*. Heidelberg: Springer.
- (2017). “A Theory of Contestation: A Concise Summary of Its Argument and Concepts”. In: *Polity* 49.1, pp. 000–000.

- Wiener, Antje and Uwe Puetter (2009). "The Quality of Norms Is What Actors Make of It: Critical Constructivist Research on Norms". In: *Journal of International Law and International Relations* 5.1, pp. 1–16.
- Williams, John (2003). "Territorial Borders, International Ethics and Geography: Do Good Fences Still Make Good Neighbours?" In: *Geopolitics* 8.2, pp. 25–46.
- (2006). *The Ethics of Territorial Borders: Drawing Lines in the Shifting Sand*. Hampshire: Palgrave Macmillan.
- Winston, Carla (2018). "Norm Structure, Diffusion, and Evolution: A Conceptual Approach". In: *European Journal of International Relations* 24.3, pp. 638–661.
- Wölwer, Anna-Lena, Jan Pablo Burgard, and Martin Breßlein (2018). "Gravity Models in R". In: *Austrian Journal of Statistics* 47, pp. 16–38.
- WTO (1994). *Article XXIV: Territorial Application - Frontier Traffic - Customs Unions and Free Trade Areas*. Geneva: World Trade Organization.
- Yeginsu, Ceylan (2016). *Turkish Parliament Approves Stripping Lawmakers of Their Immunity*. The New York Times. URL: http://www.nytimes.com/2016/05/21/world/europe/turkey-parliament-immunity-kurds.html?_r=0 (visited on 06/14/2016).
- Yodhoyono, Susilo Bambang (2005). *State Address of the President of the Republic of Indonesia and the Government Statement*. URL: <http://papuaweb.org/v1/www/02/050816-presidential-address.html#papua> (visited on 07/02/2021).
- Yosephine, Liza (2016). *Indonesia Calls for Stronger Regional Unity at ASEAN Summit*. The Jakarta Post. URL: <https://www.thejakartapost.com/seasia/2016/09/06/indonesia-calls-for-stronger-regional-unity-at-asean-summit.html> (visited on 10/22/2020).
- Yotov, Yoto V., Roberta Piermartini, José-Antonio Monteiro, and Mario Larch (2016). *An Advanced Guide to Trade Policy Analysis: The Structural Gravity Model*. WTO. URL: https://www.wto-ilibrary.org/economic-research-and-trade-policy-analysis/an-advanced-guide-to-trade-policy-analysis-the-structural-gravity-model_abc0167e-en (visited on 10/21/2019).
- Zetterberg, Hans L. (1992). *Fördraget Om En Europeisk Union*. Dagens Nyheter. URL: <https://arkivet.dn.se/tidning/1992-10-06/272/2?searchTerm=NATO> (visited on 06/08/2020).
- Zhurzhenko, Tatiana (2011). "Borders and Memory". In: *The Ashgate Research Companion to Border Studies*. Ed. by Doris Wastl-Walter. Farnham: Ashgate, pp. 63–74.
- Zieliński, Milosz J. (2012). "Cross-Border Co-Operation between The Kaliningrad Oblast and Poland in the Context of Polish-Russian Relations in 2004-2011". In: *Lithuanian Foreign Policy Review* 28, pp. 11–42.
- Zubek, Radoslaw and Katarína Staroňová (2012). "Organizing for EU Implementation: The Europeanization of Government Ministries in Estonia, Poland, and Slovenia". In: *Public Administration* 90.4, pp. 937–956.

Appendix

A Descriptive Statistics, Model Variations, and Robustness Tests

In the following different robustness tests for the models in chapter 6 are presented. The structure follow a similar approach as in the chapter itself as each Free Movement related flow is listed on its own.

A.1 State and Year Flow Heterogeneity

In this section descriptive statistics for the different flows regarding heterogeneity across sample countries and years are illustrated.

A.1.1 The Baltic Sea Region

Figure A.1: Heterogeneity of Exports in Goods across Countries and Years in the BSR

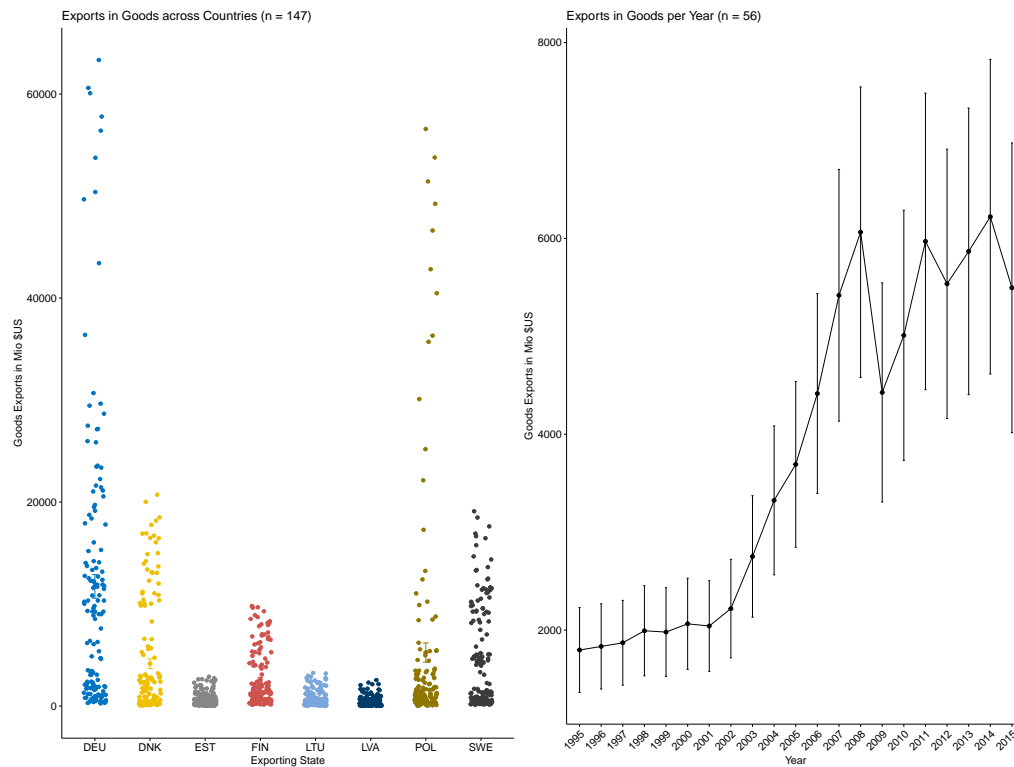


Figure A.2: Heterogeneity of Exports in Services across Countries and Years in the BSR

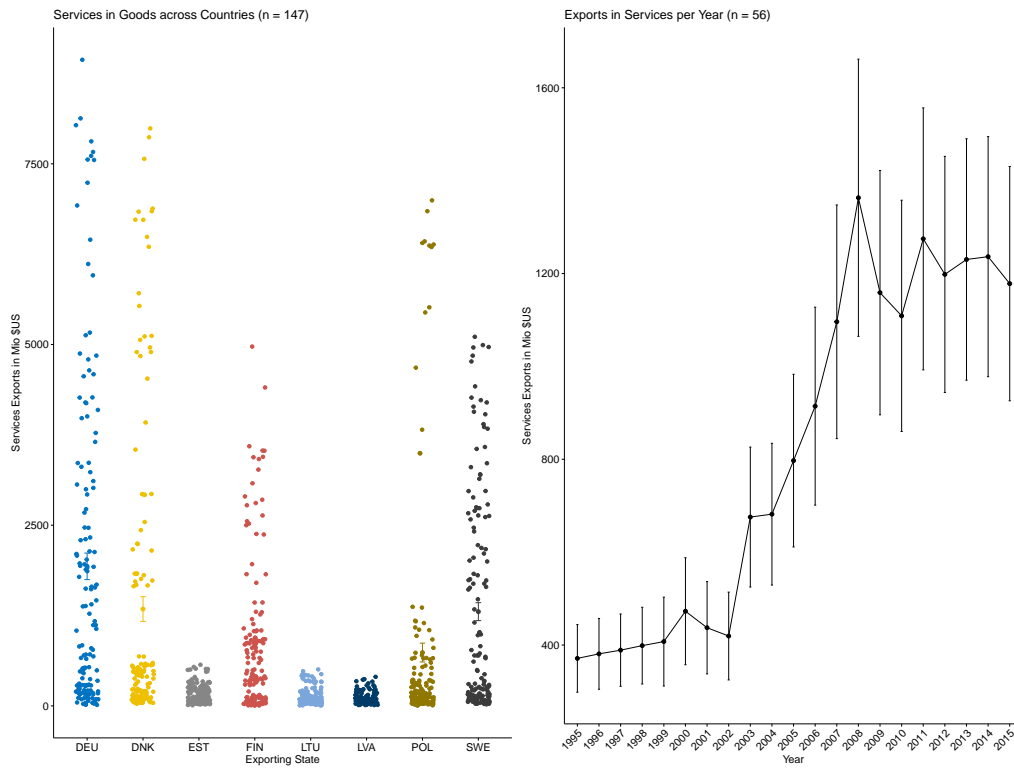


Figure A.3: Heterogeneity of Emigration across Countries and Years in the BSR

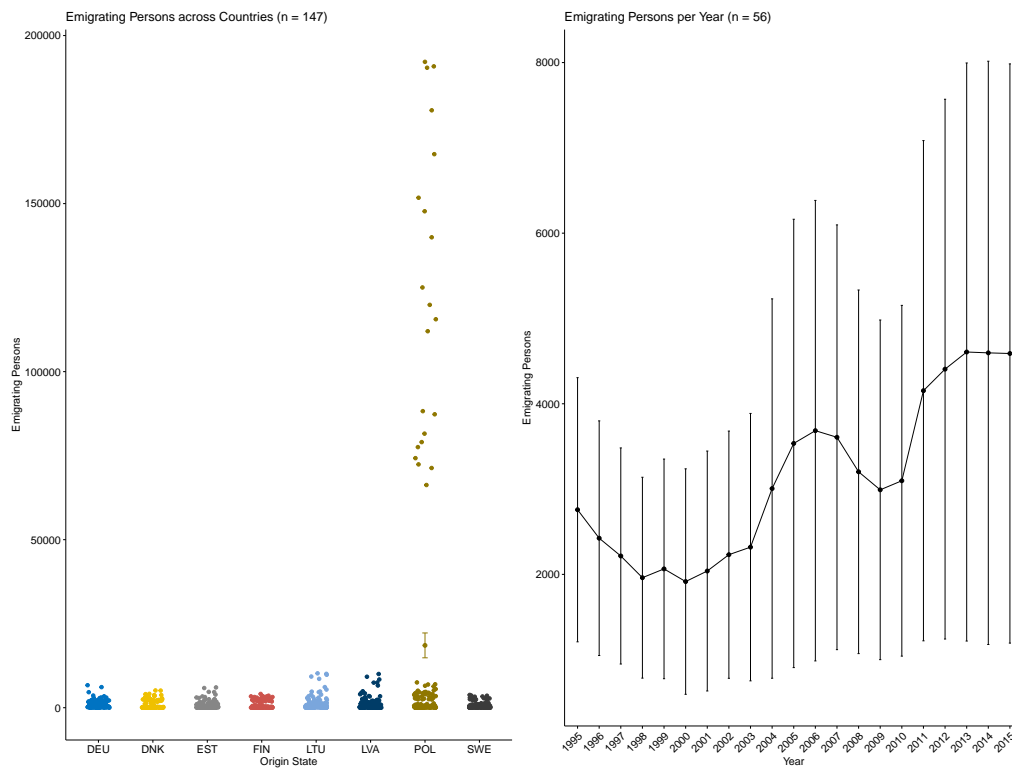
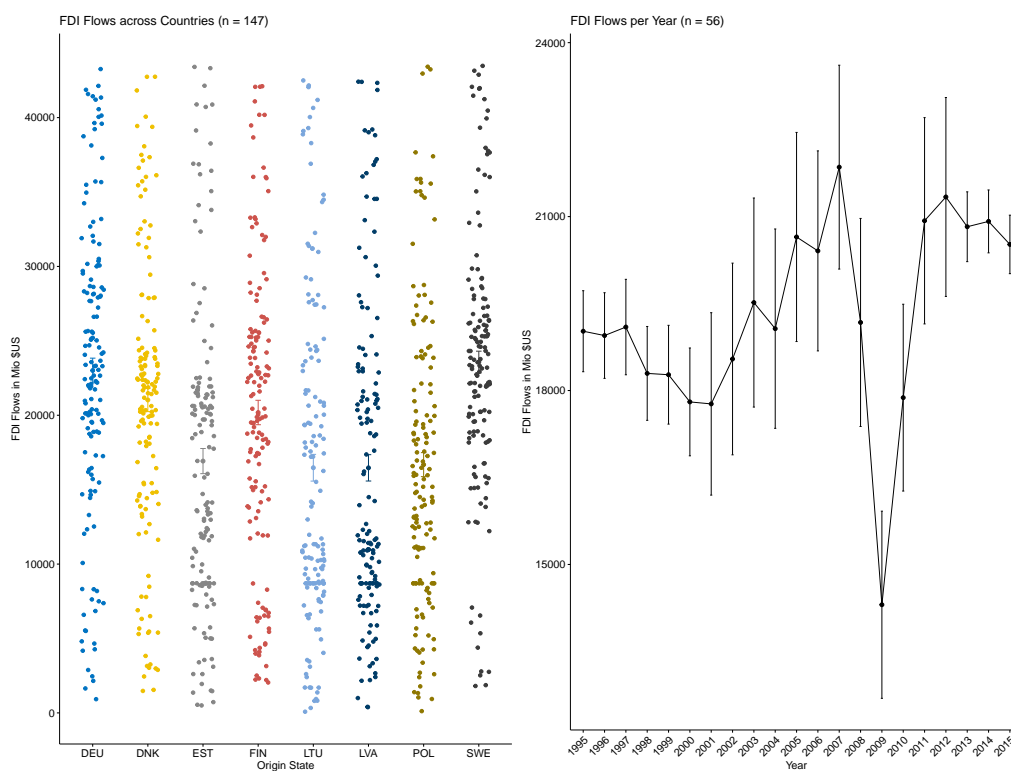


Figure A.4: Heterogeneity of FDI across Countries and Years in the BSR



A.1.2 The South China Sea Region

Figure A.5: Heterogeneity of Exports in Goods across Countries and Years in the SCSR

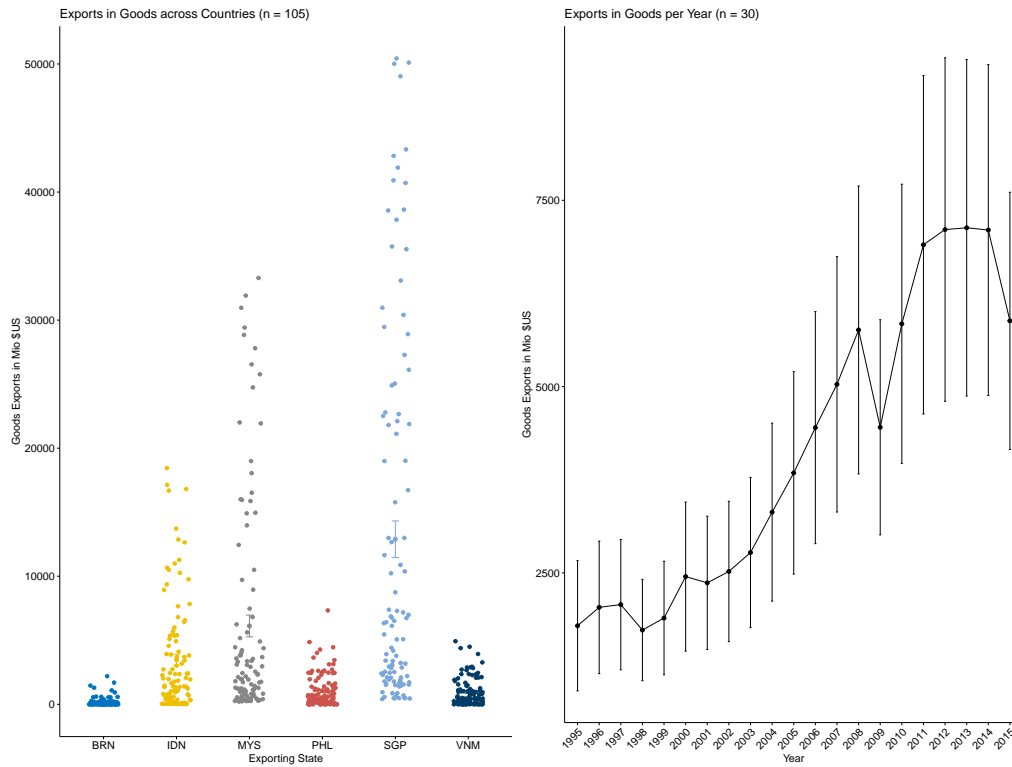


Figure A.6: Heterogeneity of Exports in Services across Countries and Years in the SCSR

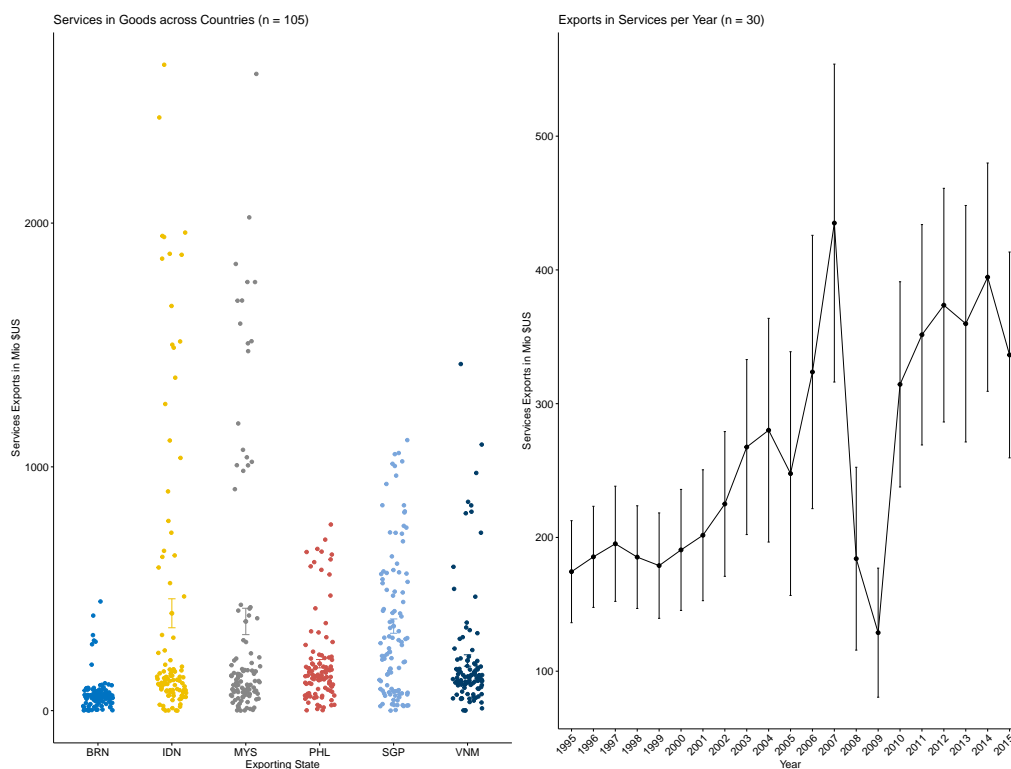


Figure A.7: Heterogeneity of Emigration across Countries and Years in the SCSR

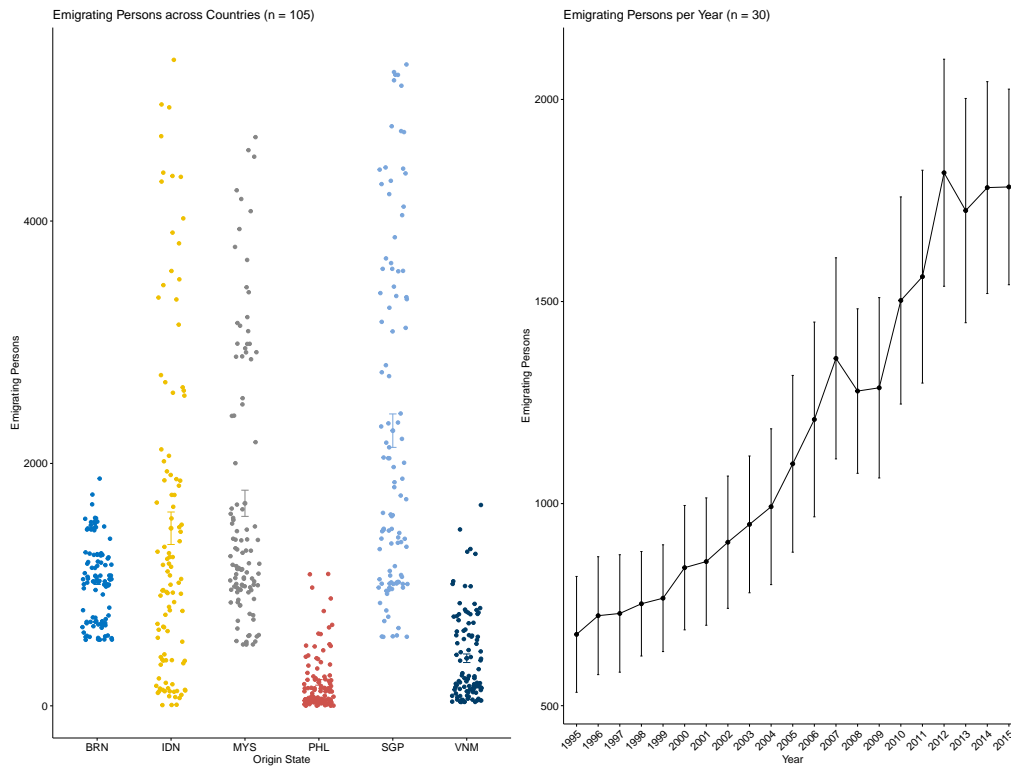
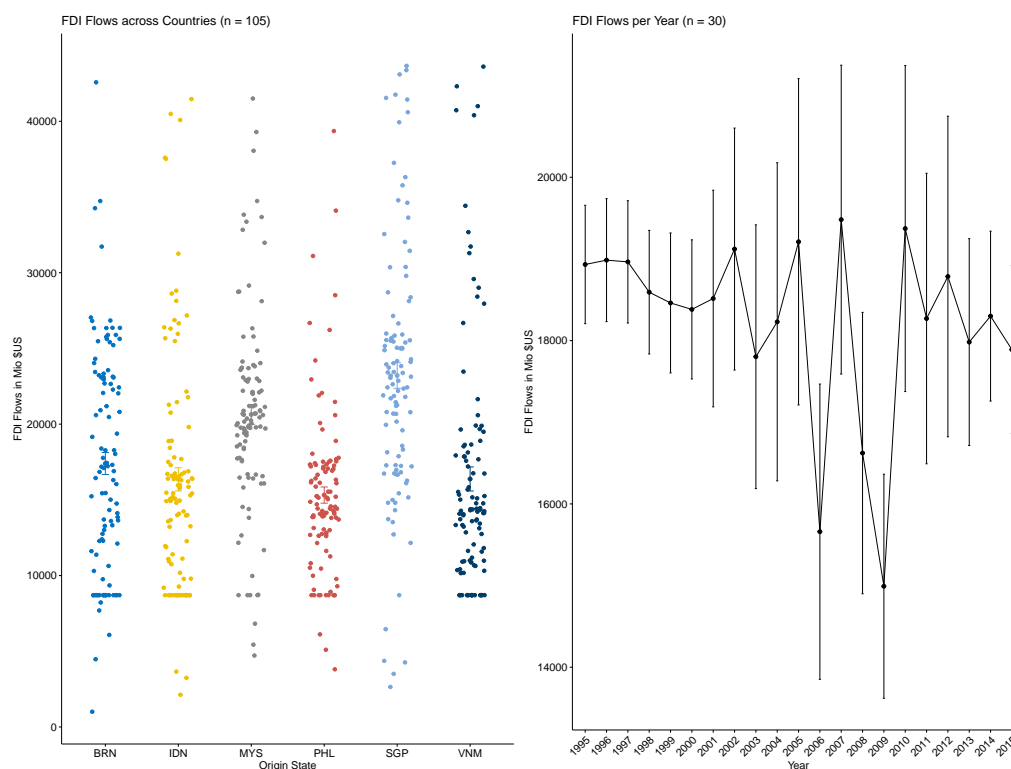


Figure A.8: Heterogeneity of FDI across Countries and Years in the SCSR



A.2 Variance Inflation Factor Test

Table A.1: Variance Inflation Factor Test for BSR and SCSR OLS Models

Variables	Log Dist.	Log GDP A	Log GDP B	Norms	Contiguity	Common Lang.	Common Curr.	Crises	GATT/WTO
BSR									
Trade in Goods	2.327533	1.824525	1.800424	1.207372	2.395642	1.336531	1.364945	1.134368	1.085490
Trade in Services	2.234917	1.923695	2.056004	1.253464	2.245995	1.515700	1.257817	1.007970	1.223205
Movement of Persons	4.006203	1.889741	2.834678	1.414718	4.772248	1.172714	1.192784	1.006890	1.950325
Movement of Capital	2.379529	1.440466	1.739274	1.192156	1.818146	1.171082	1.065561	1.008873	1.329813
SCSR									
Trade in Goods	6.490822	1.367512	1.502680	1.590312	3.781825	6.137744	16.468966	1.109931	1.141612
Trade in Services	4.555741	1.221816	1.211393	1.411225	3.613983	3.678469	9.352505	1.132602	1.111810
Movement of Persons	4.130339	1.249824	1.262620	1.306088	2.373386	2.805535	5.297303	1.132892	1.125385
Movement of Capital	3.503489	1.253043	1.267821	1.335517	2.292341	2.364215	4.151662	1.128288	1.144484

Notes: VIF results between 1 and 5 represent low multicollinearity and above 5 a high multicollinearity. As the variable *common currency* expresses high values for the estimations of goods, services, and migration, it has been dropped for the affected SCSR models. The remaining instances have been kept based on methodological and historical justifications.

A.3 Maximum Likelihood Fixed Effects Results

A.3.1 Baltic Sea Region

Table A.2: BSR Goods: Estimation of Maximum Likelihood gravity models with different fixed effects.

Dependent Variable:	Goods Exports					
Model:	(1)	(2)	(3)	(4)	(5)	(6)
<i>Variables</i>						
$\ln(\text{Distance})$	-1.303*** (0.0021)	-1.461*** (0.3241)	-1.707*** (0.4036)	-1.703*** (0.3860)	-1.747*** (0.0968)	
$\ln(\text{GDPOrigin})$	0.7678*** (0.0005)	2.38*** (0.3153)	1.634*** (0.2168)	1.328*** (0.2215)		1.687*** (0.2565)
$\ln(\text{GDPDestin.})$	0.6721*** (0.0005)	0.7024*** (0.0416)	1.591*** (0.2250)	1.253*** (0.1710)		1.66*** (0.2150)
EU Goods Norms	0.0059*** (2.434×10^{-5})	0.0031*** (0.0004)	0.0037*** (0.0009)	0.0078*** (0.0027)	0.0058*** (0.0022)	0.0034*** (0.0006)
Contiguity	0.0792*** (0.0015)	-0.0198 (0.2491)	0.2219 (0.3022)	0.2220 (0.2903)	0.2143*** (0.0737)	
Common Language	0.4986*** (0.0022)	0.6368*** (0.2415)	-0.0219 (0.4223)	-0.0246 (0.4076)	0.0068 (0.1129)	
Common Currency	0.3880*** (0.0021)	0.3848** (0.1577)	0.4301*** (0.0882)	0.4291*** (0.0839)	0.5679*** (0.0431)	-0.1270 (0.1019)
Crises	0.0924*** (0.0022)	0.1598*** (0.0311)	0.1131*** (0.0238)	0.0903*** (0.0150)		0.1171*** (0.0197)
GATT/WTO	0.3181*** (0.0064)	-0.0046 (0.1691)	-0.2585** (0.1189)	-0.1137 (0.0997)		-0.3044** (0.1458)
<i>Fixed-effects</i>						
Orig.		✓	✓	✓		
Dest.			✓	✓		
Year				✓		
Orig. × Year					✓	
Dest. × Year					✓	
Dyadic Cluster						✓
<i>Fit statistics</i>						
Standard-Errors	Standard	Orig.	Orig. & Dest.	Orig. & Dest. & Year	Orig. × Year & Dest. × Year	Dyadic Cluster
Observations	1,176	1,176	1,176	1,176	1,176	1,176
Squared Correlation	0.743	0.833	0.949	0.959	0.967	0.985
Pseudo R ²	0.89272	0.9195	0.94875	0.95373	0.96039	0.987

Signif. Codes: ***, 0.01, **, 0.05, *, 0.1

Notes: Standard errors in parentheses. Type varies by model.

Table A.3: BSR Services: Estimation of Maximum Likelihood gravity models with different fixed effects.

Dependent Variable:	Services Exports					
Model:	(1)	(2)	(3)	(4)	(5)	(6)
<i>Variables</i>						
$\ln(\text{Distance})$	-2.076*** (0.0042)	-1.978*** (0.3061)	-1.82*** (0.4205)	-1.806*** (0.4023)	-1.85*** (0.1002)	
$\ln(\text{GDPOrigin})$	0.7555*** (0.0011)	2.111*** (0.4068)	1.578*** (0.4014)	-0.1161 (0.3130)		1.681*** (0.2542)
$\ln(\text{GDPDestin.})$	0.7823*** (0.0011)	0.7619*** (0.0450)	1.423*** (0.2409)	-0.3120 (0.3668)		1.481*** (0.2915)
EU Services Norms	0.0059*** (4.283×10^{-5})	0.0028*** (0.0011)	0.0028 (0.0020)	0.0044*** (0.0009)	0.0094*** (0.0015)	0.0025** (0.0011)
Contiguity	-0.4108*** (0.0031)	-0.3151 (0.2621)	0.1688 (0.2531)	0.1819 (0.2434)	0.1520** (0.0654)	
Common Language	1.024*** (0.0045)	0.7924*** (0.2593)	-0.0819 (0.4036)	-0.1128 (0.3781)	-0.0453 (0.1050)	
Common Currency	0.7326*** (0.0042)	0.5444*** (0.1608)	0.6147*** (0.1077)	0.5907*** (0.1181)	0.6899*** (0.0162)	0.1337 (0.1156)
Crises	0.3373*** (0.0044)	0.2997*** (0.0602)	0.2834*** (0.0670)	-0.0321 (0.0224)		0.2729*** (0.0336)
GATT/WTO	-0.7273*** (0.0113)	-0.6874*** (0.2553)	-0.9576*** (0.1828)	-0.4876*** (0.1482)		-0.9664*** (0.1868)
<i>Fixed-effects</i>						
Orig.		✓	✓	✓		
Dest.			✓	✓		
Year				✓		
Orig. × Year					✓	
Dest. × Year					✓	
Dyadic Cluster						✓
<i>Fit statistics</i>						
Standard-Errors	Standard	Orig.	Orig. & Dest.	Orig. & Dest. & Year	Orig. × Year & Dest. × Year	Dyadic Cluster
Observations	1,176	1,176	1,176	1,176	1,176	1,176
Squared Correlation	0.81	0.842	0.883	0.91	0.934	0.943
Pseudo R ²	0.89359	0.90693	0.9162	0.93005	0.94356	0.9646

Signif. Codes: ***: 0.01, **: 0.05, *: 0.1

Notes: Standard errors in parentheses. Type varies by model.

Table A.4: BSR Persons: Estimation of Maximum Likelihood gravity models with different fixed effects.

Dependent Variable:	Persons Emigration					
Model:	(1)	(2)	(3)	(4)	(5)	(6)
<i>Variables</i>						
$\ln(\text{Distance})$	1.225*** (0.0038)	-2.27*** (0.3561)	-2.93*** (0.6434)	-2.908*** (0.6083)	-3.119*** (0.1650)	
$\ln(\text{GDPOrigin})$	0.1174*** (0.0006)	0.1811 (0.2329)	0.7105** (0.3045)	-1.116* (0.6306)		0.6437*** (0.2076)
$\ln(\text{GDPDestin.})$	0.9643*** (0.0007)	1.219*** (0.0888)	-0.2522 (0.7909)	-1.932* (1.014)		-0.1036 (0.6154)
EU Persons Norms	-0.0005*** (9.591×10^{-6})	0.0030*** (0.0005)	0.0028*** (0.0007)	0.0053*** (0.0012)	0.0104*** (0.0017)	0.0029*** (0.0006)
Contiguity	2.789*** (0.0028)	0.3264 (0.6254)	-0.4800 (0.6220)	-0.5156 (0.5854)	-0.6563*** (0.1546)	
Common Language	-1.169*** (0.0041)	0.5391 (0.6179)	1.86** (0.8696)	1.751** (0.8253)	2.066*** (0.2552)	
Common Currency	-1.014*** (0.0041)	0.2120* (0.1145)	0.3684 (0.3239)	0.1312 (0.3065)	0.5149*** (0.1815)	0.1810 (0.3715)
Crises	-0.6921*** (0.0045)	0.2357* (0.1206)	0.2707 (0.2016)	0.2486*** (0.0305)		0.2614* (0.1361)
GATT/WTO	-2.976*** (0.0043)	-2.911*** (0.4832)	-1.522*** (0.3193)	-0.8687** (0.3878)		-1.576*** (0.3693)
<i>Fixed-effects</i>						
Orig.		✓	✓	✓		
Dest.			✓	✓		
Year				✓		
Orig. × Year					✓	
Dest. × Year					✓	
Dyadic Cluster						✓
<i>Fit statistics</i>						
Standard-Errors	Standard	Orig.	Orig. & Dest.	Orig. & Dest. & Year	Orig. × Year & Dest. × Year	Dyadic Cluster
Observations	1,176	1,176	1,176	1,176	1,176	1,176
Squared Correlation	0.621	0.975	0.973	0.994	0.998	0.975
Pseudo R ²	0.74336	0.94665	0.9596	0.96507	0.976	0.97786

Signif. Codes: ***, 0.01, **, 0.05, *, 0.1

Notes: Standard errors in parentheses. Type varies by model.

Table A.5: BSR Capital: Estimation of Maximum Likelihood gravity models with different fixed effects.

Dependent Variable:	FDI Flow					
Model:	(1)	(2)	(3)	(4)	(5)	(6)
<i>Variables</i>						
$\ln(\text{Distance})$	-0.2574*** (0.0007)	-0.1661*** (0.0524)	-0.3742*** (0.0713)	-0.3709*** (0.0528)	-0.3835*** (0.0623)	
$\ln(\text{GDPOrigin})$	0.0975*** (0.0002)	0.8184*** (0.1284)	0.8656*** (0.2047)	0.7117** (0.3318)		0.8674*** (0.1743)
$\ln(\text{GDPDestin.})$	0.0132*** (0.0002)	0.0088 (0.0207)	-0.3700*** (0.0748)	-0.6832** (0.2668)		-0.3673** (0.1643)
EU Capital Norms	0.0017*** (1.232×10^{-5})	-0.0041** (0.0021)	-0.0016 (0.0030)	0.0128 (0.0102)	-0.0032 (0.0079)	-0.0016 (0.0020)
Contiguity	0.0654*** (0.0007)	0.1869*** (0.0533)	-0.0816 (0.0651)	-0.0975 (0.0652)	-0.0784 (0.0584)	
Common Language	0.0429*** (0.0011)	-0.1270 (0.0781)	0.4263*** (0.0671)	0.4162*** (0.0657)	0.4389*** (0.1225)	
Common Currency	-0.0432*** (0.0011)	-0.0621 (0.0504)	-0.0309 (0.0407)	-0.0773*** (0.0167)	-0.0777 (0.1177)	-0.0280 (0.0760)
Crises	0.0509*** (0.0011)	0.1252** (0.0514)	0.1181** (0.0471)	0.2292** (0.0938)		0.1178 (0.0909)
GATT/WTO	-0.2052*** (0.0009)	-0.2466*** (0.0457)	-0.1263*** (0.0447)	-0.0603 (0.0834)		-0.1261** (0.0597)
<i>Fixed-effects</i>						
Orig.		✓	✓	✓		
Dest.			✓	✓		
Year				✓		
Orig. × Year					✓	
Dest. × Year					✓	
Dyadic Cluster						✓
<i>Fit statistics</i>						
Standard-Errors	Standard	Orig.	Orig. & Dest.	Orig. & Dest. & Year	Orig. × Year & Dest. × Year	Dyadic Cluster
Observations	1,176	1,176	1,176	1,176	1,176	1,176
Squared Correlation	0.112	0.157	0.195	0.219	0.444	0.251
Pseudo R ²	0.10504	0.15017	0.19429	0.21708	0.44271	0.24751

Signif. Codes: ***, 0.01, **, 0.05, *, 0.1

Notes: Standard errors in parentheses. Type varies by model.

A.3.2 South China Sea Region

Table A.6: SCSR Goods: Estimation of Maximum Likelihood gravity models with different fixed effects.

Dependent Variable: Model:	(1)	(2)	(3)	Goods Exports (4)	(5)	(6)
<i>Variables</i>						
$\ln(\text{Distance})$	-1.902*** (0.0019)	-1.515*** (0.0998)	-0.6937** (0.3522)	-0.6914** (0.3212)	-0.7000*** (0.0783)	
$\ln(\text{GDPOrigin})$	0.7599*** (0.0010)	0.3412*** (0.1099)	1.342*** (0.1983)	0.5638** (0.2736)		1.335* (0.6893)
$\ln(\text{GDPDestin.})$	0.8759*** (0.0011)	0.6902*** (0.1027)	-0.5214*** (0.1936)	-1.01** (0.4924)		-0.5153 (0.7124)
ASEAN Goods Norms	-0.0012*** (0.0002)	0.0395*** (0.0131)	0.0458*** (0.0124)	-4.739 (0.1326)		0.0459*** (0.0172)
Contiguity	-0.9859*** (0.0024)	-0.6936*** (0.2093)	-0.3520 (0.3652)	-0.3479 (0.2719)	-0.3202*** (0.0858)	
Common Language	1.157*** (0.0022)	0.8244*** (0.2600)	0.2176 (0.3475)	0.2142 (0.2886)	0.1450 (0.0930)	
Crises	-0.2574*** (0.0042)	-0.0100 (0.0344)	-0.1053 (0.1109)	-0.0091 (0.1666)		-0.1087 (0.1010)
GATT/WTO	-0.0374*** (0.0050)	0.2919 (0.2284)	0.6885*** (0.0659)	0.7311*** (0.0583)		0.6819*** (0.1482)
<i>Fixed-effects</i>						
Orig.		✓	✓	✓		
Dest.			✓	✓		
Year				✓		
Orig. × Year					✓	
Dest. × Year					✓	
Dyadic Cluster						✓
<i>Fit statistics</i>						
Standard-Errors	Standard	Orig.	Orig. & Dest.	Orig. & Dest. & Year	Orig. × Year & Dest. × Year	Dyadic Cluster
Observations	630	630	630	630	630	630
Squared Correlation	0.851	0.936	0.947	0.962	0.992	0.954
Pseudo R ²	0.88393	0.93422	0.95618	0.96051	0.98231	0.96675

Signif. Codes: ***, 0.01, **, 0.05, *, 0.1

Notes: Standard errors in parentheses. Type varies by model.

Table A.7: SCSR Services: Estimation of Maximum Likelihood gravity models with different fixed effects.

Dependent Variable: Model:	(1)	(2)	(3)	Services Exports (4)	(5)	(6)
<i>Variables</i>						
$\ln(\text{Distance})$	-1.636*** (0.0069)	-1.921*** (0.2373)	-0.9471*** (0.1131)	-0.9473*** (0.1704)	-0.9674*** (0.0807)	
$\ln(\text{GDPOrigin})$	0.5917*** (0.0031)	0.7586** (0.3071)	0.5310 (0.4409)	0.6095*** (0.1208)		0.5345 (0.5218)
$\ln(\text{GDPDestin.})$	0.4746*** (0.0029)	0.5592*** (0.1188)	0.9011* (0.4611)	0.8152 (0.5871)		0.9010* (0.5082)
ASEAN Services Norms	-0.0140*** (0.0004)	-0.0239*** (0.0101)	-0.0277*** (0.0087)	-6.043 (2255094.3)		-0.0278*** (0.0104)
Contiguity	-1.374*** (0.0100)	-1.535*** (0.2285)	-0.2366** (0.1040)	-0.2369 (0.1631)	-0.2561** (0.1015)	
Common Language	0.8994*** (0.0078)	1.13*** (0.2474)	0.0604 (0.0919)	0.0606 (0.1077)	0.0853 (0.0764)	
Crises	0.1393*** (0.0112)	0.0105 (0.0468)	0.0263 (0.0779)	0.0881** (0.0448)		0.0280 (0.0792)
GATT/WTO	0.4203*** (0.0144)	0.2184 (0.1764)	-0.0707 (0.2547)	-0.0457 (0.3107)		-0.0638 (0.1852)
<i>Fixed-effects</i>						
Orig.		✓	✓	✓		
Dest.			✓	✓		
Year				✓		
Orig. × Year					✓	
Dest. × Year					✓	
Dyadic Cluster						✓
<i>Fit statistics</i>						
Standard-Errors	Standard	Orig.	Orig. & Dest.	Orig. & Dest. & Year	Orig. × Year & Dest. × Year	Dyadic Cluster
Observations	630	630	630	630	630	630
Squared Correlation	0.675	0.788	0.85	0.913	0.981	0.852
Pseudo R ²	0.71144	0.7631	0.84813	0.87979	0.94688	0.85417

Signif. Codes: ***: 0.01, **: 0.05, *: 0.1

Notes: Standard errors in parentheses. Type varies by model.

Table A.8: SCSR Persons: Estimation of Maximum Likelihood gravity models with different fixed effects.

Dependent Variable: Model:	(1)	(2)	(3)	Persons Emigration		
				(4)	(5)	(6)
<i>Variables</i>						
$\ln(\text{Distance})$	-0.6067*** (0.0024)	-0.4103*** (0.0256)	-0.3465*** (0.0382)	-0.3464*** (0.0512)	-0.3480*** (0.0238)	
$\ln(\text{GDPOrigin})$	0.1253*** (0.0008)	0.4356*** (0.1598)	0.3587** (0.1536)	0.4043*** (0.1214)		0.3587*** (0.0967)
$\ln(\text{GDPEndin.})$	0.1665*** (0.0008)	0.1519*** (0.0115)	0.3352** (0.1665)	0.4044*** (0.0651)		0.3350*** (0.1141)
ASEAN Persons Norms	0.0578*** (0.0008)	0.0028 (0.0191)	-0.0088 (0.0333)			-0.0089 (0.0206)
Contiguity	0.0894*** (0.0029)	0.0927** (0.0440)	0.2130** (0.0882)	0.2131** (0.0965)	0.2070*** (0.0409)	
Common Language	0.0986*** (0.0026)	0.0750* (0.0433)	-0.0528 (0.0670)	-0.0530 (0.0715)	-0.0503 (0.0316)	
Crises	-0.0974*** (0.0043)	-0.0244 (0.0401)	-0.0246 (0.0412)	-0.0330 (0.0853)		-0.0246 (0.0323)
GATT/WTO	0.0671*** (0.0037)	0.1542*** (0.0386)	-0.0640 (0.0511)	-0.0821 (0.0617)		-0.0611 (0.0766)
<i>Fixed-effects</i>						
Orig.		✓	✓	✓		
Dest.			✓	✓		
Year				✓		
Orig. × Year					✓	
Dest. × Year					✓	
Dyadic Cluster						✓
<i>Fit statistics</i>						
Standard-Errors	Standard	Orig.	Orig. & Dest.	Orig. & Dest. & Year	Orig. × Year & Dest. × Year	Dyadic Cluster
Observations	630	630	630	630	630	630
Squared Correlation	0.73	0.866	0.881	0.885	0.953	0.893
Pseudo R ²	0.69523	0.85823	0.87564	0.87807	0.93602	0.88797

Signif. Codes: ***: 0.01, **: 0.05, *: 0.1

Notes: Standard errors in parentheses. Type varies by model.

Table A.9: SCSR Capital: Estimation of Maximum Likelihood gravity models with different fixed effects.

Dependent Variable:	FDI Flow					
Model:	(1)	(2)	(3)	(4)	(5)	(6)
<i>Variables</i>						
$\ln(\text{Distance})$	-0.7398*** (0.0013)	-0.6466*** (0.1362)	-0.4506** (0.2060)	-0.4500** (0.1978)	-0.4496*** (0.0820)	
$\ln(\text{GDP}_{\text{Origin}})$	0.0606*** (0.0003)	0.4252*** (0.0823)	0.4315*** (0.0693)	0.6007*** (0.0274)		0.4395** (0.1974)
$\ln(\text{GDP}_{\text{Destin.}})$	0.0432*** (0.0003)	0.0346 (0.0320)	0.0465 (0.2298)	0.2294 (0.3294)		0.0410 (0.1729)
ASEAN Capital Norms	-0.0219*** (0.0002)	-0.0841*** (0.0119)	-0.0976*** (0.0360)			-0.0989*** (0.0338)
Contiguity	-0.3477*** (0.0011)	-0.3509*** (0.0672)	0.0028 (0.0979)	0.0028 (0.1075)	-0.0039 (0.0720)	
Common Language	0.3402*** (0.0011)	0.2676*** (0.0696)	0.1025 (0.1046)	0.1020 (0.1007)	0.1039* (0.0601)	
Common Currency	-0.4910*** (0.0021)	-0.4407*** (0.1635)	-0.4009 (0.2448)	-0.4001* (0.2262)	-0.3936*** (0.1130)	
Crises	0.0172*** (0.0013)	0.0574 (0.0446)	0.0548 (0.0403)	0.0929 (0.0867)		0.0543 (0.0511)
GATT/WTO	-0.2003*** (0.0010)	-0.1495** (0.0741)	0.0479 (0.1384)	0.0076 (0.1221)		0.0636 (0.0861)
<i>Fixed-effects</i>						
Orig.		✓	✓	✓		
Dest.			✓	✓		
Year				✓		
Orig. × Year					✓	
Dest. × Year					✓	
Dyadic Cluster						✓
<i>Fit statistics</i>						
Standard-Errors	Standard	Orig.	Orig. & Dest.	Orig. & Dest. & Year	Orig. × Year & Dest. × Year	Dyadic Cluster
Observations	630	630	630	630	630	630
Squared Correlation	0.223	0.259	0.323	0.346	0.6	0.429
Pseudo R ²	0.21688	0.2596	0.33363	0.35476	0.59292	0.43882

Signif. Codes: ***: 0.01, **: 0.05, *: 0.1

Notes: Standard errors in parentheses. Type varies by model.

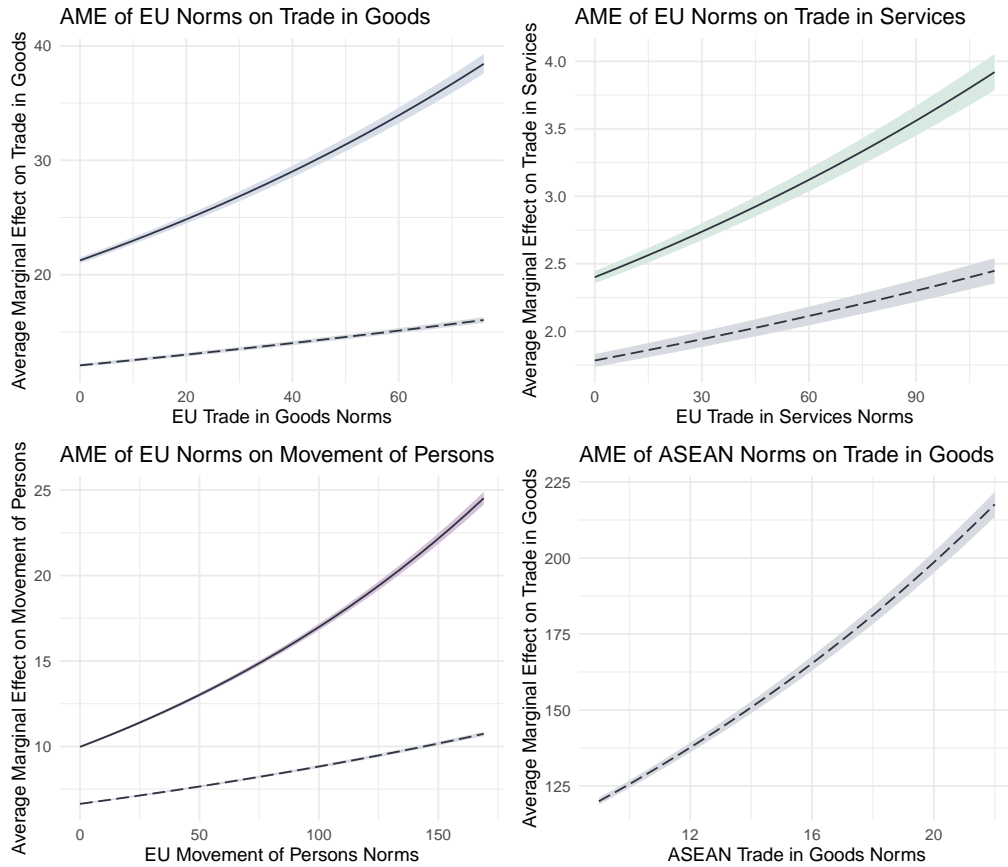
A.4 Marginal Effects

In Table A.10 the point increases for each individual cross-border interaction based on specific norms for the two IGOs is summarized. Note that the values represent the estimations based on the state-year fixed effects model, whereas the values in brackets are based on the state fixed effects model. The graphical illustration of these marginal effects in Figure A.9 follow a similar convention. The consistent line represents the former, and the dashed line the latter model. Marginal effects have been only calculated in instances where a positive and significant result for the respective norm influence has been discerned.

Table A.10: Summarized point increases for Marginal Effects

	Goods	Services	Persons	Capital
EU	29.7/(14.2)	3.6/(2.3)	16.6/(8.8)	-/(-)
ASEAN	-/(188.8)	-/(-)	-/(-)	-/(-)

Figure A.9: Marginal Effects of IGO Norms on Cross-Border Interaction



A.5 Trend Analysis

Table A.11: BSR Trend Analysis

Dependent Variables: Model:	Goods Exports (1)	Services Exports (2)	Persons Emigration (3)	FDI Flow (4)
<i>Variables</i>				
$\ln(\text{Distance})$	-1.703*** (0.3864)	-1.806*** (0.4123)	-2.908*** (0.6085)	-0.3709*** (0.0528)
$\ln(\text{GDPOrigin})$	1.328*** (0.2498)	-0.1161 (0.3038)	-1.116* (0.6309)	0.7117** (0.3318)
$\ln(\text{GDPDestin.})$	1.253*** (0.2548)	-0.3120 (0.3922)	-1.932* (1.014)	-0.6832** (0.2668)
EU Goods Norms	0.0078*** (0.0020)			
EU Services Norms		0.0044*** (0.0009)		
EU Persons Norms			0.0053*** (0.0012)	
EU Capital Norms				0.0128 (0.0102)
Trend	8.082 (10819520.8)	-213.7 (8057387.8)	-553.9 (111949475.8)	
Contiguity	0.2220 (0.2929)	0.1819 (0.3326)	-0.5156 (0.5857)	-0.0975 (0.0652)
Common Language	-0.0246 (0.4174)	-0.1128 (0.3796)	1.751** (0.8256)	0.4162*** (0.0657)
Common Currency	0.4291*** (0.1026)	0.5907*** (0.1220)	0.1312 (0.3066)	-0.0773*** (0.0167)
Crises	0.0903*** (0.0241)	-0.0321 (0.0337)	0.2486*** (0.0305)	0.2292** (0.0938)
GATT/WTO	-0.1137 (0.1325)	-0.4876*** (0.1538)	-0.8687** (0.3880)	-0.0603 (0.0834)
<i>Fixed-effects</i>				
Orig.	✓	✓	✓	✓
Dest.	✓	✓	✓	✓
Year	✓	✓	✓	✓
<i>Fit statistics</i>				
Observations	1,176	1,176	1,176	1,176
Squared Correlation	0.959	0.91	0.994	0.219
Pseudo R ²	0.95373	0.93005	0.96507	0.21708

Orig. & *Dest.* & *Year* standard-errors in parentheses

Signif. Codes: ***: 0.01, **: 0.05, *: 0.1

Notes: Standard errors in parentheses.

Table A.12: SCSR Trend Analysis

Dependent Variables: Model:	Goods Exports (1)	Services Exports (2)	Persons Emigration (3)	FDI Flow (4)
<i>Variables</i>				
$\ln(\text{Distance})$	-0.6914** (0.3212)	-0.9473*** (0.1704)	-0.3464*** (0.0512)	-0.2133** (0.1020)
$\ln(\text{GDPOrigin})$	0.5638** (0.2736)	0.6095*** (0.1209)	0.4043*** (0.1214)	0.6028*** (0.0176)
$\ln(\text{GDPDestin.})$	-1.01** (0.4924)	0.8152 (0.5871)	0.4044*** (0.0651)	0.2326 (0.3282)
ASEAN Goods Norms	-5.446 (2623767.2)			
ASEAN Services Norms		-6.474 (2255094.2)		
ASEAN Persons Norms				
ASEAN Capital Norms				
Trend				
Contiguity	-0.3479 (0.2719)	-0.2369 (0.1631)	0.2131** (0.0965)	0.0119 (0.1211)
Common Language	0.2142 (0.2886)	0.0606 (0.1077)	-0.0530 (0.0715)	-0.0038 (0.0914)
Crises	-0.0091 (0.1666)	0.0881** (0.0448)	-0.0330 (0.0853)	0.0929 (0.0815)
GATT/WTO	0.7311*** (0.0583)	-0.0457 (0.3107)	-0.0821 (0.0617)	0.0082 (0.1237)
<i>Fixed-effects</i>				
Orig.	✓	✓	✓	✓
Dest.	✓	✓	✓	✓
Year	✓	✓	✓	✓
<i>Fit statistics</i>				
Observations	630	630	630	630
Squared Correlation	0.962	0.913	0.885	0.324
Pseudo R ²	0.96051	0.87979	0.87807	0.3406

Orig. & Dest. & Year standard-errors in parentheses

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses.

A.6 Lagged Dependent Variable

Table A.13: BSR Lagged Dependent Variable

Dependent Variables: Model:	Goods Exports (1)	Services Exports (2)	Persons Emigration (3)	FDI Flow (4)
<i>Variables</i>				
$\ln(\text{Distance})$	-1.39*** (0.3176)	-1.362*** (0.2921)	-2.792*** (0.5821)	-0.3081*** (0.0478)
$\ln(\text{GDPOrigin})$	1.074*** (0.3410)	0.9448*** (0.1539)	-1.108** (0.5599)	0.6552* (0.3671)
$\ln(\text{GDPDestin.})$	0.3880 (0.3039)	0.0739 (0.1113)	-1.022 (1.418)	-0.7614** (0.3088)
EU Goods Norms	0.0045** (0.0019)			
l(Goods Exports,1)	2.298×10^{-5} (0.0001)			
l(Goods Exports,2)	-7.65×10^{-7} (0.0001)			
EU Services Norms		0.0023 (0.0016)		
l(Services Exports,1)		0.0002** (0.0001)		
l(Services Exports,2)		-4.784×10^{-5} (0.0001)		
EU Persons Norms			0.0031* (0.0016)	
l(Emigration,1)			6.876×10^{-6} (0.0001)	
l(Emigration,2)			-7.061×10^{-7} (0.0001)	
EU Capital Norms				0.0146 (0.0128)
l(FDI Flow,1)				6.713×10^{-6} (0.0001)
l(FDI Flow,2)				3.129×10^{-6} (0.0001)
Contiguity	0.1613 (0.2519)	-0.0312 (0.2256)	-0.8228 (0.5886)	-0.0847 (0.0776)
Common Language	0.0993 (0.3658)	0.2249 (0.3563)	2.147*** (0.7451)	0.3505*** (0.1334)
Common Currency	0.6160*** (0.0799)	0.6689*** (0.0472)	0.4526 (0.3628)	-0.0701 (0.0602)
Crises	-0.0010 (0.0406)	-0.1832 (0.1233)	0.2562*** (0.0760)	0.3708*** (0.0535)
GATT/WTO	0.3663*** (0.1107)	0.0693 (0.2648)	-0.8274** (0.3815)	-0.0411 (0.0714)
<i>Fixed-effects</i>				
Orig.	✓	✓	✓	✓
Dest.	✓	✓	✓	✓
Year	✓	✓	✓	✓
<i>Fit statistics</i>				
Observations	1,064	1,064	1,064	1,064
Squared Correlation	0.979	0.952	0.994	0.225
Pseudo R ²	0.96619	0.95337	0.96971	0.22317

Orig. & Dest. & Year standard-errors in parentheses

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses. Presented is the impact of the dependent variable as one and two year lagged independent variable.

Table A.14: SCSR Lagged Dependent Variable

Dependent Variables: Model:	Goods Exports (1)	Services Exports (2)	Persons Emigration (3)	FDI Flow (4)
<i>Variables</i>				
$\ln(\text{Distance})$	-0.5509 (0.4067)	-0.4319** (0.1787)	-0.0445 (0.0538)	-0.2193 (0.1333)
$\ln(\text{GDPOrigin})$	0.7924 (0.8759)	0.5671*** (0.0934)	0.1495** (0.0715)	0.3510*** (0.0600)
$\ln(\text{GDPDestin.})$	-0.6474*** (0.1606)	-0.2239 (0.4530)	0.1144*** (0.0232)	0.1078 (0.1541)
ASEAN Goods Norms	-20 (56452158.3)			
l(Goods Exports,1)	$1.364 \times 10^{-5**}$ (5.389×10^{-6})			
l(Goods Exports,2)	$-8.374 \times 10^{-6***}$ (2.062×10^{-6})			
ASEAN Services Norms		-0.5025 (2047874.8)		
l(Services Exports,1)		0.0006 (0.0058)		
l(Services Exports,2)		-1.54×10^{-5} (0.0011)		
ASEAN Persons Norms				
l(Emigration,1)			0.0003*** (4.649×10^{-5})	
l(Emigration,2)			$-8.906 \times 10^{-5***}$ (3.332×10^{-5})	
ASEAN Capital Norms				
l(FDI Flow,1)				1.395×10^{-5} (0.0001)
l(FDI Flow,2)				8.5×10^{-6} (0.0001)
Contiguity	-0.3293 (0.2402)	0.0696 (0.1583)	0.1188*** (0.0385)	0.0300 (0.0867)
Common Language	0.1792 (0.2738)	-0.0767 (0.0871)	-0.0542 (0.0426)	0.0325 (0.0670)
Crises	-0.0759 (0.1896)	0.1597*** (0.0520)	-0.0131 (0.0205)	0.0900 (0.0883)
GATT/WTO	0.7006*** (0.0463)	0.2035 (0.3066)	0.0552 (0.0457)	0.0255 (0.0665)
Common Currency				-0.2151 (0.1426)
<i>Fixed-effects</i>				
Orig.	✓	✓	✓	✓
Dest.	✓	✓	✓	✓
Year	✓	✓	✓	✓
<i>Fit statistics</i>				
Observations	570	570	570	570
Squared Correlation	0.969	0.926	0.945	0.435
Pseudo R ²	0.96595	0.89802	0.93353	0.4412

Orig. & Dest. & Year standard-errors in parentheses

Signif. Codes: ***: 0.01, **: 0.05, *: 0.1

Notes: Standard errors in parentheses. Presented is the impact of the dependent variable as one and two year lagged independent variable.

A.7 Crisis Variable

Table A.15: BSR Cross-Border Flows and the Impact of Crises

Dependent Variables: Model:	l(Goods Exports,1) (1)	l(Services Export,1) (2)	l(Emigration,1) (3)	l(FDI Flow,1) (4)
<i>Variables</i>				
ln(<i>Distance</i>)	-1.324*** (0.0507)	-2.182*** (0.0607)	-0.1593 (0.5800)	-0.2541*** (0.0540)
ln(<i>GDPOrigin</i>)	0.7709*** (0.0173)	0.7857*** (0.0129)	0.2546*** (0.0786)	0.1008*** (0.0205)
ln(<i>GDPDestin.</i>)	0.6624*** (0.0130)	0.8057*** (0.0118)	1.03*** (0.0443)	0.0022 (0.0219)
EU Goods Norms	0.0015 (0.0009)			
EU Services Norms		0.0023*** (0.0002)		
EU Persons Norms			-0.0110*** (0.0011)	
EU Capital Norms				0.0035 (0.0063)
Contiguity	0.0906 (0.0627)	-0.4595*** (0.0372)	1.929*** (0.3694)	0.0822** (0.0342)
Common Language	0.4926*** (0.0629)	1.128*** (0.0372)	-0.9484*** (0.1955)	0.0306 (0.0861)
Common Currency	0.3689*** (0.0527)	0.7206*** (0.0764)	-0.7492*** (0.2183)	-0.0473 (0.1117)
f(Crisis,1)	-0.1015*** (0.0195)	0.0428*** (0.0151)	-2.108*** (0.1410)	-0.0609** (0.0238)
Crises	-0.1170*** (0.0192)	0.0424*** (0.0150)	-1.901*** (0.1385)	-0.1689*** (0.0235)
l(Crisis,1)	-0.1541*** (0.0189)	-0.0547*** (0.0149)	-1.927*** (0.1357)	0.3257*** (0.0237)
l(Crisis,2)	-0.1576*** (0.0190)	-0.0195 (0.0150)	-1.869*** (0.1353)	-0.2883*** (0.0238)
l(Crisis,3)	-0.1968*** (0.0196)	0.0276 (0.0312)	-1.335** (0.5972)	-0.1205*** (0.0353)
GATT/WTO	0.1199 (0.0980)	-0.6718*** (0.1786)	-2.606*** (0.1538)	-0.2107*** (0.0489)
<i>Fixed-effects</i>				
Year	✓	✓	✓	✓
<i>Fit statistics</i>				
Observations	952	952	952	952
Squared Correlation	0.819	0.874	0.71	0.13
Pseudo R ²	0.91841	0.91504	0.79775	0.12151

Year standard-errors in parentheses

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses.

Table A.16: SCSR Cross-Border Flows and the Impact of Crises

Dependent Variables: Model:	l(Goods Exports,1) (1)	l(Services Exports,1) (2)	l(Emigration,1) (3)	l(FDI Flow,1) (4)
<i>Variables</i>				
ln(<i>Distance</i>)	-2.098*** (0.0438)	-1.872*** (0.0819)	-0.7367*** (0.0569)	-0.7016*** (0.0603)
ln(<i>GDP</i> <i>Origin</i>)	0.8169*** (0.0243)	0.5521*** (0.0293)	0.1225*** (0.0149)	0.0549*** (0.0135)
ln(<i>GDP</i> <i>Destin.</i>)	0.8954*** (0.0355)	0.4787*** (0.0179)	0.1640*** (0.0130)	0.0365*** (0.0087)
ASEAN Goods Norms	0.0738*** (0.0145)			
ASEAN Services Norms		-0.1029*** (0.0124)		
ASEAN Persons Norms				
ASEAN Capital Norms				-0.0040 (0.0074)
Contiguity	-0.9239*** (0.0561)	-1.276*** (0.1080)	0.0958** (0.0454)	-0.3192*** (0.0680)
Common Language	1.458*** (0.0636)	1.136*** (0.0834)	0.2013*** (0.0316)	0.3232*** (0.0560)
Common Currency	-0.4583*** (0.0989)	-0.5518*** (0.1220)	-0.2910*** (0.0536)	-0.4645*** (0.0698)
f(Crisis,1)	-0.3241** (0.1402)	0.1271 (0.1051)	-0.1305 (0.0938)	-0.0331 (0.0423)
Crises	-0.1982 (0.1344)	0.2057*** (0.0579)	-0.1110 (0.0730)	-0.1134** (0.0482)
l(Crisis,1)	-0.1921 (0.1540)	0.3027*** (0.0608)	-0.0912 (0.0676)	0.0607 (0.0611)
l(Crisis,2)	-0.1243 (0.1700)	0.1912*** (0.0556)	-0.0702 (0.0698)	-0.0761 (0.0540)
l(Crisis,3)	-0.1853 (0.1388)	0.3340*** (0.0649)	-0.1366*** (0.0472)	-0.0280 (0.0534)
GATT/WTO	-0.1310** (0.0550)	0.3412*** (0.0402)	0.0001 (0.0163)	-0.2033*** (0.0150)
<i>Fixed-effects</i>				
Year	✓	✓	✓	✓
<i>Fit statistics</i>				
Observations	660	660	660	660
Squared Correlation	0.878	0.75	0.749	0.247
Pseudo R ²	0.89759	0.76071	0.71203	0.24051

Year standard-errors in parentheses

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses.

Table A.17: Lagged EU Services and Persons Norms

Dependent Variables: Model:	Services Exports (1)	Persons Emigration (2)
<i>Variables</i>		
$\ln(\text{Distance})$	-1.838*** (0.4070)	-3.091*** (0.6596)
$\ln(\text{GDPOrigin})$	0.0560 (0.3886)	-0.9656 (0.6937)
$\ln(\text{GDPDestin.})$	-0.2993 (0.1964)	-2.356** (1.083)
EU Services Norms	0.0025*** (0.0004)	
l(EU_FMoS,1)	0.0009 (0.0022)	
l(EU_FMoS,2)	0.0007 (0.0007)	
EU Persons Norms		0.0030*** (0.0009)
l(EU_FMoP,1)		0.0009** (0.0004)
l(EU_FMoP,2)		0.0014* (0.0008)
Contiguity	0.1738 (0.2443)	-0.6968 (0.6170)
Common Language	-0.0816 (0.3869)	1.993** (0.8787)
Common Currency	0.6103*** (0.1177)	0.1870 (0.3525)
Crises	-0.0547* (0.0298)	0.2928*** (0.0464)
GATT/WTO	-0.3262** (0.1521)	-0.7042* (0.3609)
<i>Fixed-effects</i>		
Orig.	✓	✓
Dest.	✓	✓
Year	✓	✓
<i>Fit statistics</i>		
Observations	1,064	1,064
Squared Correlation	0.912	0.995
Pseudo R ²	0.9315	0.96688

Orig. & Dest. & Year standard-errors in parentheses

*Signif. Codes: ***: 0.01, **: 0.05, *: 0.1*

Notes: Standard errors in parentheses.

B Questionnaire Design



Dear [*Participants Name*]:

This letter is an invitation to consider participating in a study I am conducting as part of my Doctoral degree in International Relations under the supervision of Prof. Dr. Margit Bussmann (University of Greifswald, Germany) and Prof. Dr. Bo Petersson (Malmö University, Sweden). I would like to provide you with more information about this project and what your involvement would entail if you decide to take part.

Over the years borders between states have become a recurring topic, both in the public debate and within academia. Coincidentally, international organizations like [*EU/ASEAN*] are considered to be important political actors of whom it is generally expected to mediate in times of crisis and to provide mutually beneficial solutions for those involved. Intergovernmental organizations have a vast set of tools to achieve these tasks. The implementation of norms in the sense of implicit and explicit rules through binding agreements is ought to be one of the most potent assets in this endeavor. This study will focus on the influence that intergovernmental organization norms have concerning [*one of the four norms' areas of effect, e.g. cross-border trade*]. Therefore, I would like to include [*IGO/State*] as one of several political actors to be involved in my study. I believe that because you hold a crucial position in the management and operation of your [*IGO/State government*], you are best suited to speak to topics such as the impact of said norms on [*issue area*] or relations among [*neighboring states/member states*]. For your convenience I have attached the set of interview questions and a declaration of informed consent to this letter.

Participation in this study will involve an interview of approximately one hour in length, conducted either by telephone or by Skype. You may decline to answer any of the interview questions if you so wish. Further, you may decide to withdraw from this study at any time. With your permission, the interview will be tape-recorded to facilitate collection of information, and later transcribed for analysis. All information you provide is considered completely confidential. Your name will not appear in the thesis or any report resulting from this study, however, with your permission anonymous quotations may be used. Data collected during this study will be retained for (Insert Time Period) in locked office in my supervisors lab. No one except my supervisors and myself will have access.

If you have any questions regarding this study, or would like additional information to assist you in reaching a decision about participation, please contact me at [*Telephone Number*] or by email at martin.kerntopf@uni-greifswald.de.

I hope that the results of my study will be of benefit to those organizations and states directly involved in the study, other political actors, as well as to the broader research community.

I very much look forward to speaking with you and thank you in advance for your assistance in this project.

Skype Contact: xxx / **Telephone Number:** xxx

Sincerely,

(Signature).....

Martin Kerntopf, Greifswald xx.xx.2017

The Opening Question: *This example it is aimed at a member of the Estonian government.*

1. Estonia has/had the presidency of the Council of the EU. Some core aspects are/were an open and innovative economy as well as the free movement of data. How do you think did the presidency help to tackle these challenges?

Explanation:

- This questions is set to create an opening up on the interviewee side
- The topic does not necessarily need to be related to the research aim
- Preferably the question is aimed at contemporary and for the participant positive events, in order to get access to the interviewee
- Depending on whom is interviewed, this questions differs but might be held constant across one and the same institution or state in question

1. Leading Question: *Asking for the influence of one of the four freedoms concerning the respective field of application.*

2. As how relevant would you describe the influence of [*the free trade norm*] of the [*European Union*] on the [*economic development of your state*]?

Explanation:

- This questions directly asks about the normative influence of IGOs
- Serves to gauge relevance and prominence of the norm in general
- Provides insight of the general/perceived influence of the IGO, which could then be compared to the large-N analysis

Additional:

- Implementation of a 'hidden' closed question, e.g.
How would you rate the influence of the [the free trade norm] in general?
- This implementation is repeated for all other leading questions as well

3. Follow up question(s)

4. How would you rate on a five-point scale, ranging from 1 to 5, the influence of [trade norm] on [trade]?

Not at all influential		Somewhat		Very influential	No Answer
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	2	3	4	5	NA

Explanation:

- With the closed question in form of a likert scale a comparison across the sample is feasible
- The 'No Answer' option is not expressly stated but has to be used if an interviewee does not give a clear answer to the question
- For answers between 1 or 3 ('not at all influential' and 'somewhat'), a follow-up question on why these answers have been chosen could apply

2. Leading Question: *Gauging how the IGO norm has changed the interaction processes related to a states neighbors/among IGO members in general*

5. From your perspective, to what extent did [*the EU's free movement of people norm*] contribute to migratory exchange among neighboring states?

Explanation:

- The goal is not only to gain insight how the normative IGO influence is perceived but also how it changes relations to neighboring states
- Where possible questions to borders that might be emotionally charged will be brought up as well for the follow-up leading question (e.g. the Saba region between Malaysia and the Philippines)
- This question has also implications for the following question in terms of border configurations

6. Follow up question(s)

7. How would you rate on a five-point scale, ranging from 1 to 5, the influence of [norm] on [trade] with neighboring states?

Not at all influential		Somewhat		Very influential	No Answer
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	2	3	4	5	NA

3. Leading Question: This question seeks to assess the influence of one of the four IGO norms on specific border configuration in terms of permeability. For this purpose the relation to other member states of the previous question is incorporated here. In case of an IGO interviewee, this questions tries to assess general effects on border configurations where possible.

8. States: Did the [Norm] of [IGO] had an effect on the borders between your state and [other state] borders?

IGO: Do you think the [Norm] had an effect on the border configurations of your member states?

Explanation:

- Direct assessment of changed border configurations
- Crucial to what extent the interviewee is giving credit (or fault) to changed borders and the therewith connected consequences
- Incremental follow-up to socio-cultural and historical significant borders and border regions that might still be the cause for conflict, despite an IGOs' normative influence

9. Follow up question(s)

10. How would you rate on a five-point scale, ranging from 1 to 5, the influence of [norm] on the cross-border movement between your state and neighboring states?

Not at all influential		Somewhat		Very influential	No Answer
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	2	3	4	5	NA

4. Leading Question: This questions tries – where possible – to take into account conflicts concerning how influential a specific IGO norm is under these circumstances. Conflicts in this context do not necessarily have to be armed and violent but might for instance relate to economic competitions or rivalry.

11. Do you think that conflicts [*like..*] have an influence on how the [IGO] [Norm] affects state interaction?

Explanation:

- Conflicts are a sensitive topic, especially concerning perceived causes and responsibility
- This question might be omitted ‘on-the-fly,’ if it is foreseeable that asking it would lead to a termination of the interview or introduce other limitations

12. Follow up question(s)

13. How would you rate on a five-point scale, ranging from 1 to 5, the impact of [*conflict*] on [*norms*]?

Not at all influential		Somewhat		Very influential	No Answer
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	2	3	4	5	NA

5. Leading Question: The purpose of this questions is – similar to the previous one – to take into account the influence of decisive events that are not necessarily perceived as conflicts. The rationale here is that such events might either coerce states to a behavior that is perceived to be dis-congruent with the norm or who try to use the event as pretext to deviate from the norm.

14. What do you think to what extent did [*event*] had an impact on border configurations and do you think [*actor specific reaction*] was in line with [IGO’s] [*specific Norm*]?

Explanation:

- Like the question on the influence of conflicts, this questions is connected to neighboring relations as well.
- Decisive events can for instance be economic crises or the downfall of a specific industrial branch
- These can affect other IGO member states as well, thus keeping the decisive event in the question equal might reveal perceptual variances across the sample

15. Follow up question(s)

16. How would you rate on a five-point scale, ranging from 1 to 5, the impact of [norm] on [trade]?

Not at all influential			Somewhat			Very influential	No Answer
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1	2	3	4	5	NA		

ERNST MORITZ ARNDT
UNIVERSITÄT GREIFSWALD



Wissen
lockt.
Seit 1456

Interview Questionnaire

This questionnaire seeks to contribute to the question what influence the norms of intergovernmental organizations like the European Union have on borders and their configurations between their member states. This includes the crucial phases of norm development, implementation, and application. With this interview I would like to know your perspective on the EU's norm of [*free movement of goods*] in regard to [*economic cooperation*] and to what extent this set of rules influence political decisions and choices. The key topics relate to your perspective of the IGO in general, how it might change relations between you and your neighboring states and to what degree events like the influx of Syrian refugees or climate change have an impact.

If you have any further questions or would like to receive additional information concerning the interview, please feel free to contact me via email at martin.kerntopf@uni-greifswald.de.

1. As how relevant would you describe the influence of [*the free trade norm*] of the [*European Union*] on the [*economic development of your state*]?
2. From your perspective, to what extent did the [*free movement of goods*] contribute to [*economic exchange*] between you and your neighboring states?
3. States: Did the [*free trade norm*] of [*the EU*] had an effect on the borders between your state and those of [*other states*]?
IGO: Do you think the [*Norm*] had an effect on the border configurations of your member states?
4. Do you think that conflicts [*like the contemporary one with Russia over the Ukraine*] have an influence on the efficacious of the [*EU's*] [*free trade norm*]?
5. What do you think to what extent did [*the influx of Syrian refugees*] had an impact on the border configurations of your state and do you think [*that reintroducing temporary border controls*] might have an effect on the [*trade relations with other states*]?

C Interview Transcripts

Coding:

Pause or break in speech: ...

Additional information by interviewer/overlapping sequences: []

C.1 Interview A

Interviewee Information: Former Journalist of a leading Swedish newspaper. Long-time correspondent from Brussels and expert on EU matters.

Interview language: German (Translated to English by the author)

Mode: Face to Face

I: Interviewer **C:** Interviewee

Question Set 1

12:33 – I: I would like to change the perspective to Sweden: How is the EU perceived in Sweden and here especially the Four Freedoms?

12:45 – C: Yes, there ... Sweden was first against the founding of the European Community and so on and tried to create with EFTA an alternative organization. That was here in Sweden in 59, outside of Stockholm the foundation of EFTA. And then they tried with a Free Trade Agreement, to solve economic problems in Sweden. Especially for the industry. And they didn't apply to become a member, contrary to Denmark and Norway. And one has the impression that the Swedes didn't want to lose sovereignty, we have to maintain neutrality and economically we prosper. That was the line of Torger Orlando – the former minister of state/premier, Social Democrat – he gave a big speech in 61 at the [Unintelligible – Metal Congress?] and therein contained are the base lines. You should read the speech, as therein is also the self-image of Sweden. And this has been the line until 90 as Ingmar Carlsson as Prime Minister turned upside down everything. That has been in October 90. In this period, Sweden tried to get the benefits of European integration, without being a member. And with the EWF agreement and EFTA negotiations one tried to simultaneously influence the Union. Not being a member but influencing was the line ... for different parties but especially for the Social Democrats. That worked relatively well, especially as the integration in the European Union has not deepened. But with the White Book and the Four Freedoms since the mid 80s, the situation changed and the Swedes had to decide how to work. The idea of the EWF agreement surfaced – economic area – and therein the Four Freedoms were contained. Also the Four Freedoms were already within the Treaty of Rome. So they had to adopt. The biggest thing was “Free Movement of Capital” because Sweden had always restrictions for capital. For exchange of goods there is not so much details but about standards and “non-tariff barriers.” There Sweden had to adapt. And the adoption had become boring [tedious] and complicated but they did it. In exchange of goods and others.

17:23 – I: So one could say that these Four Freedoms have been perceived differently, if it comes to implementation and scope?

17:31 – C: There has been a certain pressure from the biggest companies and the economy. Because for the biggest Swedish companies, Europe was the home market. And the competition conditions were different if you were part or on the outside. And then there was, at the end of 80s, the biggest

companies pressed hard in order to simultaneously – they said – to get a foot in Brussels, in order to not be discriminated. And that – I believe – is a part of the explanation why Sweden applies. Another part were the Swedish finances as they broke down. There was speculation against the Swedish Kronor and in order to counter that, application about membership to the European Union was the sole answer. Sweden has since the 70s and 80s quite often devaluated the [Swedish] Kronor and there were always speculations against the Swedish Kronor. Membership thus was a means to counter these speculations.

- 19:15 – I:** So the free movement of capital gave the incentive for Sweden to join and – in this sense – to open borders? In a metaphorical sense?
- 19:28 – C:** Yes, and a difference between then and now is that the bigger Swedish companies were very Europe oriented. And the European and American. But currently they are globalized. If one speaks today with representatives of the biggest companies, then it is clear that many ... they think global. Not Europe. That is a difference. That's why they are now not really concerned with European questions but they were during the 80s very active or a Swedish membership. Names such as Pege Jullenhammer, Volvo, or Percey Barnevik, ABB, so they were very active for Sweden in Europe. The whole Vallenberg family was very active. But currently they are not concerned with these kind of questions because they think global.
- 20:50 – I:** How would you, for instance on a scale from 1 to 5 – where 1 equals none and 5 a very strong influence – how would you rate the influence of the European Union, especially concerning in terms of border opening?
- 21:04 – C:** In many parts [this EU influence] was very decisive. There are parts – in which the Nordic countries, the Scandinavian countries – their inner movement has been free. Job market and social benefits. But if it comes to the exchange of goods and the rules of the White Book of the Commission, the Nordic countries become very protectionist. And there are also great differences between Norway and Denmark and Sweden and Finland in the economic sector. But with the EEA and subsequently with membership, more Nordic liberalization has begun than before. A consequence in Sweden was that a big part of the Swedish industry has been bought by Finns. So that ... you couldn't prevent that. So we have more Nordic cooperation with the Union than before
- 22:47 – I:** This is very interesting.
- 22:49 – C:** In the Nordic countries, in social areas, pass-union, and labour market, that was very open. But for the exchange of goods and the selling of companies, and so on ... they were protectionist. Sweden was – like the others – very busy with “Non-Tariff Barriers” to protect the own sectors in the banking industry.
- 23:38 – I:** Introducing certain standards ...
- 23:43 – C:** Yes, this is an important point. Today, if you speak about Free Trade and Free Trade Agreements, it is not anymore about customs and tariffs but about standards. That's the truth. Today it is a whole different world. If speaking about the relation between the US and Europe, it is not about tariff levels – there are certain parts in the agricultural production but in general there are non – but about standards for foods and so forth ...
- 24:23 – I:** The German discussion about the so called “Chlorinated-Chicken” comes to mind ...
- 24:30 – C:** Yes, and antibiotics in animal food and so forth. No, this is ... with membership in the Union we have gained more Nordic cooperation. And this also holds true for Norway. As the Norwegians – as part of the EEA – are a part of the European Union.

Question Set 2

- 25:00 – I:** This brings me to the next question – however, you partially already answered that: Due to Sweden having a multitude of multilateral agreements, especially with the Scandinavian – Nordic countries – for instance the passport Union, which existed a long time before the Free Movement of Persons of the EU – here it is interesting as we actually have a dualism and – you already mentioned it – did the – despite having the Nordic cooperation – did the membership [in the EU] lead to a further opening of borders? How can one explain that, especially if we are speaking about two different organization?
- 25:54 – C:** There is in principle in the Nordic countries, in the Scandinavian countries, a cultural community. People are not perceived as strangers. In Sweden there have been – as Finland was in a [economic] crisis – there have been half a million Finns in Sweden, who worked for us. Also those who couldn't speak Swedish came here ... the biggest immigrant group have been Finns ...
- 26:34 – I:** Especially in North-East Sweden, quite a lot have been employed in the agricultural sector.
- 26:38 – C:** Yes, but at Volvo in Gothenburg, everywhere. In the big industries. The biggest group of immigrants have been Finns. Then came Serbo-Croatians, Yugoslavians, and so on. But the Swedes and the Finns ... there is a relationship between Sweden and Finland, a historical ... of course Finland has never been perceived as foreign country. There is a certain solidarity – during the war and so forth. And with Denmark – here [Hässleholm] we are in South Sweden, I come from here – I sometimes say jokingly that I am a East-Dane. Because this part of Sweden has been conquered by us Swedes from Denmark. 1658, Denmark lost this part. And therewith have the Danes – the Danish aristocracy has been killed – and the Swedes build churches and Universities and all else, in order to make this part Swedish. This was partially successful but this is more than 350 year ago. And there is ... I live in South-East Skåne and opposite to where I live I have Bornholm. I see everyday Danish TV. I of course understand Danish. I don't speak it. I could, I could if I tried to. So there is that part. Another part of Sweden, there is the relationship with Norway very close. So there is this cultural community between the Nordic countries. It is important.
- 29:11 – I:** So one could say – in order to return to the EU and the Nordic Council – that the EU with the Four Freedoms extended an existing framework?
- 29:26 – C:** Yes, and that is connected to ... there is this supranational character of the EU, that coerced .. so the Nordic Council is a classical intergovernmental organization, whereby they chat a lot but can't decide anything. And they also experienced great defeats, especially in the military sector. They tried to create a Nordic defense community. It was unsuccessful. And there are issues in which national sensitivities are just to great. And there is ... Norway and Denmark joined NATO. So there are differences but culturally there is a community. And that is also linguistic. The language is ... all Danes understand more or less Swedish. The Swedes have difficulties understanding Danish. Norwegian everyone understands, everywhere. And then in Finland it is special but there is still a big minority that speaks Swedish. Formally Finland is bilingual.
- 31:06 – I:** I have already several colleagues from Finland that speak Swedish ...
- 31:10 – C:** Yes, and they understand. Without problem. They understand ... most [Finns] can read Swedish books and newspapers and so on.
- 31:21 – I:** I also understand Norwegian but Danish, there I have problems as well ...

- 31:28 – C:** ... Different Low German dialects ...
- 31:30 – I:** ... Some scraps of conversation are understandable but not everything.
- 31:36 – C:** But therefrom comes the progress during the 50s and 60s ... partially it is connected to this community. Subsequently, if it comes to the economic sector, there are differences. These are ... if one looks at the economic structures in the different Nordic countries. Norway is primarily fish and energy ...
- 32:18 – I:** ... in meanwhile also Tourism ...
- 32:20 – C:** ... yes, but in principle it is ... how do you say 'Raw Material Economy ... Denmark is very different, that is an agrarian industry. And in Sweden and Finland it is the Forest ...
- 32:43 – I:** ... forestry ...
- 32:44 – C:** ... forestry, yes. But the ... economically there are great difficulties to unite all.
- 32:57 – I:** If we would put that on a scale, how would you – how strong would you describe the influence of the EU – especially compared to the Nordic Council, for instance in regard to the Free Movement of Goods?
- 33:13 – C:** So, they tried, they tried Nordic meetings, in which the Nordic governments would establish a consent, before a summit in Brussels. But that failed. They tried to have a dinner for the Heads of Government in order to agree on their positions but that stooped. Because ... also if they were – the heads of Government – from the same parties. Social Democrats. It failed. There are different explanations to that but there is no Nordic line within the EU and those ... those others of the European Union ... the Nordic countries have been perceived as a single group. But indeed that is not the case.
- 34:39 – I:** Ok, so the EU is overriding a lot that would have been otherwise happened within the Nordic Council?
- 34:44 – C:** I believe ... I believe that is complicated. The Norwegians have hoped that with Sweden, Finland, and Denmark as members, those three would represent and defend Norwegian interests within the Union. In my opinion that has never been the case. There is always this idea to form a Nordic group but that is very complicated. because there are varying sensitivities.

Question Set 3

- 35:28 – I:** Alright, if we take a closer look at the borders – Sweden has not so many borders compared to various Middle-European states – Norway, Sweden, Finland, and of course the sea border to the Baltic states, Germany, Poland a well ... to hat extent did the EU change these borders? We already had, due to the Nordic Council ...
- 35:56 – C:** That is interesting, as Norway is also a member of Schengen. There is a special solution between for instance between Sweden and Norway. There are border controls. There are Swedish border control [officers], who also conduct the Norwegian border control. The trust is so profound that simultaneously two different ... they split the border control and there are border controls. This is recognized in the Schengen Area. ... That is ok. And then there are external borders in Finland and in Denmark but within the Schengen Area this is not a problem. Of course there is a problem in relation to the Baltic Republics, with Russia and Kaliningrad and so on. But with the Refugees, first Denmark and then Sweden reintroduced controls. I have the impression that these will disappear relatively

fast because this is here in South-Sweden, where a lot of people have to commute between Skåne and Sjælland. Those are very dissatisfied.

37:51 – I: So the connection between Malmö and Copenhagen ...

37:53 – C: There are a lot of reasons one reason is that the Danish rules for married people differ from the Swedish. In Denmark you have to be married with a non-European partner for seven years ... if not this is regarded as marriage on name only ... therefore in South-Sweden a lot of Danish live, together with their partner, and who work in Denmark.

38:56 – I: Because in Sweden ...

38:57 – C: Because in Sweden time is not [Unintelligible] but not in Denmark. There is also the issue of prices. It is cheaper in Sweden than in Copenhagen. But the daily commuters, that's quite a lot of people. You should speak with the South-Swedish chamber of commerce about that. They wrote a lot of reports how these border controls are carried out. That has been a very critical point.

Question Set 4

39:30 – I: Ok, so you just mentioned Russia. If we take a look at the Ukraine crisis and also to the three Baltic states, there are certain tensions. Especially with regard to Russia. Does this conflict affect Sweden? Especially if we speak about the European norms and the Free Movement of Persons?

40:00 – C: Now there is visa free travel from the Ukraine to Europe and Sweden has been very active for Ukraine. With Carl Bildt as Foreign Minister. He was with Cikorsky, the Polish Foreign Minister. Those two have made a lot regarding the agreement between European Union and Ukraine. That have been those two. And that was ... part of it has been anti-Russian in these questions. But we are not directly ... principally yes but in reality Sweden is not affected by that. But ... from time to time Sweden had good relations to Poland and then with Poland and Sweden, they have worked very active within the Union. But the Swedish politicians always say that they are against the Crimea occupation and the war in Eastukraine but they don't do much. We have done quite a lot with Ukraine in the cultural sector and also with Belarus because ... the Swedes, the Swedish government was always willing to defend Belarus and Ukraine in regard to Russia. There is a anti-Russian sentiment in Sweden and anti-Putin. That is clear ...

42:10 – I: Germany is split in that regard. There are parts that are pro-Putin, pro-Russia and for lifting the sanctions and there are – I would claim it is the bigger parts – who are against it and anti-Russian. But it is interesting that is bi-parted.

42:25 – C: Yes, but there is no Gerhard Schröder in Sweden. That does not exist ... the German relationship to Russia is very different. But historically, here there is a lot of mistrust and especially in regard to Kaliningrad, which is quite close ...

42:59 – I: ... which is quite close ...

43:02 – C: ... and with the military buildup – on both sides – that is a topic.

Question Set 5

- 43:14 – I:** You spoke before briefly about the borders between Denmark and Germany – for instance in regard to the refugee crisis – we have seen that quite a lot of borders have been unilaterally closed by members of the Schengen Area. You also said that you hope that it won't take long until the borders will be opened again ...
- 43:42 – C:** Yes, there are two parts, because there was a border control at Kastrup, Copenhagen, Denmark for the train to Malmö. And then there was a border control in Malmö at the train station at the border. And those two together were very tough and oriented towards refugees. For the daily commuters, it was a time loss of one and a half hours. And there was ... it was for the train. With car you could drive. There were no controls for the bridge afterwards a control in Sweden.
- 44:39 – I:** There has also been a control at the ferry.
- 44:41 – C:** Yes, at the ferry as well.
- 44:43 – I:** There have I ...
- 44:45 – C:** From Travemünde or ...?
- 44:47 – I:** From Rostock, Rostock and Trelleborg.
- 44:52 – C:** Yes, this ... the responsibility was shifted to the carrier. There has been ... if illegal [immigrants] have been on a train or ferry, the carrier had to bring these people back.
- 45:17 – I:** Although at the ferry, the Swedish police was present. With dogs.
- 45:21 – C:** On the ferry?
- 45:23 – I:** Not directly on the ferry but after a short shuttle bus ride, the shuttle bus stopped and there was the control.
- 45:31 – C:** Now?
- 45:32 – I:** No, that was last year December, or even earlier.
- 45:40 – C:** I went from Rostock to Trelleborg at the beginning of this year and there was none. The only border control I have experienced between Czechia and Austria ... but now it is ...
- 46:00 – I:** It lessened in many places but in principle many states – without the blessing of the EU – independently reintroduced these border controls and therewith limited the Free Movement of Persons considerably. It thus didn't only affect the refugees – to whom it was geared towards – but of course all possible forms of commuters, truck drivers ... could one say at this point that national norms – national senses of protection – can override EU norms?
- 46:34 – C:** Yes, the Schengen and the Dublin Agreements broke down during this crisis. That is clear. And now they try to come up with something but that is very difficult. Yesterday there was a summit in Paris about Libya ... but Libya is actually non-existent. And the agreement with the government in Tripoli ... that's nothing. This is one of the big unsolved issues of the Union: how to react? And that is valid within the EU – Poland, Hungary, etc. – and then the relation to third-countries. Also with Turkey, refugees from Libya and so on. They are ... they don't know how. They have congresses, and “summits,” and conferences and so on. But there is no good idea. And now they say ‘send more money’, Chad, Mali ...
- 48:06 – I:** ... or to establish certain transit areas ... but what we have seen in the course of the refugee crisis and the Ukraine conflict is that single member states override specific EU norms. How likely is it that something like that happens again? That that is unilaterally abrogated?

- 48:30 – C:** Yes, that is possible. That is certainly possible. The European institutions are very soft in that area. One can of course go to the European Court of Justice in Luxembourg and complain and so on but that is tedious ... no, the Union was not willing to answer these questions and that's why it failed. And that is still ... the politicians talk a lot about it but they still don't know how to solve it. And then there are different partial arguments about "Green Cards" and all of these different possibilities but the refugees ... how ... what should one do with the Afghans in Germany? They will be sent back to Afghanistan. Even if no one knows them in Kabul. No, no, this really is a great disgrace for Europe. This is also valid for the relations with Turkey. With Turkey ... they can live with it that Erdogan is autocrat and dictatorial but that really is a disgrace for Europe. I have often been to Turkey. Ten years ago. And back then there were hopes that Turkey develop along western lines. But now that is .. no ...
- 50:38 – I:** Yes, it is interesting that this turned. At the beginning Erdogan was pro-European and initiated reforms and now we have this 180 degree turn. Not only since now but during the last years.
- 50:53 – C:** Generally speaking, the European Union has the problem with all neighboring countries – in East and Southeast, and so on – they have a problem with the English ...
- 51:10 – I:** ... so to say a problem with itself ...
- 51:14 – C:** ... Yes, and with Trump. So there is ... we will speak about that tomorrow and the day after tomorrow [Referring to EU Forum in Hässleholm]. The European Union is really in trouble with its neighbors.
- 51:36 – I:** Alright, I have asked all the questions I've got. I would like to thank you very much!
- 51:42 –** **End of interview, private comments follow**

C.2 Interview B

Interviewee Information: Senior civil servant of the Swedish diplomatic service

Interview language: English

Mode: By Phone

I: Interviewer

C: Interview Partner

Question Set 1

- 02:25 – I:** Ok, then I am starting right away with the first question. Since Sweden joined the European Union in 1995, as how relevant would you describe the influence of the Free Trade Norms, contained within the agreements of the European Union on the economic development of Sweden? Especially if we look at Sweden's membership in the Nordic Council, which kind of had these economic cooperation norms before implemented.
- 02:55 – C:** Yeah, no, I would say – you know – as you point out, Sweden developed a very strong Free Trade stance after the 60s, 1970s. We then independently decided, for instance, to reform our agriculture policy and our textiles policy. As you might know, the Swedish agriculture regulation was in the 50s, early 50s, a kind of pattern or role model the EU agricultural policy. But we decided to do away with that during ... the ... we started this process during the late 70s and 80s we decided to do away it basically and the same ... we had the same situation with our – until then – very protectionist textiles policy. So I think it is fair to say ... and, and after that – as you mentioned the Nordic cooperation with, in with we had joined the labor market since the 50s, I think it is fair to say that we have developed a far reaching free trade oriented stance of our own independently, which we pursued in both organizations, with the then European Community and in the GATT, turning into the World Trade Organization. But then the influence from the EU side on us – from this point of view – basically is a negative one, or reverse one, if one looks from a free trade policy point of view. When we joined the EU, we were forced to reintroduce the EC regulation and we were forced to be part of a more restrictive Multi Fiber kind of arrangement. But then, I think, Sweden and the other new members that joined in the mid 90 – Austria and Finland – we, hopefully, gave a positive injection to EU trade policy. Because after that, and also for other reasons – of course global negotiation, also the EU – commercial policy has turned in a more liberal direction.
- 05:33 – I:** So one could actually say that the introduction ... or the ascension of Sweden and Finland for instance – led to a change of the EU itself. Over a longer time period.
- 05:45 – C:** I think one could argue that we contributed, it is not, it is not the only reason of course but I think it contributed.
- 05:55 – I:** But especially in the agricultural but also for instance in the fishery area, we see still kind of restrictions, if we look at the cross border trade. So, we don't have kind of the similar freedom or liberalization process as we have for the other Trade in Goods agreements or concepts ...
- 06:16 – C:** That's true, that's true. But it is far less restrictive today as it was 20 or 25 years ago.

Question Set 2

- 06:24 – I:** So, from your perspective to what extent did the European trade liberalizations contribute to the economic exchange between Sweden and its direct neighboring states in the Baltic Sea Region?
- 06:38 – C:** Ah, well, I think it ... of course ... before we became members of the EU, we negotiated Free Trade Agreements through EFTA with Baltic countries, the new Baltic countries. But I think becoming a EU member and looking at the EU's Free Trade Agreement with the Baltic countries that were in place before they joined the EU – of course, that ... – the larger critical mass of EU in relation to these countries and the larger market, the EU offered for these countries of course, contributed to the economic development of the Baltic countries and Poland. And this was of course very important. So, from that point of view ... it was key to Sweden's connections with these countries as well. But maybe more as an economic stimulus for these countries, than through bilateral trade relations as such, because they were on their way already before ... before they joined.
- 07:50 – I:** And if we speak about these previous relations, we had – kind of – several cross-border economic relations for instance between Sweden and Poland before the accession as EU members and kind of more or less permeable borders in this sense, so that trade could roam freely across the borders to a certain extent.
- 08:18 – C:** Relatively, relatively speaking, yeah. But not as free maybe, as Poland then later became member but I think basically it was a very free, open trade regime. Except [Unintelligible] in these countries as well of course during the phase until 2004, when they joined.

Question Set 3

- 08:36 – I:** Looking from this perspective – especially at the borders – do you think that the Free Trade Norm of the EU has a direct effect on the borders between Sweden and its neighbors – and this also kind of includes the relations to Russia for instance?
- 08:54 – C:** Yes, I think so, I mean, if we are speaking of this as the norm, it is the glue that keeps the EU together and I think it is more than a norm. It is something that has been translated into economic reality through the contractual kind of framework conditions that have opened up for trade and the ... there was a time not so long ago, where we were actually talking about trying to have a EU Free Trade agreement with Russia as well and create the Free Trade Block from Alkanjaz to whatever ... Rejkjavik, whatever.

Question Set 4

- 08:39 – I:** But Russia is – I think – a very interesting case. Especially nowadays, so the conflict with Russia due to the Ukraine conflict – crisis actually – do you think that these forms of conflicts have an influence on the EUs trade norms?
- 09:58 – C:** I don't think they have an influence on norms as such. I think it is ... it leads to frustration that the EU cannot apply its norm on Russia, since this norm is only applied to countries that are upholding Rule of Law to some extent and Russia is not doing that in international terms ... we do regret that thing that we can't use the norm. But we hope – I think – ... one would hope that the norm as such, over time, will create some pull, in a sense so that Russia may be ... might be reconsidered its position.
- 10:44 – I:** This is actually very interesting. I mean not only in the regard that the EU is still normatively shaping the EU members but from kind of a regional perspective – I mean, especially Finland – as a direct neighbor of Russia is for instance affected by the Ukraine conflict and the conflict with Russia in terms of the sanctions against the Russian Government. Is there something you experienced that ... certain states – especially in the Baltic Sea Region – kind of like transgress these restrictions, the embargo, the sanctions? For instance, we have the case of Germany with the Nord Stream 2 and ... dealing in quite big quantities still with Russia, despite of the sanctions.
- 11:46 – C:** Yeah, I mean Nord Stream 2 is a special case I think to some extent but looking at it overall, I think you know, it is quite interesting ... a country like Finland, which did initially suffer quite substantially from the Russian counter sanctions on agriculture. Here, they have now the ... the, the processing industry has found other customers for their products, so I think actually they are at a similar level of exports in processed food and agriculture, as they were, when the sanctions started, if I am correct, I think that's not correct. And then of course, you have [in Finland] voices that want to – as they say – normalize trade conditions with Russia but they are in minority and the [Finnish] government is very firm in its line. The same goes of course for the Baltic States and Poland, who are for obvious reasons some of the most firm ... defenders of the sanction regime. And then comes the Nord Stream and here it is evident that ... Finland and Sweden for instance have taken different stances and Finland sees this as an economic enterprise that they only can ever apply. And by that can't make a judgment on it, while [Sweden] have seen it more as a security related issue [unintelligible] and therefore as you know ... have not allowed the Nord Stream company to use our port in Gotland but another different assessment maybe in terms of the port in Karlshamn, that we used for, for the company.
-

Question Set 5

- 13:36 – I:** Coming to my last question set – so to say – we saw an influx, or during the Syrian refugee crisis – an impact on the Swedish borders in form of the reintroduction of temporary border controls. This is quite closely connected to service provisions across borders and migration, which is necessary for

the economic development for several states within the region. Do you see here an impact on the Swedish border itself in a lasting manner?

- 14:22 – C:** I think it is important to distinguish the refugee crisis from other migration issues. Because here again a Union as ours that are abiding to the rule of law ... I think we are internationally obliged to receive refugees and process their request for asylum. But what's wrong of course ... during the crisis, was that we couldn't agree on a proper way of dividing the huge number of refugees between the EU member states, so that, that would have been a more kind of level process between the states. Germany of course took a lot, we took in 2015, I think, 165 thousand. Per capita we were the country that took the most. And for obvious reasons, the reception system ... the reintroduction of temporary border controls was [Unintelligible] a necessary. But we if we are looking at a country like Denmark, who took 500 refugees in – and Sweden per capita – being a fairly rich, very rich – member state, waiving through the refugees from Germany to Sweden, I think that was late and kind of disregarded of the Denmark's obligations and other countries that also just let the refugees pass were also in breach of their international obligations. So it turned into a very peculiar, extraordinary situation and hopefully the returned to normal Schengen borders will soon come back. But I think there is a benefit to be struck between handling these borders and setting up a asylum, a emergency asylum mechanism in the EU that can handle large numbers of refugees. But then the question of migration and labor migration ... there I think it is important to point out the ... Sweden probably has one of the most open borders, most open regimes to bring in workers to the labor market from outside the EU. And that's never been an issue to our country and I think – hopefully – this will continue, even if there is a debate on that as well. I think these are two very distinct, two very different issues that should not be mixed together.
- 17:36 – I:** Yes, but coming back to the crisis in general: Do you think that this a kind of fragmentary on the European states? Especially if we look at states like Poland, who refuse to take in refugees, compared to other states like Sweden who choose to take in quite a lot of refugees. Do we see kind of a fracturing of the European ...
- 18:05 – C:** I think there is a risk of that, and I think there is a need to go back to the core values of the European Union. I mean, it is not just a charade to ask a new member state to live up to the Copenhagen criteria. And one you are in, you have to take the Copenhagen criteria seriously and evidently Poland and Hungary have not done that and there is a need to rectify that situation. Otherwise the risk is compartmentalization or fragmentation, or whatever ... which is basically taking place to some extent.
- 18:39 – I:** Ok, and if we look for instance also to states like in the Vizegrad Group in general, what do you think, how likely is it that they will – again – abolish EU norms in favor for national protectionism if a new crisis arises? Be a migration crisis or economic crisis?
- 18:59 – C:** That, I think, that is a clear case that this would happen and it is of course very difficult kind of situation for other EU member states to find a way of rectifying that. There has been much talk about – of course – you know, cutting the countries from the ...
- 19:28 – I:** The EU funding?
- 19:29 – C:** ... but that is also a dangerous path to some extent because that might risk alienating these countries even more. So it is a tricky situation and I am very glad not being in Brussels because I might not have the answers to this one either.
- 19:46 – I:** And what would be the role in Sweden? Would it – in regard to countries that kind of tend to implement this national protectionism – would it

- be kind of really standing for Free Trade Agreements and Agreements generally from the European Union and pushing them forward?
- 20:09 – C:** Yeah, and I think also to constantly, continuously, consistently arguing for the centric question through trade. It is not a naive thing to be open for imports, sometimes some Commission kind of officials seem to think. We have been trying to get acceptance in other – in EU member states – for the fact that trade is a two way street, and being able to import is as important as being able to export, if not more important for the domestic economy.
- 20:53 – I:** Concerning imports and exports – we saw in the wake of the financial or economic crisis of 2008/2009 a crash of the imports and exports of Sweden. Like 180 Billion US Dollar, 100 Billion US Dollar, cutting more or less in half the trade figures. What were here the reasons for Sweden to experience such a crash? Especially ...
- 21:29 – C:** It was the pure lack of demand that [Unintelligible] substantially in several crisis countries. Its that simple explanation. We have a lot of market share. To some extent but we have tried to rectify that as well but I think that peak was in the same reason for ... which behind the dropping GDP that there was a lack of demand.
- 21:57 – I:** So, basically a lack of demand and no protectionism, neither on the Swedish side, nor on the trade partner side?
- 22:03 – C:** No, I think the global trading system did withstand the worst protectionist threats to a very large extent and that is something that is not always ... that we deal with something like a trade war. We cannot think that there [Unintelligible] there are no new big deeds but the fact that the global trade system by and large withstands most important protectionist threats ... probably the same as our economy during that same time and then there are of course researchers that have found that there had been a very large, increased number of protectionist measures in a number of countries, including the EU ... But I don't think that has overshadowed or overtaken the positive effect the system has, in order to actually keep a very large portion of global trade very open.
- 23:02 – I:** But if we look for instance to the influence of the – for instance – the WTO ... theory kind of says – this is now the very academic version – that is kind of limited. The influence of the WTO for instances through the European Union and the Trade Agreements of the EU, both extra- and intra-lateral. Would you kind of argue the same way or would you say that the WTO are still very much influential in general?
- 23:48 – C:** Yes, I just think that they are very much influential and important as they help the global system to be kept fairly intact during the crisis. Of course, we have seen that the WTO can't move forward and Doha round is dead and there is no big new kind of global push and I think there will be no big new global push until there is a new credible global leader as the US used to be during 70s ... 60s and 70s and with the EU tried to be during the Doha round but couldn't due to its own kind of internal divisions. So what ... that is a scary thought maybe but I think thats China that has to step forward and take some leadership responsibility sooner or later. That what will happen. Maybe not this decade but in the next decade and that is hopefully – for the global system – and until that we will see that the ... we will see a continuous proliferation of financial and free trade agreements. And one should not forget that these agreements are all negotiated under the auspices of the World Trade Organization, except for such agreements and they too thereby – at least if they are negotiated according to the rulebook should concrete to terms of prosperity as well.
- 25:09 – I:** We sometimes see an exemption from the rule, for instance the relation between Germany and Turkey for instance, where Germany is kind of

implementing a special customs against Turkish imports, so in this case we see the influence of the WTO kind of diminished.

25:35 – C: Germany can't impose any customs on its own against Turkey.

25:40 – I: Well, not directly at least ...

25:45 – C: No, but then it has to be through the EU and as you know, the EU has a Customs Union with Turkey and there is a discussion if that could or should be reformed and I think – given the political circumstances in Turkey – that it will happen. But that is a more political problem than a kind of trade related one.

26:04 – I: But still, could we speak here of the EU rules and norms superseding those of other organizations?

26:13 – C: I don't think they ... that the EU ... the Customs Union between the EU and Turkey, which is the kind of legal basis for trade between the two entities, is notified under the GATT/WTO, so its not in contradiction to the global system at all. There are rules in the WTO/GATT on how to operate the Free Trade Agreements and Customs Unions.

26:50 – **End of interview, private comments follow**

C.3 Interview C

Interviewee Information: Civil Servant of the EU Commission, member of the INTERREG Programme

Interview Language: English

Mode: By Telephone

I: Interviewer

C: Interview Partner

Question Set 1

- 06:36 – I:** Ok, then I would like to start with the very first question. Very general, very broad: As how relevant would you describe the influence of the free movement norms of the European Union in general and maybe on the Baltic Sea Region in particular? Especially if we consider that there are other regional organizations with their very own existing frameworks like the Nordic Council or the Baltic Assembly?
- 07:09 – C:** Yes ... [laughing] that's already quite tough. The relevance of the EU ... You want to know of I see the European Union's own influence, the European framework, how that is influencing?
- 07:30 – I:** Yes.
- 07:31 – C:** Well, I don't really ... I think, I think for me it is not really clear if some of the initiatives that exist ... you are right to mention the Nordic Council but there are also others like the, you know, in the BeNeLux, there are some extensive work on freedom of movement or free movement and in other places as well. But I am not ... I don't think I am able to say how much is made by the European and how much stems from other type of intentions or incentives. I find that very difficult to assess actually. Am I making sense?
- 08:26 – I:** Yes, that is totally ...
- 08:29 – C:** I find even though we have the framework at the European level, the picture is so diverse across Europe that there must be something else at play at the same time. That actually has other roots than the EU framework and I think in some EU border regions you would say the freedom is there because of European membership but then it is not really pushed.
- 08:58 – I:** Ok, so kind of a general acceptance of the norms but it is not really implemented?
- 09:05 – C:** Exactly. It is not enough to change. I think the norms ... yes, the European union is one thing but if it is not complemented at the national level or the regional level, then the norm is just there but it is not really ... you don't see it, it is not very visible, I find. Do you see what I mean?
- 09:30 – I:** Yes, and ...
- 09:33 – C:** I would say the norm in itself is not enough to modify the permeability.
- 09:42 – I:** Ok, but if you say we need a kind of willingness to act on the national level. Which kind of nations are more likely to act or to show this willingness? I mean we do have a quite diverse setting of member states. Principally they are all democracies but we do see differences how they kind of ... lets put it very soft ... perceive certain things...
- 10:14 – C:** I am not sure if it is linked to necessarily only to that. It is very complex. I would say the willingness that you ... you see the willingness very much in Western Europe, in old Europe. I think you could see that ... it is voluntarily in a way. They want to push this agenda, they want to make the norms visible and operational, and for people to be able to use them.

To use the freedoms. And then in new Europe, this is less clear. This is less clear, but I am thinking about your question number four ... for instance in Hungary, in Hungary, it is very clear. It is very clear it is there. They push. But why? Because of the Hungarian minorities. You see what I mean?

- 11:06 – I:** So ...
- 11:07 – C:** They have their own kind of agenda.
- 11:09 – I:** So kind of ulterior motives that are behind it.
- 11:13 – C:** Exactly and because they really want to ... they really want to bring in the Hungarian minorities across the border as close as possible to Hungary. You know, the territory of Hungary as we know it now. They really pushed the freedom aspect. So I think it is kind of a ... it is a motive which is strong but is it you know, is it appealing to people, I don't know.
- 11:48 – I:** And with the 'new Europe' you are referring to Eastern Europe. The post-socialist states?
- 11:53 – C:** Yes
- 11:54 – I:** Just for clarification.
- 11:56 – C:** The Europe that kind of changed after 2004.
- 12:01 – I:** Ok, hm.
- 12:03 – C:** With the different enlargements. I would say there is still ... the concept of borders and cross-border life, as we know it in Western Europe, is not yet there in many parts of Central and Eastern Europe.
- 12:23 – I:** And why would that be, what might be the reason for that contrast?
- 12:31 – C:** Aehm ... well, I can only guess that it is linked to the recent history. You know, you don't come out of a period of isolation. You don't come out of that and easily advance quickly as we would like to imagine I think. Whereas individually we come out of that mindset quickly, I think to get a whole country or whole government to get out of that mindset is more complicated. And I think, you know it ... for me it is still the case, if you go to the civil service in ... I don't know, the Czech Republic or in Romania, people are still very much concerned about their old [unintelligible] and it seems they still have this kind of mistrust of the neighbors.
- 13:31 – I:** So we could actually argue that the process from changing from a socialist system to the European Union was probably too fast as the intermediate step of nation-hood building was kind of jumped over.
- 13:49 – C:** Yes. I think you are going quite far in your conclusion but yes, yes I think ... if we saw the Berlin Wall fall down, we assumed people were ready to building Europe together. But it is not like that. And the [unintelligible] from what I remember of all of that and the changes and the movement for democracy in Central Europe. But it is not necessarily a movement for ... aehm ... for this freedom of movement. In many cases. Do I make sense?
- 14:35 – I:** Yes, yes. Maybe on a side note, I am East German. So some of these issues that are present in Eastern Europe are very similar to what people say and perceive in Eastern Germany. Which is frightening but which seems to have a kind of common basis. So it is not that surprising unfortunately.
- 15:05 – C:** That might ... I mean I've been working on borders for 25 years and now I really, I really can see that, I can feel that. You know, in the borders ... in the borders between the Warsaw Pact countries, you have pioneers you know. You have people, you have visionaries. You have people who actually sense that the future is in raising the border and in exchanging and in working with each other. But I find that this is the minority. And you have the kind of critical mass of people who are still slow to see that and to act in that way. And I would say in Western Europe it is the other way round. The critical mass is really keen on movement and freedoms.

And then you have the occasional visionary but in the negative sense, who think that we should close the borders. You know, it's ... the proportion is reverse in Eastern Europe and Western Europe.

Question Set 2

- 16:15 – I:** Ok, that is very interesting. Coming to the INTERREG programme a little bit more specifically. To what extent are the four freedoms in general reflected in the projects of these four priority projects. Are the kind of directly coupled directly in there or do they exist more on a kind of meta level?
- 16:45 – C:** I ... they are not explicitly there. They are there because they are part of the landscape and people know that the freedoms enable them to do things but I think ... it never explicitly discussed or mentioned.
- 17:08 – I:** And in that sense, do we have member states within these different projects, also from the private sector, that kind of show a sectoral emphasis? For instance that we have more projects that relate to the free movement of goods than that of free movement of capital? If we kind of speak in a very general sense? We do have, for instance, the priority 3 area with the sustainable transport, which would kind of reflect the free movement of goods and services and persons.
- 17:44 – C:** You mean the Baltic Sea Strategy?
- 17:49 – I:** In general. Both in the INTERREG and the ...
- 17:52 – C:** Priority 3, I do not know what you refer to. That applies to all of INTERREG.
- 17:58 – I:** Ok, that is the sustainable transport sector.
- 18:02 – C:** In the Baltic Sea, yeah?
- 18:04 – I:** In the Baltic Sea, yes.
- 17:08 – C:** Ah, yes. Ok, ok. I don't anyone will say we do that because of freedom of movement. But the freedom of movement is actually meta. Yes, you did say meta. It is actually there and it is was actually pushing us to do it. But I don't think we ... if you talk about INTERREG as an instrument, all the macro-region, the freedom of capital is never really there. Ever. Because it is not perceived as people related. It is something we are really far away from, at least to have from people actually feel that they have an influence or an impact. I never heard anybody about the freedom of capital. On the freedom of movement and goods and people, yes. Even services is less obvious. In INTERREG, I mean. In INTERREG is a financial tool to support cooperation. And therefore it is very much linked to people than to big ideas. And therefore capital and services really I have never ever heard of in our INTERREG discussion.
- 19:30 – I:** Continuing with that question, INTERREG relies heavily on the activity of actors across all different levels. Nation, subnational level, private actors. Do we see kind of here a shift between for instance the free movement of persons that is more closely coupled to non-governmental organizations that participate in the programme or for instance that states are more focusing on the exchange for goods?
- 20:06 – C:** I don't really know about that. I don't really know. I think that states also quite involved in freedom of movement of people. Because if you look at the recent reinstatement of border control in Öresund, you know on the bridge between Denmark and Sweden, ... that the two governments involved with that and they are concerned about free movement of their own people actually, by having reintroduced these controls. I really don't

know. I guess ... I have no idea. I guess governments are more involved in freedom ... in the more freedom of movement of goods and capital and local organizations more in the freedom of movement of people. Probably you are right but I am not sure I can see that as locally as that. I am not sure.

21:13 – I: And you do have quite a lot of actors in the INTERREG programme. Especially at the subnational level. Do we see kind of a clustering there? I am asking because something I saw in the EUSBSR programme, the Baltic Sea Strategy programme, that we had for instance Sweden and Finland emphasizing cooperation in the environmental sector.

21:44 – C: Yes. No, very much so. You have a ... when you work like that multilaterally, it is – INTERREG or macro-region – you do have clustering. Yes, you have clustering. Definitely. And not only in the Baltic. The Danube [macro-region] is the same. You can see that governments get closer on certain issues and they ... yes, they cluster on certain issues in different configurations. Yes. That might be a factor. That happens a lot. It is quite clear that even though they are located in the same area and the Baltic Sea Strategy is shared by everybody, the emphasis would be different from country to country. And then they work at different speeds, based on their priorities.

22:38 – I: If you say they work or they have different speeds, do we have states that can be kind of described as forerunners? In, for instance, implementing new norms or new standards? For instance in implementing new environmental protection standards?

22:58 – C: Yes, I would say when thinking about the Baltic, I think, I think Sweden and Finland are definitely forerunners of that and they grow faster and they are more ambitious. Aehm, but again, the hardest problem is between Old Europe and New Europe. The three Baltic States are a little bit behind but that is also for a reason. The level of maturity of the public service, of the administration is not the same. And therefore being ambitious and pushing for things is not something you do naturally.

23:37 – I: So we have a kind of region of different speeds?

23:40 – C: Yes, yes definitely. You know, I am a specialist in cross-border and not so much on the transnational Baltic Sea context. But if I speak to Sweden about cross-border ... I think we have a really high level of discussion on this freedom of movement between Sweden and Norway for instance, or between Sweden and Denmark. If I have the same discussion with the Lithuanian public authorities, I am nowhere near that. You know, I am at a really much more basic level actually.

24:13 – I: But especially if we look to Sweden for instance, they have really long-standing experiences, especially in the free movement of persons due to the Nordic Council and the Passport Union. This probably contribute to their understanding of borders and how to interact across borders.

24:35 – C: Yes, but if it [unintelligible] I mean, of course that contributes but not ... it is not because they are already from the start much more mature ... aehm that they have created the Nordic Council. You know with Denmark and Finland and Norway ... but I think yes, definitely, they have years ahead of the three Baltic States. And I am surprised that the three Baltic States don't even at the moment see that there is every interest from their view to do something a little bit [more] seriously between them. And that they don't come out with these proposal to get organized in a such a way that they do a lot of things together because it is in their interest. They don't see that, they are not proposing that. And if you mention that to them, they are not ready to hear it. There really is a big difference between Eastern and Western Europe on many levels, you know. And I think it is

- linked to this recent history and maturity of public administrations and politicians.
- 25:47 – I:** So kind of a general reluctance to copy the specific system of the Nordic Council.
- 25:51 – C:** Yeah.
- 25:52 – I:** Ok, that is pretty interesting
- 25:54 – C:** Now, interestingly enough, if we go back to what we said before about Hungary, you know that around Hungary there is the Visegrad organization, which is much more informal and not as ... of course as pushed as the Nordic Council but it is very interesting that inside the Visegrad, which is Poland, Slovakia, the Czech Republic, and Hungary ... Hungary has the presidency now of this Visegrad group, and Hungary is pushing now to look at the Nordic model in the freedom of movement council, to try and establish something similar for the Visegrad four. And that is very interesting, because there it is again Hungary pushing for that and I think if we go back to the, you know, the motive that the Hungarian government has for doing that, which is the minorities and getting them to move much more freely than it is the case now. That is interesting and other countries which don't have similar motives, the Czech and the Slovaks, the have cold feed on that.
- 27:05 – I:** Aha, ok, I didn't knew that. That is pretty interesting.
- 27:10 – C:** But that is very new. That's just recent developments.
- 27:15 – I:** Do you know that we had kind of developments in the Baltic Assembly of the three Baltic States, in which they also kind of tried also to implement more cross-border interaction at different levels, especially in cooperation with the Nordic Council. They have an agreement, right from the beginning, but somehow this kind of interaction with each other ... well slept in.
- 27:45 – C:** Yeah, it is it producing anything concrete?
- 27:49 – I:** No, not as far as I know.
- 27:53 – C:** No, you see that's what I mean. And if I think of Lithuania with Latvia, they'll say we have an intergovernmental agreement and then when dig a little bit and you ask, what are you doing? What is on the agenda? It is empty. So it is ... they are not really making progress on that. I don't see the will to do that. I don't see it. At least I don't see it reflected with my discussions with the civil service.
- 28:30 – I:** I did some analysis in that regard and I can actually only confirm what you are saying. They agree to agree but that's it.
- 28:39 – C:** [laughs] Yes, this exactly. I do ... I do see a bit of movement between Estonia and Latvia. I do see a bit of movement and I have to say that we can't claim all the glory for that. But the fact we have been working for three years in the Commission, in my unit on this border issues and obstacles, it has really triggered something in Estonia. At least in Estonia. They have really kind of understood what we are talking about and they have seen that there is a big interest getting down to concrete business with Latvia on a number of topics. So there I am a bit more optimistic.
- 29:26 – I:** But if you look for instance at Estonia, in comparison to the other two Baltic States, ain't Estonia more closely connected for instance to Finland, which kind of might explain ... contribute to the Explanation why ...
- 29:45 – C:** Yes, yes, you're right. It contributes to that, yes absolutely. I think they are closer to Old Europe or Western Europe than the other two. It shows, you can see that.

Question Set 3

- 29:58 – I:** Ok, aehm, from your perspective, again back to my big question set, to what extent does the INTERREG, in general, contributes to the cross-border cooperation between the states in the Baltic Sea Region? Do we have certain sectoral emphasis, especially for these states if we look at the Baltic States or the Nordic Council?
- 30:28 – C:** Well, we ... I don't know ... you know INTERREG, we have one programme for the Baltic Sea, which is a transnational programme, where they look at the Baltic Sea as a whole but then we also have bilateral programmes along the borders between each other, And I think there again, we can see a very big difference, when you are looking on what they are doing. If you take Sweden, Norway for instance, they are very much working with the private sector, with the businesses to work across the borders, they are very interested in their commuters, making sure job opportunities on both sides are taken up. Facilitating the lives of commuters. If you take the Baltic States between them, there it is a very different type of cooperation. Your are still in a let's say in a more basic setup, where they cooperate on, you know, joint management of water, is a river there, is there a park, and it's or, groups, cultural groups together, to share, to promote their common, you know, the language, the tradition and stuff like that. So it's less sophisticated I would say.
- 31:57 – I:** So again, we have two speed levels so to say?
- 32:01 – C:** Yes, yes. Now, in the cross-border, in the very specific cross-border, I don't know how this ... I think the states just ... the states don't perceive the funds, the INTERREG funds, really as a tool for cooperating between them. I think they use the funds really as a kind of a literal present, you know, a literal sweet-keep, as a gift to the further communities. And there is a really lack of strategic, of strategic vision there. You see what I mean? So they think, ok this is nice because it is a little bit of additional money for the municipalities, for the NFGOs, for civil society to work. But they don't understand how to use that as much as they should.
- 33:00 – I:** And this actually brings me to the next questions: When the INTERREG is more modular and has a kind of policy oriented character, can it be perceived as a bottom up approach to European integration? Especially if we look at how quite a lot of non-governmental organizations and private actors are involved in the projects?
- 33:28 – C:** Yes, definitely. For the corss-border aspect of INTERREG because, as I said you need to look and understand that we are working at different territorial levels. But at the territorial level, which is the border, yes. Very much it is a bottom up, yes. In many cases. In most cases.
- 33:47 – I:** And there the willingness to apply for the funding is probably also way higher as on the national level?
- 33:53 – C:** Exactly. I think the interest is really fueled by the presence of funding and money. I don't think if you didn't have INTERREG, if you didn't have the cash, I don't think there will be so much interaction in some border areas. Definitely not. So you could consider [us] artificially fueling cross-border cooperation but in by doing that we do increase the level of awareness and knowledge and maybe, I can't quantify this, but I know that in many cases we are planting some seeds, you know, and a goal. And then create a ceiling of we belong to the same border area and we have a lot to gain by working with each other, we common challenges, and stuff like that. But I think if you didn't have the INTERREG funding, this kind of development would be very slow. Virtually non-existent in some

- areas. Because they don't push for that. Except if ... if you except the Nordic and the BeNeLux and these guys. But they [the Baltics/Eastern European states] don't push for their border people to talk to the other side.
- 35:22 – I:** I was also a little bit surprised. For the EUSBSR we have three No's, like no new institutions, no new laws, and no funding. But INTERREG kind of provides funding and to a certain degree also institutionalizes certain cross-border interactions at a lower level. So I was actually surprised that we have two different kind of levels of approach.
- 35:52 – C:** Yes, well this is difficult to explain. INTERREG has been there since 1990. So it was established in 1990 as a community initiative and it was just in the border region initially but then it quickly developed into a territorial, a common territorial development instrument. So it's been around for very long. The Baltic Sea Strategy is a new kind of initiative. 2008. So you see its only ten years old and it's not ... it's an initiative of certain member states. So it came from member states. It was a request from them directly. It's not ... INTERREG comes from the Commission, you know it comes from the Commission making proposals on how to use the EU budget. Whereas the macro-regional strategies come from the member states and with a different remix[?] but having said that, they are increasing convergence. Let's put it that way [laughs]. They always said that we will have the macro-regions, the member-states wanted that but they did not want the EU budget to be used for that. So the three no's. But they also saw the limitations of that and it's now them who are asking can't we use the INTERREG money then to support the macro-regions. So, what started as two very parallel developments is now converging I would say. And I think that you will see in the future that the INTERREG money, the cash, will go more and more towards implementing the strategies.
- 37:43 – I:** So kind of a shift from the subnational actor level, so to say, to the national actor level?
- 37:56 – C:** Yes, yes although our project level would still be at the subnational level. But I think the national level is going to be much more ... yes, much more important I would say.
- 38:08 – I:** At least in the long-term, we will see such a development.
- 38:11 – C:** Yes.
- 38:12 – I:** In the INTERREG also Russia is included. At least Russian participants in the programmes. How would evaluate their participation as non-EU members?
- 38:28 – C:** I have no idea. I can't answer that, because I don't work on the Baltic Sea Region programme for the macro-region and I really don't know.
- 38:38 – I:** Ok, ok that's no problem.
- 38:41 – C:** This question you need to take back to [name removed]. I know, he left the unit but it's really for them ... you need to find them to ask that question. I really have no idea.
- 39:05 – I:** Another question might be, if we look again at the member-states in general – this is not only on the Baltic Sea Region level – are there occasions where the member-states commitment can be described as more superficial? In a sense that they agree to participate specific projects but ... basically do not participate?
- 39:38 – C:** You talking about member-states?
- 39:39 – I:** Member-states in general. We do have for instance quite a lot of cases [where] specific state agencies are involved in the INTERREG projects. Like the environmental agency of Germany. So, are there occasions where there states, or state agencies, are only participating for publicity reasons or could ascribe to every participant real willingness to contribute?

- 40:20 – C:** For publicity certainly not because that doesn't give them a lot of publicity. I don't think that would be a motive. I think most of the time they do participate. If they don't it is mostly because they ... well, I mean if they are present but don't really participate, they are under ... well, yes, publicity, I think that is what you meant, they are under pressure not to be absent. Not to be visible but then they are not necessarily convinced or committed. But I would say that is more the exception than a rule.
- 40:56 – I:** Ok, so basically, most of the actors who are involved actually contribute?
- 41:03 – C:** Yes, yes, yes.
- 41:06 – I:** In that regard, have you witnessed decisive changes in cross-border cooperation associated with changes in the member-states' governments?
- 41:20 – C:** It could ... if you [unintelligible] you know, what is my responsibility this plan for ... the smaller programme along borders, the changes of government don't have a big impact because this is a very bottom-up process and the agenda of any given government doesn't really calculate and permeate to the level of the project. So, I don't really see a big impact, I don't see it. You know I presently look at Romania, Bulgaria, they had many changes in government. They've gone from socialist to nationalist, to whatever you want. The spectrum, the political spectrum and it never had an impact on the cross-border INTERREG programme. I don't see it. In Hungary, as we mentioned before, there is a agenda of working with the minorities but this is nit linked to any specific party. This is a general Hungarian approach. You can feel that in Hungary everywhere. This is a collective, it is in the collective subconsciousness of people that they beget the big greater Hungary.
- 42:44 – I:** Ok, so kind of nationalism to get back to the great Hungary?
- 42:51 – C:** Yes, I think it is not prerogative of the nationalists. I think you have that in many political parties. You know, if you talk to them, they will sooner or later discuss with you the loss of so much territory and the fact that they have so many Hungarian citizens – as they consider them – living outside Hungary. And that has an influence on the programmes but it is not a political thing for me. It is a philosophical thing, a collective state of regret and nostalgia. But it has an influence. I can illustrate what I mean. Hungary has INTERREG programmes with all of its neighbors. I mean separate programmes. So, they negotiate a programme with the Austrians, they negotiate of course a separate programme with Croats, then they have a programme with the Slovaks, and the Romanians. And all of these programmes are different because each programme has to reflect the reality of that border and of course the agenda of those countries. But in all of them, in absolutely all of them Hungary fights each time for money to be allocated binding wounds. Cross-border wounds. Do you see? Even when the other side is not interested. They just want more roads, more crossings points. And it is again this issue of bringing the Hungarians which live outside of Hungary closer to Hungary. And that you see in all the programmes. You know? And that is a very ... that is a direct influence of that Hungarian approach into the INTERREG programmes.
- 44:44 – I:** But that is very interesting. That correlates with the agenda of the Orban administration to give voting rights to the Hungarian minorities abroad.
- 44:55 – C:** Of course, of course but that's not the Orban ... I mean this was already ... I was walking in Hungary twenty years ago and it was already on the agenda. Way before Orban and well before today.
- 45:06 – I:** I only heard about that they gave the right to the Hungarian descendent's in 2011 actually.
- 45:20 – C:** Yes, yes but when I worked there in 2000 ... it was even before accession, it was already being discussed. How do we get Hungarians of Slovakia to

vote, how do we get the Hungarians of Romania to vote? It was ... it has been there for quite a long time. And you see that had an influence on the INTERREG programme. But its not ... I don't think it is linked to the government in office. I think it is a Hungarian thing.

45:52 – I: So basically, we do see a positive impact, so to say, but for the wrong reasons?

45:47 – C: Yes. Yes, yes. Absolutely. It is like European Grouping of Territorial Cooperation (EGTC). It is this kind of legal body you can establish with a single legal identity but that brings together people from two or more countries and Hungary is the biggest user of this legal possibility. And it is for the same reasons. So, we always praised Hungary for its involvement in the EGTCs and having established so many EGTCs because we perceived the EGTC as a good thing but then, if you look at the motives, you have to qualify a little bit its positive outcome.

Question Set 4

46:45 – I: Ok, that is very interesting. And this basically brings me also to my fourth question complex. Do you think that intra-EU conflicts like – we had it before – with Hungary in general or with Poland, do they have an influence on the effectiveness on the EU's norms of, basically saying, getting rid of borders?

47:09 – C: Well, I think indirectly yes. Yes, because ... for instance ... I don't know where you come from in Germany but we are having big discussions with Brandenburg, Mecklenburg-Vorpommern, and Saxony on the Polish border, you know, about being more ambitious with INTERREG, you know, for the use of the money, being much more ambitious. And actually, at the moment it is blocked because of the nature of the current government in Poland because there is such a level of mistrust. I think we are ... the potential that INTERREG can develop new initiatives and really push the agenda of the freedoms on the ground, you know, bottom up, it is being slowed down by the new ... by ... maybe not by the government itself but by the perception that we have of them in Germany or in Brussels.

48:17 – I: So it is kind of an indirect effect of changes.

48:19 – C: It is an indirect effect, it is an indirect effect. I don't ... I am not aware that I have every seen a very direct effect. Never. But indirectly because INTERREG is all about you know people relationships and working with each other and therefore demands a certain level of trust and interest in the other that ... the wrong type of government between inverted commas [laughs] can have an influence on the mindsets and therefore it can have an indirect influence on INTERREG, I would say. But a direct one I have never seen.

48:59 – I: But if you say that it needs a certain level of trust among the parties involved, does this relate to a set of values which is growing apart?

49:17 – C: Between the governments, between the states, yes. Not in the communities.

49:29 – I: So on the subnational level these changes very much play a role?

49:35 – C: Volia, that is exactly what I mean. They don't have such a big role because, you know, you have the same people working across the border, the same communities. But then the level of trust at the state level is really affected by that and it has an indirect influence because, you know, don't forget that in INTERREG projects are selected together by unique subnational and national representatives and if there is a lack of trust between the national representatives, it can have an impact. It can have an impact.

But indirect, again, it is not specific, it is not explicit but it's there, you can feel it.

Question Set 5

- 50:17 – I:** Alright, that's very interesting! Coming to my last point, somehow ... the European Union was plagued by diverse crises in the last years, like the financial crisis, the refugee crisis, or for instance the current relations with Russia. Do they have an impact on the border configurations among the states from your perspective and do you think that the reintroduction of temporary border controls might have a lasting impact on general cross-border interaction?
- 51:02 – C:** I ... the financial crisis I haven't seen a direct effect. Except for the fact that many more people have been looking to access the cash [INTERREG budget] because the cash was there. But I haven't seen that it had an impact on the relationship. The refugee crisis of course yes, because you have seen, as you say, the reintroduction of border controls. Yes, it has an impact. Sometimes very direct and obvious. For instance ... we also finance cooperation with the EPA countries, the pre-accession countries, you know, like Serbia and Macedonia and there you even had critical ... critical barriers being put up. You remember, for a while they put up this barbed wire. The influx of refugees that were walking through and this really had an impact. I think it has softened now but it's been a setback for a while, for a while ... critically, because it was very difficult for the community to continue working with each other. The day they went out, they had to drive much longer routes to find a border cross point and then ... the border crossing administration was longer and the border police was longer there. It had a very visible and direct impact. But no longer now and now it is normalized I would say. And then you have the border controls in Western Europe, for instance Germany Denmark, or Denmark Sweden. I mean this is ... this had an impact as well because we finance a lot of stuff in, for instance Denmark Sweden, which is connected to the commuter. There are many, there are thousands of people every day, who go to work from Sweden to Denmark mostly. There are many people with houses on one side and work on the other side, kids on one side, and you know, school on one side and house on the other side. For them it had a big impact. And it's been a bit difficult also in the context of INTERREG, because some of it ... you have to question some of the stuff that we finance to ease all this, to make it much looser and much easier and from one day to the next, a decision from the government can actually reduce the effectiveness of all the investments. Just like that.
- 53:45 – I:** So we actually have again this kind of two levels. On the national level they want to reintroduce borders and on the subnational level they want to have more cooperation?
- 53:53 – C:** Absolutely, absolutely. And I think you will find probably in your research that there is often a mismatch between the interests and the agendas of the subnational level and then the agenda on the national level.
- 54:04 – I:** Well, basically it is kind of threefold, because the EU agenda is different from what the states want, from what the subnational actors want. So actually, the EU and the subnational agendas are closer to each other...
- 54:28 – C:** Yes, but with two agendas, I also meant that very often the EU agenda meets the subnational agenda. Definitely, when it comes to border configurations. I think there we are much closer to each other. And the odd one out who are not necessarily aligned are the states.

- 54:52 – I:** Yes, that confirms certain results I already have. But regarding the refugee crisis and the therewith connected reintroduction of border controls and checks among the Schengen members, did the Free Movement of People fail in this case? Because these border controls are continuously prolonged. What was first implemented as a temporary action is kind of the standard again.
- 55:29 – C:** Yes, but I ... yes ... failed I don't know but you would probably really ... you have to find people in Öresund to whom you can talk, because there I think that I heard recently, but I don't have that in writing and I can't qualify it, but I heard recently that there were ... the level of commuting between Sweden and Denmark has really fallen. Simply because it is not manageable to, if you have to add 45 minutes, on average it is 45 minutes to the crossing time and if you do that every day twice a day, in the morning and evening, it is kind of putting you off. And heard that many have actually just tried to find another job. Really. Stop working in Denmark because, you know, you do your normal day plus two hours that you lose in waiting for the controls. It is unbearable for many people. So it had had an impact on the Freedom of Movement. It hasn't reduced the rights, of course, but simply the implementation of Freedom of Movement is now not in line with what you would expect and with what you had before.
- 56:54 – I:** I do have a report from the Swedish and from the Danish Chamber of Commerce, who basically said the same.
- 57:03 – C:** Yes, good. Well that's fine, that's what I meant. I don't know what the trend is right now, I don't know whether the trend is still downwards, that the level ... that the number of commuters is reducing or whether they are going back up again, I don't know. I am not sure.
- 57:19 – I:** I am not sure either but I was in Sweden some months ago for quite a while and they still had the checks implemented, which took about an hour. So I doubt that this ...
- 57:33 – C:** Yes, to come back to this different agendas, I think what is really very obvious with the refugee crisis is that ... because we were confronted with that question over the time, for the member states, the border is kind of a protection, it is kind of a protective cord around your territory. If you live in a border region, you don't see it like that. For you, it is your normal life. it is your garden [laughs]. The other side of the border is part of your daily life. And so it is very different. And the refugee crisis really showed that because member states suddenly payed attention to their borders but only from this point of view as a protective cord that had to be secured. And we were constantly asked why are you working with INTERREG, what are you doing know with all of this refugee crisis? But it has not had an impact on the border community. Also because the refugees are not staying in the border regions. The refugees are crossing the border. You see, they are going from point A to point Z via several borders but their ultimate objectives is not a border region. It is a city. A big city normally.
- 58:51 – I:** If you look at that, it is kind of a center-periphery gap, at least perceptual between the state and the border community?
- 58:59 – C:** Yes, yes, because you know ... ok, Malmö-Copenhagen is a little bit different in the sense that these are two sizable cities but if you look at the Hungarian border that they closed, they guys who wanted to cross did not wanted to stay in Hungary. They wanted to transit through Hungary. So it is two very different things.
- 59:26 –** **End of interview, private comments follow**

C.4 Interview D

Interviewee Information: Civil Serevant of the EU Commission, DG Regio

Interview Language: German (translated to English by the Author)

Mode: By Telephone

I: Interviewer

C: Interview Partner

Question Set 1

01:39 – I: Ok, as a brief outline, what we see within media and the political discussion is that borders – in various instances – reappear. Be it for instance in form of the Brexit, or for instance the U.S. presidents' border project, or in the South China Sea in which China is creating multiple artificial islands. In most of these conflict situations, we see an involvement of regional intergovernmental organizations, like the EU or the ASEAN, which both act as mediators and agenda setters. They – at many different occasions – produce standards of appropriate behavior – or norms – for those parties involved. These are then enacted through binding agreements. I am interested in how these norms – on a long-term perspective – change cross-border interaction between IGO member states. Here the EUSBSR is of particular interest, as it echoes the EU's fundamental freedoms – the free movement of goods, services, capital, and labor and persons – through some of the three main objectives and – more differentiated – through the different Policy Areas and Horizontal Actions. From that perspective I am generally interested in if and how these varying focal points contribute to a debordering process within the BSR.

04:15 – C: Yes, so I think we have to differentiate somewhat between – I don't know if you have already spoken to [Interviewee 2], a colleague from the Cross-Border Unit – but I think one should mention two things: First the macro-regional strategy within the Baltic Sea region, this is something new, a relatively new, innovative concept, existing since 9 years. That is relatively short if one considers how long the cohesion policy exists. And on the other hand the Interreg programmes that are concerned with transnational interregional cooperation and where funding for projects is provided. That is ... there one should [differentiate] between two important branches that are based on EU integration policy. The Interreg programme, here the idea is ... for the border crossing programme ... to overcome border obstacles not only through joint actions and exchange but also through very specific activities. There are many different examples for the different sectors. That can be in the transport sector in which the transport services on both sides exchange [information] for shared bus routes or adapting time tables. But that can also happen in the health sector that hospitals coordinate at both sides of the border, or that ... I think there is one border – Spain and Portugal – with a shared hospital operated directly at the border, so that the population in the border region has only to drive like 5 kilometers across the border at not 50 kilometer in the distant hinterland. But can also be in the fire fighter sector, that can be in the police sector, justice, employment agencies but at some borders this can be also people-to-people projects, in order to establish trust and that people swap ideas. Schools or the like. There is a rather broad spectrum of different sectors, different areas but in principle it is about to get people together and to provide a certain financial incentive to work together within the specific projects. And there are specific criteria that have to be fulfilled, in order to count as

a project. That is for the cross-border programmes ... the criteria are joint planning, joint staffing ... joint execution, joint financing. Not all of them have to be fulfilled but 2 or 3 ... I think 3 of these criteria, and then there are specific criteria, like to evaluate if it really has a cross-border character. For the transnational programmes – dealing with a slightly bigger area – there are additional criteria, like ... for the BSR are, the member state involved, Norway and Russia, there have to be partners of at least three different members. So there are certain criteria for the projects. Yes ... This is, if looking to the Baltic Sea Strategy – which is a relatively new project – from within the region. No initiative of the Commission or the EU. The request came from within the region to the Commission, asking facilitate that, to support it, to strengthen the Baltic Sea. But there are no additional financial means, additional legislation, and no additional institutions.

09:10 – I: The three 'no's' so to say ...

09:12 – C: Exactly, it is about better using what already exists and to establish a strong interlock with available financial means. Especially with the transnational Interreg programme – the Baltic Sea programme – so that this practically ... that is the instrument to implement the strategy. Not the Interreg programme on its own, it is too small for that, especially concerning the financial means, but in concert with other regional cooperation programmes Basically that no additional financial means are needed and available means are used. Here the focus is on specific areas. The idea is that it focuses on areas that transgress the competencies or capabilities of the member states but where the EU 28 are 'too far away.' And transitionally, where one has not only to work with two countries but with multiple at once and that is – especially concerning maritime questions – rather obvious, the environment, the condition of the Baltic Sea ... it is clear that all have to cooperate but also other maritime questions like ship security, security of ship traffic, ... , also spatial planning across borders, innovation – no one can establish innovations by themselves, you need to cooperate with others for that – so a relatively broad spectrum with many areas. I would say the main focus relates to environmental questions within the strategy. Focusing on the content of these areas. We had last year ... the end of 2016 ... so every other year, we write a Commission report about the implementation of the four strategies – macro regional strategies – and there is quite a lot written in there. It would be of interest – concerning the summary of results and challenges, problems – that is still relatively up to date. That is very actual, I would say. The last report we published at the end of 2016 and the next one will be published in 2018. Essentially, one could say that quite a lot of new projects have been initialized, some new networks have been created, ... coordination in some policy areas, joint coherent implementation of EU legislation – especially in the area of spatial planning or the water framework directive – so there are different – all mentioned in our report – areas, where it made sense to cooperate. Also in the area of ... there is the new 'circular economy package' from the Commission that fights against plastic, so to say. And there are also already first projects realized. So it is for us, from the perspective of the EU, an instrument to implement policies with, chaired by the EU, in March, in order to establish a declaration, which featured the [BSR] strategy, in order to realize Helcom's goals. One example relates to activities regarding pharmaceuticals that find their way into the Baltic Sea, and how to prevent that. So this is a relatively broad field and which can only work if the member states – which asked for this strategy – if they assume ownership and engage. So if you don't have any own legislation, no means, and no institutions then everything depends on the commitment of

the member states. And that works relatively ... generally speaking quite well but with varying commitment in the different areas. So that is the main ... it rests on that.

Question Set 2

- 14:41 – I:** In order to return to the norms themselves, two points of the three strategies objectives contain the principals to connect the region and to foster prosperity. That echoes – partially – the free movement of goods and services. Generally, is it possible to distinctively identify these overarching norms, the four freedoms of the EU, within the programmes of the respective stakeholders? Or are they echoed within these or are they more particular?
- 15:24 – C:** Well, yes ... I am not sure if I got the question right but it is not ... lets say questions related to the internal market – the exchange of goods and free movement – this is an area, which is actually located more at the EU28 level. Where it specifically relates to the Baltic Sea problems ... what needs to be solved at that level ... free movement questions belong more at the EU28 level. But well, there are – if one goes into detail, in the specific policy areas – certain questions where we have contact points. Especially in areas such as transport ... to create better transport possibilities and connectivity between the member states. There are the [tecti] corridors and strategy, which is complementary to this effort ... to the [tecti] corridors. In the area of energy, there is the Baltic Energy Market Interconnection Plan – BEMIP¹⁶⁴ – for the Baltic Sea Area, and under the strategy this plan is realized, in order to establish energy security. There are some ... several connection points to the free movement but generally if it is about the four freedoms, it is the EU28.
- 17:17 – I:** So they [the four freedoms] can be involved and included but it is not the main focus area?
- 17:25 – C:** Exactly, yes. ... It is rather about transnational and transregional cooperation. So it is more about questions that – at this level – substantially ... where there are challenges, which can be better solved within this functional area – which the Baltic Sea Area is – at this level. These are at the one hand connectivity questions like transport and energy and of course all questions that relate directly to the Baltic Sea, maritime issues, environmental issues, also Baltic Sea traffic questions, civil protection. These things. Climate change, very important ... climate are within the strategy, so that climate change adaptation ... so they thought about how to better jointly solve these issues within the Baltic Sea, to have a common plan. The Baltic Sea is ... it is a problem itself, the Baltic Sea, which affects all littoral states. The expected temperature increase is higher than in the rest of the EU by 3 to 4 percent until the end of the century. So these are some common challenges, everything that directly relates to the Baltic Sea, in order to better solve them on a macro-regional level.
- 19:07 – I:** But exactly at this macro-regional level – you just said that no one should act by themselves – I took a look at the flagship programmes and who is involved at which level. Interestingly, one can see that especially Finland and Sweden are very involved. Especially in environmental questions, Germany in the area of innovation. So is there a trend that certain states

¹⁶⁴See <https://ec.europa.eu/energy/en/topics/infrastructure/baltic-energy-market-interconnection-plan>

- take on a forerunner role in different areas? Or is this a coincidence, as the numbers are based on the 2018 flagship programmes?
- 19:58 – C:** Yes, there are ... I mean I haven't analyzed these distributions in detail. One could certainly do that and that would be interesting to observe that in greater detail. We have – for current flagships – an excel table online, on the strategy website, where one can see who exactly are the partners and from which country they come from that are involved in every single flagship.
- 20:31 – I:** Exactly, that was what I was referring to.
- 20:34 – C:** Exactly and I have not really considered that in detail but I would say intuitively that Sweden is an important driver of the whole strategy, Finland is also very engaged. It must be said that the capacities are higher [in these countries]. Especially if one looks at the Baltic States, they are relatively small countries, also with a smaller administrative capacity. To be engaged in so many different areas ... there are certain limits. This eventually plays a role, especially for the Baltic States and maybe Denmark. That they – in comparison to Sweden – they are just smaller. But that's right. I would not be surprised if – after concluded analysis – that Sweden and Finland are more engaged. Germany could – I think – do more in this regard ... Schleswig-Holstein, Mecklenburg-Hither Pomerania, Hamburg ... but ... yes.
- 21:55 – I:** Ok, I think this is just the numerical level and only for that year but what I would be interested at this point, are certain countries – through this area prioritization within their flagship programmes – do they try to introduce new standards or to emanate them? For example ...
- 22:22 – C:** That, these standards ... that, I am not really aware of that. I can't tell you if that is the case or that there is a specific example. Generally, what might be interesting, there is – through the cooperation within the Baltic Sea Area – standards are set for the new areas, for the Baltic Sea Area, which then influence world wide standards.
- 22:55 – I:** A forerunner role so to say.
- 22:57 – C:** We are forerunners. That, these are even ... cutting edge I would say of the cooperation in the Baltic Sea Area and the strategy in this area. We have cooperated. One example is eNavigation. That is something where we cooperated in the policy area safe and policy area ship and we used the Baltic Sea Area as testing ground. Partially with engagement and participation of the private sector, in order to see how eNavigation works on the sea basis, so to say and has developed this technology, as well as standards. And after having conducted that in the Baltic Sea Area, they went to international maritime organizations and used that as a basis, in order to [influence] global standards. Right now similar considerations – as a forerunner – go into the same direction for LMG for ferries and autonomous shipping, which is a topic right now. Also here the Baltic Sea as a testing ground. So, in this sense yes, but I don't know if there is a single country that tries to enforce own standards by the means of the Baltic Sea Strategy. That I wouldn't know of.
- 24:45 – I:** Or maybe rather [a country that] emerges relative frequently with new ideas? The example I have in mind is Sweden in the field of environment. So that Sweden assumes quite often the forerunner role and tries – with innovative standards – to further the development.
- 25:13 – C:** Yes, yes indeed. One could say that, that there are some new ways to ... to establish an innovative way approaching certain questions and then tries – with help of the strategy – to further diffuse these methods, throughout the Baltic Sea Area into all regions. Indeed, there are examples. In the environment area, where ... nitrate pollution reduction in agriculture ...

Baltic Deal is such a project that existed and through which new innovative methods have been developed and then – by means of the strategy – to diffuse it throughout the Baltic Sea Area. And some new innovative procedures – that is somewhat contested by environmental politicians – how to bind the nitrate pollution on the seabed of the Baltic Sea. So there are, I think, there are some examples.

26:32 – I: And if we ...

26:34 – C: If we want to call that a standard.

26:36 – I: And if we speak about these forerunners, we have also to speak about those countries that follow or who are affected by that. Is there a form of clustering discernible? Certain countries have such a forerunner role and other countries are frequently those that adopt or implement [such new standards], for example?

26:59 – C: It is a bit difficult to say something about that generally as the focus varies based on the focus of the countries. For example, something that has for Sweden great importance is far less important for other countries. And the other way round as well. The environment is for Sweden certainly very important topic and for other countries ... other countries might have other priorities that are even more important. Even though the environment is a topic that is generally important. But still there are areas that are for some more important than for others. For instance energy. This is for Sweden or Denmark maybe not so important but for the Baltic States it is one of the most important ones within the Baltic Sea cooperation ... energy security. For Denmark, maritime question, like the previously mentioned ship traffic security has a very high priority for Denmark. And this is reflected – which countries have which priorities – through their voluntary coordination of the policy area. Here one can see that the Baltic States are more committed to energy and transport, Sweden more in environmental areas, Denmark in maritime questions, ship questions, traffic, and so on. Germany is, Mecklenburg-Hither Pomerania is tourism, coordinates tourism with the industrial sector. So that is reflected [within the flagship programmes].

28:52 – I: What I found interesting is that it is relatively modular constructed, the Baltic Sea Strategy. So not only national actors – state actors – are involved but also companies or the civil society.

29:12 – C: Exactly. Also regions and partially pan-Baltic organizations. This is a difference – if compared to the other macro regional strategies, that the Baltic Sea Strategy is rather ‘colorful.’ That’s not the case for the three other macro-regional strategies. For these the member states are more involved ... ok in the Alps these are more the regions. But here it is more the civil society and the regions, pan-Baltic organizations, which play an important role within the strategy. So that is a characteristic that is special for the Baltic Sea Strategy.

30:03 – I: Are there instances in which the state is more unobtrusive when it comes to participation within the strategy and sub-national actors are more willing to engage?

30:19 – C: That depends to a certain degree on the policy field and the distribution of competencies within the member state. Depending where these competencies are – within the countries or on the level of regions – I would say it differs. For instance in the educational sector. Of course, in Germany it is located on the [Federal] state level. The states are involved but the Federal Republic not at all. In other member states education is more centralized so there it is the national level, the ministries, who are sitting on a table. So I would say it varies very much. It depends on each and every member state to decide who has enough competencies to participate in that matter. I would say that we have – apart from our report, which

we write every two years – we have also thought about external perspectives on the strategies, how they work, what works good and what doesn't. We commissioned a very comprehensive study and the results have been published end December [2017] and it is also on our website ...

31:47 – I: Is that the Kowi study?¹⁶⁵

31:50 – C: Kowi, exactly. They have for the Baltic Sea Region ... the have empirical data analysis, but also interviews and a very extensive survey in the region itself. And in the end, what came to the fore, what has been the biggest positive point of the Baltic Sea Strategy, is this cooperation not only between states but also within the states. Pushing different sectors as well. Something that hasn't existed before. So, I think this is also perceived that way by the actors within the region. In other areas, the Baltic Sea Strategy has been less successful but that is an area, which has been specifically emphasized [within the Kowi report].

Question Set 3

32:46 – I: So one could say that the EUSBSR contributed – at many different levels – to cross-border cooperation within the region?

33:00 – C: One could say that. Yes.

33:04 – I: What I would be interested as well would be: We do not only have states and respectively subnational actors as stakeholders or actors that act within and through the EUSBSR but also other organizations. For instance the Council of the Baltic Sea States or HELCoM. In how far does here the cooperation work and is it possible that – for instance the CBSS – tries to implement own norms or standards of appropriate behavior through the EUSBSR or is that a parallel development?

33:47 – C: It is ... especially at the beginning as the strategy has been founded that these organizations were not part of the strategy. Only member states were engaged. Over time however there has been a development and we recognized that a closer interlock and both sides were interested. Then the regional organizations took on a greater role within the strategy. They coordinate partially whole areas of the Strategy. The CBSS coordinates or co-coordinates neighborhood relations. They are more broadly involved [in this field]. Security ... so everything that is related to civil protection and border crime, they have their networks here as well and that is included now within the strategy. Then we have VASoNG[?] for spatial planning together with HELCoM, who coordinate in the area of spatial planning. Then climate and environment politics, which becomes an increasingly important area within the strategy and which also coordinated by the CBSS. Then we have ... well, civil society and capacity building there is Baltic City NGO Network and Baltic Cities, they coordinate that. For health we have the Northern Dimension Partnership in Public health, the PHS secretary that is coordinating the whole. So there a lot .. Nordic Council of Ministers and the joint coordination of the Baltic Economy ... they are intertwined stronger with each other. The idea is also to not create redundancies as before the strategy came into being, many of these organizations already existed in the Baltic Sea area. So the idea was to create more synergies than overlap. That's also the reason why they got on board later on. Important is that a certain equilibrium is maintained,

¹⁶⁵See: <http://www.kowi.de/en/Portaldata/2/Resources/fp/BONUS-SRA-2011-2017.pdf>, Accessed: 22.03.2018.

- which depends on the engagement of the member states. That is crucial for the success of the Strategy.
- 36:46 – I:** Concerning the Nordic Council, is it possible that we see a concerted action of the Nordic states through the Nordic Council within the EUSBSR? Is there a focus on certain areas or are they positioned more broadly?
- 37:09 – C:** No, this kind of also depends on the specific priorities of the Nordic Council of Ministers. For them – seemingly – bio-economy is important. Innovation as well, they did coordinate that until recently. So they definitely focus on things that are important for themselves as organization. And if that is covered by the strategy, then they are interested in using these channels. A similar situation we have the Baltic Sea Council. They know in which areas they possess competencies and in which not and where they want to be engaged in. Also concerning the areas of the strategy.
- 38:16 – I:** Concerning the Baltic Sea Council – one of the few organizations in which the EU is a member as well as Russia – I have analyze the different flagship programmes and Russia surfaces quite seldom as cooperation partner. So how can the cooperation with Russia be evaluated? Especially if one of the goals of the strategy is to bring the whole region closer together and to promote exchange.
- 38:54 – C:** Well, for some goals – like environmental protection – it is important to have Russia involved and it is in the interest of the EU and of the Baltic Sea Strategy. And there is the conceptional Baltic Sea programme, in which Russia is involved as well. A financial agreement has been signed between Germany, Russia, and the Commission at the beginning of January, so that we also can use the European neighborhood tools for transnational programmes. I think that this will lead to more Russian partners in this cooperation. Generally however, everything is subjected to the European Council conclusions of the member states concerning Russia, the situation there, and where to cooperate and where not. So that is something that is decided at a higher political level and which we are subjected to in the cooperation itself. But generally, cooperation – excluding the INTERREG programmes – is possible. For instance environment, which is also in the interest of the EU, to focus on cooperation.

Question Set 4

- 40:45 – I:** Staying on the Russian topic and the annexation of Crimea: With the beginning of the sanction, did the cooperation with Russia experience fundamental changes or was it distanced from the beginning?
- 41:03 – C:** Well, to be honest, I don't know the whole story of the Baltic Sea Strategy, since I wasn't here from the beginning. Only for four years. Eventually everything concerning Russia has to be considered under reserve of further political developments and especially limits [to cooperation with Russia] based on the European Council conclusions. When it comes to the level of specific projects, teamwork, and cooperation then quite a lot is possible. When it comes to the political level and contacts therein, it becomes more difficult.
- 42:00 – I:** Another question concerning cross-border cooperation. Are there cases in which cooperation decisively changed after the government in the member states changed? In the sense that a decisive political change occurred in the sense of a swing to the right?
- 42:23 – C:** Personally, I haven't noticed something like that yet. On the level where we work, I haven't seen something like that. That is ... well, we do have a

- good cooperation with Poland and Poland is also dedicated [to the Strategy]. For instance the Pomorskie region. When it comes to transnational cooperation, they are very dedicated. There is an important indicator – I think Asbon did it and it is also included in the Kowi study – in which we analyzed which region has the highest intensity of transnational cooperation. Which region has the most partners in transnational projects. Here Pomorskie is leading ... even within Europe. We also have a rotational chairing of the Strategy between the members and Poland had it in 2015/2016 and they were very committed, very active. Next year ... this year it is Tallinn, next year it is the ten year anniversary and that will take place in Poland, in Gdansk. So that is ... I can't really tell [if a swing to the right has any influence on the Strategy] at this level of cooperation.
- 44:20 – I:** Is cooperation in Poland sought by the governmental level or more by the subnational level? In this sense the regional and civil society level?
- 44:30 – C:** Well, that depends on competency distributions if it comes to [the strategy]. Quite a lot of things in Poland are centralist. But something that is regional are the cohesion fond programmes – so their value programmes – and these are regionally in which the region has a say what projects are supported. So basically where the money goes. Within the INTERREG programme the regions are represented as well but in the other areas that are related to the Strategy, it is mostly the central government that decides
- 45:27 – I:** Continuing on this line, are there cases in which states signaled to cooperate but then only committed to a very superficial level? Kind of signaling in the sense of “Yes, we want to cooperate” but results in the end in relatively little substantial?
- 45:58 – C:** It is difficult to provide a general answer to that. It is a challenge of the Strategy to coordinate everything with the respective national coordinators. These are typically situated within the foreign ministries of the member states and the wish for a closer cooperation but they don't always have access to other sectoral ministries. So they can't tell them to participate in a specific initiative, project, or field of politics. Quite often there are limits. That's how it is organized in the member states and we of the commission can't influence that. In Sweden for instance it is not the foreign ministry but the competency for the Baltic Sea Strategy is bound to the Premier Minister. So they do have more access to the sectoral ministries in the sense that they can tell them to participate.

Question Set 5

- 47:18 – I:** I would like to come to my last section of questions. We have seen several crises during the last years. For instance the financial crisis, the refugee crisis and the still continuing conflict with Russia, or the reintroduction of border controls. Do you think that has long-term effects on the trans-border cooperation of the member states? Also in respect to the EUSBSR programme?
- 47:55 – C:** Yes ... I would argue that affects other macro-regions even stronger. Refugee/migration crisis and so on. I think it affects the Adriatic/Ionic area or the Danube strategy as they are closer. But there is also an effect ... I mean the Strategy is a very flexible instrument, which is an advantage as not everything is determined in structures and laws. One can react quite quickly to arising challenges. One example is indeed the migration crisis. During the last revision of the plan of action a new joint initiative has been implemented concerning the integration of refugees in the area

of education. So that has been an effect of the overarching problem. One can definitely say that the Strategy is able and flexible enough to react to such challenges. Otherwise I can't think of anything else. When it comes to bigger trends – for instance demographic change or emigration, which is an issue especially in the Baltic states – these are definitely issue points we are engaged with. Demographic change, what consequences does it have for the Baltic Sea Region as a whole. These kind of mega trends. I already mentioned it, climate change is becoming more and more important also within the Baltic Sea Strategy and it got an extra section named Climate Policy/Climate Action. It is possible to include something like that in the framework of the Macro-regional Strategy.

- 50:39 – I:** So one could say that these different forms of crises did not lead to the termination of specific projects?
- 50:47 – C:** No, I wouldn't be aware of that.
- 50:49 – I:** So basically a diametrical effect, they acted as incentives for trans-border cooperation in new areas?
- 51:02 – C:** Yes, in some areas. There where we have consent between the member states and if it is the appropriate level to tackle the issue, then yes. Of course, migration is a sensible area and it is known that some member states are rather reluctant but even here it is possible to find a consensus and to include it in the Strategy. Defense – for instance – is no topic of the Strategy. So basically where it is sensible and where agreements can be pursued. In these cases the Strategy can react quite quickly and is capable of including these topics.
- 51:45 –** **End of interview, private comments follow**

C.5 Interview E

Interviewee Information: Senior scholar in international relations, expert on South-east Asia

Interview Language: German (translated to English by the Author)

Mode: In Person

I: Interviewer

C: Interview Partner

Question Set 1

- 00:00 – I:** Ok, so we already spoke about the research topic and what my goal is. Therefore I would like to start with the first question right away. As how relevant would you evaluate the ASEAN and the ASEAN norms relating to the four freedoms for the member-states?
- 00:28 – C:** The norms are important for a shared identity because that what keeps ASEAN together is the normative framework. But, from my perspective, one has to differentiate between general norms, which ASEAN is built upon, the so called ‘ASEAN Way,’ which is rather vague and general and thus serving consensus building. However, this served ASEAN successfully for its own regionalism, its own integration endeavor and to establish this as something unique in the world and which, from a legalistic point of view, is different to everything else. Because ASEAN cooperation has an inherent non-binding nature and is thus based on the moral obligation of norms and not on the legally-secured obligation of norms. That has worked quite good for ASEAN, as this prevents that agreed upon norms turn into fixed rules and procedures, in the sense of verifiable procedures. Generally all of the member-states move within the normative framework and I see that as one of the essential pillars of ASEAN. If we turn to more specific norms, then I think we see a consensus among ASEAN states concerning importance and validity of these norms and through this approach, ASEAN, in the last years and decades, including the ASEAN Community which exists since the 31.12.2015, managed to rise its profile. Norms are for ASEAN essentially the be-all and end-all. Concerning norms they always reach an understanding and we don’t see any essential conflicts. I don’t see any greater norm conflict within ASEAN. The problem is the implementation of the norm based rules but not the norms themselves. Therefore, I would say that the norms are the essential framework for the ASEAN, the basis it is build upon. Concerning the norms we don’t see any conflicts but the rules are an issue.
- 03:22 – I:** If we take a look at the ‘ASEAN Way,’ especially concerning it being established after colonial rule, my reading was that, especially at the beginning, it mainly served the purpose to secure territory and therefore also borders through the principles of non-interference and unanimity. In principle, the opening we currently see, for instance through the AEC and a stronger focus on intra-regional trade and the free movement of labor, this somewhat contradicts this original ‘ASEAN Way.’
- 04:18 – C:** Yes, exactly. There are several issues coming together. First of all, I would agree with you that the ASEAN, as it was founded in 1967, in the context of the Cold War on the one hand and second in connection with the Konfrontasi and Indonesia’s role in the region and ... a basis had to be created on which the non-communist states of Southeast Asia could cooperate and simultaneously created transparency, in order to allow for integration of Indonesia under the new regime. That’s why the [initial provisions] had to

be soft enough for all member-states to agree but also not to be too specific as – except for first attempts of regional integration at the beginning of the 60s through MAPHILINDO, so Malaysia, Philippines, and Indonesia, or the ASA, the Association of Southeast Asia, both of them didn't work out – basically the fact that most Southeast Asian states didn't cooperate after colonial rule but were fixed on the former colonial powers. Through this and through ASEAN first joint efforts were undertaken. Especially after Konfrontasi between Indonesia, the early independent Malaysia, and Singapore came to a conclusion. So, basically, there was no conscious fixation on the 'ASEAN Way.' You won't find, not even in the Bangkok declaration, any of these norms. This 'ASEAN Way' kind of came to be, based on behavioral norms that are rooted in the Malayan world. Musyafara Musakat, Tong Royon who were strongly informed by Indonesia, so all that what you will find today in the ASEAN world, the consensus principle – the unanimity comes not from the Malayan rural community – but everything else, also a certain hierarchy in decision-making, despite égalité of participants, but all of that has its cultural roots. Simultaneously, and I think that is very interesting, is that the ASEAN research, so all who wrote about ASEAN over the years, they contributed to the perception about ASEAN and the 'ASEAN Way.' Something you won't find in any other region. This very strong interaction between the policy-maker in ASEAN, the active political actors and the observing academic actors leading to a process of reciprocal reinforcement. So the ASEAN said that we have a specific normative framework, contributing to our approach of regional cooperation because the ... we reject the legalistic approach of the EU. Thats something we can't do because we only recently gained our independence and we can't transfer our sovereignty onto a supranational level. Simultaneously this has been verified from the epistemological community, claiming that the 'ASEAN Way' is a specific form of cooperation and I think this a very interesting construction. So therefore the ASEAN did manage quite early on to create a common identity based on this normative basis.

08:51 – I: On these very soft norms ...

08:54 – C: These soft norms, but still as a kind of trademark that has been recognized internationally and this helped ASEAN to delineate itself territorially. Contributing to this one has to say, is that Southeast Asia is one of the most stable regions of the world, even though you can't prove that empirically, and ASEAN member-states went to war with each other, if one applies the usual Stockholm definition of war with less than 1000 victims. Ok, then you can say that the border conflicts between Thailand and Cambodia wasn't a war, even though you have to flexible with the definition. But whatever. In general, one could say that Southeast Asia is rather peaceful and stable and one could say that this relates somehow to ASEAN, even though we can't prove it but probably it is like that. So now I forgot the second part. It was about the general norms. What was the second part? What was the question?

10:18 – I: Thats was general, not specific ... of course the Four Freedoms and if they are not contrary to the ...

10:28 – C: Ah, yes, exactly. Because it does. That is an argument that is near and dear to me and therefore I think it is good that you investigate that as well, because it does not fit to each other. One actually can't realize the four freedoms if one simultaneously adheres to the ASEAN philosophy of soft norms, of noncommittal norms. Because the realization of the four freedoms means that there have to be verifiable procedures and commitment to these norms. And this includes the procedures that are based on these norms. I see the contradiction here as well and I don't see that the ASEAN

succeeded in resolving this contradiction. One can actually see this issue if looking at the Blueprints of the ASEAN Community 2015 that all of these four ... three blueprints, are rather extensive for the economic and for the political community. Then they realized that they can't implement all of that because they don't have the means. Especially the economically weak member-states said that they couldn't realize that. Then they sugarcoated the whole thing and then they had the score-card procedure of the ASEAN secretary, which was not based on independent evaluation but on what the member-states reported back to the ASEAN. And they all claimed we've done that [implementing the AEC Blueprint measures] and we are on the brink of implementing everything. So, there was everything green and some orange but in principle everything was looking very good. Until more and more people from the economy sector and academic sector started to criticize the whole. Because it wasn't really all implemented. As a consequence the ASEAN secretariat stopped publishing these score-cards. And now, if one looks at the new vision, the AEC 2015, then one realizes that quite a lot of things are kept quite general and this also relates to the security sector. So, no matter which document you take but which focuses on the next 10 years of furthering cooperation and scrutinizes that, one realizes that the ASEAN took a step backwards instead of specifying the previous propositions and admitting that there are certain areas where they didn't make as much progress and where they have to put more effort in, in order to achieve decisive integrational progress. So that didn't happen. They choose the step of again formulating everything rather soft, in order to claim that they achieved their goals. The lessons learned of this critique that the ASEAN didn't achieve their set-out goals in 2015 and to reevaluate how to achieve the goals and to implement the agreed upon arrangements was that they decided to soften their formulation so that no one could complain. At least that is my impression.

14:31 – I: Couldn't one explain that with the principle of non-interference? So that ASEAN won't interfere with their own member-states, especially in relation to these scorecards?

14:42 – C: Well, yes. That has different reasons. You are right on the one hand but on the other this has something to do with the resources of the ASEAN secretariat because this statistical unit within the ASEA secretariat are two and a half positions. They are very eager and I've met them several times but not recently but I did evaluate two projects of the GIZ [Deutsche Gesellschaft für Internationale Zusammenarbeit / German Society for International Cooperation] in support of the ASEAN and also an EU project for this big ... or in general the support of ASEAN by the EU and here you had quite often support for this statistical unit. And they are achieving ... so the data is all there and this is a tremendous advance compared to what we had ten years ago. Back then you hadn't access. Now all the core data is made accessible and, just for getting some funding, they have several projects with the World Bank and so forth, where they provide data. The last time I was there, four years ago, they [the statistical unit] were two young female scientists from Thailand who made an outstanding job. But it is clear that it is not possible to get an independent evaluation of the actual implementation process within the ASEAN. Probably because it ... the excuse for that is that they couldn't really realize it and it also has something to do with the non-interference principle as it would imply that they [the ASEAN secretariat] wouldn't trust the member-states. On the other hand that's not quite true as well. The non-interference principle has never been that absolute. Do you know the book of Lee Jones on that topic? He wrote a book about that the non-interference principle is a myth and traced that chronologically since the founding of the ASEAN.

Also beyond the known cases like Cambodia right at the beginning, one of the huge successes of the ASEAN, or the policies against Myanmar. So there were always ... maybe not direct interference but an engagement with these situations.

17:31 – I: Maybe also Indonesia after the Asian financial crisis 1997 and how Thailand and Malaysia helped rather decisively on a bilateral level and thus also somewhat circumvented ASEAN.

17:44 – C: Yes, that is another important point that it is not always the ASEAN organization as such but that there are trilateral or bilateral approaches that contribute to the solution of regional problems. So, they can always formally claim that it wasn't the initiative of the ASEAN – so ASEAN didn't interfere – even though being somehow within the ASEAN framework but it was initiated by single member-states. Quite a lot of what is happening within the ASEAN, and has happened in ASEAN, especially concerning resolving issues, was initiated by Indonesia. Subsequently this was then rather often portrayed as ASEAN initiative but generally this is based on Indonesian diplomacy. Where there had been quite a lot of discussions was concerning Myanmar and the Rohingya. Especially in Malaysia and Indonesia the civil society demanded more engagement with the issue from their governments for the Rohingya. Malaysia was a little bit more involved and expressed critique on the ASEAN's approach in general. They were especially not content with the policies of the Philippine ASEAN presidency. Indonesia was rather reluctant and that is a sign that the ASEAN is not as important as it has been for many decades. For instance, that is something that also the Indonesian ambassador in London, Rizal Sukma, says, who is also an appreciated scientist and who did research about the ASEAN for his whole life and now represents Indonesia politically. It is very interesting how he perceives the whole situation from a diplomatic point of view. Interesting because he is way more open than other high-ranking diplomats as he still somehow is in his role as scientist and openly says that we have to diversify our [Indonesia's] foreign policy. ASEAN is keeping us back. I will give a lecture next week in Australia about the ASEAN, the future of the ASEAN and here I am still doing some research on that. My thesis is that the often proclaimed centrality of ASEAN ... so everything happening in the Asian-Pacific area has to either originate from the ASEAN or has to be connected to it, that is not existent any more. The rest of the world has more or less lost interest in ASEAN. A loss of relevance of the ASEAN. That ... some data is still missing ... if you take a look what is published about ASEAN within media, there was a peak before 2015, especially with a focus on the ASEAN Community but that has lessened considerably. What do you hear about ASEAN nowadays? It was never like it that ASEAN took a prominent place in the headlines but there were occasionally news coverages. Especially in the context of the South China Sea but anything else runs a poor second. Also within ASEAN there seems to be a tendency – just as we can see in Europe – a tendency back to oneself. Tendencies of nationalism and for the member-states everything is as it should and the bureaucracy works. For the identity formation of the region that is important. And if it comes to the foreign relations ASEAN is still quite successful with its regular dialogs with other middle- and regional power. But if you take a closer look at what happened to all of these agreements ... I don't know if you have counted them, the last time I did that, there were something like 364 or something like that ... one realizes that quite a lot of things only exist on paper. If you speak about that, they will again and again tell you that they made an enormous advance with all their norms. I did the same

- a year ago but at some point the step has to be taken, to develop and implement procedures, in order to provide the norms with significance.
- 23:18 – I:** That's true. Concerning the contracts, I actually focused only at the ASEAN specific ones, without partner states and these amounted to 160 to 180.
- 23:33 – C:** Oh, really? Ok, if one takes ... yes, in the 364 there are also other agreements.
- 23:40 – I:** Also very specific ones. For instance, nursing services. I focused on the big ones, even though some of these have been very compartmentalized as well. For instance, if goods are transported via a rescue ship, then they don't have to go through customs duty before. What of course the question here might be, how one could even check that in case of a rescue mission.
- 24:07 – C:** Is that a consequence of the difficulties ASEAN had in the aftermath of the cyclone in Myanmar? Because one of the main issues was that Myanmar initially didn't accept any relief goods in respect of customs regulations.
- 24:28 – I:** I am not sure about that but it was an agreement from the 80s, so quite early. But it could be that this surfaced repeatedly.
- 24:36 – C:** Ok, I didn't engage with this period.

Question Set 2

- 24:41 – I:** Ok, second question. Second big question. From your perspective, to what extent do the border related norms of ASEAN, for instance in form of Declaration of ASEAN Concord or the AEC Blueprint 2015 actually contribute to intensified cross-border interaction?
- 25:03 – C:** Well, that they do. The big agreements, the framework agreements from the 70s, like Treaty of Amity and Cooperation, they have a very symbolic content that is quite important because, as I said, the ASEAN identifies itself via these and especially with [unintelligible] that so many other states of the region joined the community. What is more important are the more specific agreements like the AEC Blueprint or the single agreements to ATIGA, for Free Trade Area, and so forth. So there you can actually proof empirically that an increase of absolute cross-border transactions followed. You can correlate that and you can say that after implementation, gradual implementation, of the ASEAN Free Trade Area and the ASEAN Economic Community, an increase of transactions followed. As I said before, one can do that with customs data, as the data is available, especially as the process was simplified. Not dramatically but still. You can see that the free movement of goods and services within ASEAN increased. But, of course, one should be aware that this relates mainly to three states, which are Singapore, Malaysia, and Thailand. Singapore and Malaysia amount to 60% of intra-regional trade and if adding Thailand, you are at nearly 80%. 75% or something like that. So there are nearly no transactions between Indonesia and Cambodia.
- 27:06 – I:** Is this related to a center-periphery gap?
- 27:08 – C:** That is connected that these states already cooperate economically with each other. And this is also connected to the Singapore's position and the harbor. Many goods are transported to Singapore to be then send further. Additionally, the big projects of donors, like the EU, always aim at projects that already do well. So the EU has started to realize the ASEAN Single Window for Customs as a pilot project for Singapore, Malaysia, and Thailand. Of course, here you can verify success quite easily but there are

other states would need that more. But it is clear, they advance first and foremost projects with benefits. But ok, ... so two things are important: Absolutely seen the cross-border interactions have been increasing, not only concerning the trade of goods but also for trade in services. In the meanwhile there are banks and insurance companies that are active in nearly all of the ASEAN states. We have the Malaysian CIMB bank that nine I don't know any more, was it Laos? ... which is practically everywhere in the ASEAN. We also have airline companies like AirAsia who exerted pressure on the governments to liberalize air-traffic, which worked partially ... so here one can clearly see that if the private economy exerts pressure then it results in integration progress.

29:20 – I: But wasn't it in mostly the private economy break block in that area? Mostly due to protectionist reasons?

29:30 – C: To a certain degree. The manufacturing industry, yes ... also with exceptions but not the service providers and companies like airlines that have a benefit from a liberalization of ASEAN. The industrial companies demand protectionism or a policy that focuses more on protectionism if they are not competitive. That is the case for instance in Indonesia. Interestingly enough, this relates specifically to the Free Trade agreement with China. Not necessarily for ASEAN itself, as it is not really implemented but the problem with China is that this was a political agreement, or the political value stood in the foreground, as ASEAN wanted to bind itself closer to China. They saw the economic benefits coming from that. They didn't realize, at least in some capitals, that this is not comparable with ASEAN. So that it is realized eventually or could be circumvented somehow. What has been agreed with China, one has to implement and now they opened the gates for Chinese goods. After they realized that, also on the private economic sector, the Indonesian companies, rubber industry for instance, they started to exerted pressure and demanded to renegotiate. China of course stated that wouldn't happen. This is a regional trade agreements and we won't start to implement additional exceptional regulations. This actually led to ... I dealt with that question as well but this is already three to four years ago, so I can't provide any current information ... about 2015, Malaysia was the only country that had a trade surplus with China. For all other countries the trade deficit increased dramatically through this. So, within ASEAN there are several companies that could invoke the ATIGA rules, in order to get customs allowances. But they don't do that, as they have to prove 40% regional share in their products, which is in many cases quite complicated, due to the many extra-regional suppliers and the bureaucratic effort to realize this prove is ultimately more expensive than to pay custom duties. This leads ... many products are not even traded under the free trade agreements, despite it being possible.

32:33 – I: So, despite being theoretically possible due to the implemented regulations.

32:37 – C: Yes, it would be possible but they don't do it as the effort won't pay. Additionally, about 95%, others say 96% to 97%, of all companies in Southeast Asia are small and medium sized companies. Sometimes only with 10 employees. They really don't have an interest in cross-border trade but more in protecting their own markets. It is only the very big and regionally operating service providers like banks, insurance companies, who push for further liberalizations. They also push for the free movement of persons as they would like to acquire qualified labor from other ASEAN states. That we see progress in the banking and airline sectors, this is due to the pressure of those big companies. But this is valid more for the service sector and not for the trade in goods sector.

33:54 – I: In how far does this generally affect the free movement of persons? Certainly there are some sectors with a stronger emphasis, like the banking

sector you mentioned, but in many other areas I currently see restrictions, quite strong ones, for instance if it comes to investment, money from other states that creates dependencies, that this is rejected quite strongly.

- 24:23 – C:** That's true and I would argue the same. Right now I don't have any up to date figures but I would say that the free movement of persons does not work within ASEAN or, basically speaking, even without an agreement it is possible. I've experienced that in Laos, that in technical areas or engineering areas no or only a very limited amount of professionals was available. So if companies ... I am not really an expert for that ... but if the machines stop working or if there is a software issue, then experts from Thailand have to be brought in. Something that is good, as Thai and Laos are principally the same language, so that works very well, and then they don't really problematize it. Is it really compatible with legal regulations? What visa is needed for this Thai expert or is it actually possible within the ASEAN regulations? That doesn't play a role. It just works. Demand-based that's possible but also concerning the six groups of professions, or seven? I am not sure. Doctors for instance belong to these groups as well ... but they try to hamper that. There is the political affirmation of that as it is important, because it would be bad to protract but they try, just as they do with the Sensitive Exclusions Lists for the Free Trade Agreement, to protect the own industry through the backdoor. Basically what Trump does as well. Suddenly everything is security relevant. These lists keep on getting longer and the same is applied to the free movement of persons through the implementation of hurdles and by claiming that in principle the free movement is there but you have to fulfill specific preconditions. Thus rendering it unusable. The problem is not really this area of intra-regional migration or labor migration, but the illegal part. The fact that hundred thousand ASEAN citizens move from state A to B, for instance the Indonesians to Malaysia, the Filipinos into virtually every other state, that is more or less regulated on a bilateral level. The Philippines have taken some efforts to protect their workforce in other states ...
- 37:23 – I:** ... Indonesia as well ...
- 37:24 – C:** Yes, Indonesia, but Indonesian workers in Malaysia are not treated as good as Filipinos. There are still huge issues.
- 37:33 – I:** Even though Indonesia is one of the few countries signing the UN Declaration for the Protection of Foreign Workers?
- 37:40 – C:** Yes, but Indonesia is mainly a sending and not receiving country. That's why ... there are nearly no Malaysians that go to Indonesia but only Indonesians going to Malaysia. This is an area the ASEAN isn't really engaged with. Of course there are working groups for that and they talk about it but it is a very difficult area to regulate as Malaysia won't forgo cheap labor from Indonesia and the Indonesian don't want to have too much publicity. But it still is a very big problem. Also here one has quite a lot symbolic agreements ... if you arrive somewhere at an Southeast Asian airport, you see the ASEAN counter, just like we have in the EU, and that looks pretty good and yes, for ASEAN citizens it is easier but from my perspective these are mainly symbolic measures. Of course it is easier from today's standpoint for ASEAN citizens to travel within the region but to work there as well, within regulated procedures, this is difficult. I would say it didn't get easier.
- 39:20 – I:** Short interposed question: if we are already at symbiosis. For instance between Indonesia and Malaysia, how important is the Malay principle?
- 39:30 – C:** Well, ... one could say quite a lot about that. First of all, the population can communicate with each other. It is basically the same language. You do have significant differences but they understand each other. Malaysians have more English loanwords and Indonesians more from Dutch but it still

is the same language and simplifies the interaction between both countries. But Indonesia perceives itself as dominant country, as bigger one. There is this nice analogy you will find again and again, and if you will listen to speeches of politicians, they relate to it quite often, there is this hierarchy within the Malayan family structure with the older brother and the younger brother. Indonesia sees itself as older brother who acts directive and guiding for his younger brother. The Malaysians of course don't see it that way ... this cultural context do play an important role. On the other hand, it is surprising how little ... so I did teach in Malaysia at a university and it is horrific how little knowledge the Malayan students have about Indonesians. The Malaysians are very self-centric. It is unbelievable how little they notice of their surroundings. That was at the Australian Monarch University where I've taught in Kuala Lumpur and every year we organized excursion for the students to Thailand and to Indonesia for them to get to know their neighboring states. They all were somehow in Europe, in Australia, in the US, and so forth but they didn't know much of the region. And it didn't really interest them what happens in Indonesia. They also didn't come up with the idea to spend their holidays in Indonesia. Maybe on Bali if there is a good offer but ... they go to Singapore. They all go to Singapore. Then we have occasional conflicts between the countries. About resources and the biggest issue is the haze issue. This is somewhat reduced but over several decades, or at least over every summer ... a terrible issue is palm oil in Indonesia. I am straying here a little bit but every year an area of rainforest is sacrificed for palm oil plantations in Indonesia about the size of Mecklenburg-Vorpommern. And at one point ... we recently had a lecture on that topic ... somewhere in the 2020s there won't be any rainforest left if they continue. And in Indonesia they use slash-and-burn land clearance and that led to huge ash clouds covering half of Malaysia and Singapore since the mid of the 1990s. I experienced that myself in Malaysia. It's unbelievable. Eyes burn. It's the highest degree of air pollution I've ever experienced. Of course you have all the expats that were previously in Beijing, claiming that it is not as bad as in China. But you can relativize everything [laughs]. And that led to some serious conflicts. The current Indonesian president got somewhat over it, the situation got a little bit better but interestingly, these are Malaysian companies that own the land in Indonesia and happily set everything on fire. The other big issue is the Indonesian maids in Malaysia, who ... one can actually say that, who are treated like slaves, whose passport is seized, who only get vanishingly small loans, and then work 12 hours. Being employed by companies in the households, having three shifts from 6 o'clock in the morning to midnight and only have one week vacation per year, and so on. There were several cases of abuse of Indonesian women and girls and this led to constant conflicts between both countries. This is one side. The other side is that both states cooperate on government level pretty well with each other. Accusations happen more on the societal level ... but foreign policy has always something to do with audience within the country, of course but the governments do cooperate well. Despite that, within ASEAN, you see that Malaysia, Singapore and Indonesia cooperate very close with each other. Every time bigger challenges arise, it is these three countries that cooperate close with each other. Even though issues concerning the South China Sea or when Cambodia strays away and so on, it is these three states that try to find a solution. So at the diplomatic level and if it comes to everyday ASEAN matters, then we see a very close cooperation. Especially as these two states are very close to each other. So that works very well. I would say this axis of Indonesia, Singapore, Malaysia contributes quite a lot ... concerning the EU, Germany

and France are always mentioned ... I think these are the three countries within ASEAN that further the overall process.

46:52 – I: So these are the center?

46:53 – C: I would say that, yes. There are several phases, also in the history of ASEAN, who were very much involved and forwarded several initiatives. Right at the beginning these were the Philippines but who withdraw over time. Then we had a long Marcos time, where not much happened with ASEAN. Then we had Thailand as Sourin Pitsuva, who was later on ASEAN Secretary General and who was Foreign Minister and who suggested 1997 to loosen the non-interference principle and who had also the idea of constructive engagement or enhanced interaction. This also contributed to the normative change within ASEAN. But generally, I think it has always been these three countries. Also currently, if it comes to economic cooperation. One could say that and I think the cultural closeness contributes to that. But then we of course have occasionally these publicity oriented feuds, this teasing...

48:12 – I: A brother feud basically?

48:14 – C: Exactly, one could call it that.

Question Set 3

48:16 – I: This brings me to my next question. If we take a look at this normative influence, down on the ground, what effect does it have? Are there visa regimes, a dismantling of border checks, of customs controls?

48:38 – C: Dismantling not. So, border checks are everywhere but the procedures were simplified. That definitely. I ... I wouldn't say that ... I think for companies it got way easier. For ASEAN citizens probably as well, because ... I haven't experienced that myself as I always arrive there with a German passport, so I don't know how it is ... well, for us some things changed as well. My first travels to Indonesia and Vietnam in the 90s, early 90s, one got asked about some financial contributions or one could get difficulties from the side of the border officer. I've never took part in this game as I've never exceeded any visas. So I told them no, why should I? Everything is in order. Later on there where huge signs at the airport in Hanoi, reading "Please don't put any bills in the passports." So that is something ... I think that's what also studies show, that the level of corruption at the borders decreased significantly. Of course, it didn't disappear completely and it still takes a while to get ones container but it still ... I always say that the customs, as part of the economic sector, is an area in which ASEAN has been most successful. This also has something to do with the intervention of donor countries in several, hundreds of single projects, in order to advance liberalizations in customs.

50:56 – I: So one could say that these are technical simplifications? Streamlining in that sense but de facto structural controls?

51:06 – C: Yes, indeed. So there is nowhere the abolishment of border controls. There is no internal market. And that is not foreseeable. Simplifications yes but ... I am thinking ... has it been that and Indonesian needed a visa for Vietnam? So, basically, no one needs visa anymore. All can travel freely within the ASEAN. But I don't know since when that is, if this is an ASEAN agreement or bilateral agreements but de facto it is like that now and I don't think that it was always like that. But I could imagine ... and what everyone say that movement within the region became easier. Of course ... despite speaking previously about the Malaysian upper-middle class, they

wouldn't go for their vacation to Cambodia or Indonesia, or something like that but despite that, the intra-ASEAN tourism increased. But mostly to the big metropolises like Singapore and Bangkok for instance. But ... but I can't really say in detail what else improved.

Question Set 4

- 52:48 – I:** Ok, what I would be interested at this point would be the influence of counter norms at the national level. For instance protectionism, which has quite a lot of rational reasons but also others, for instance political ones or cultural ones, to counteract ASEAN or general community norms. Are there specific contesting norms? Malaysia for instance was focused more on stability and economic independence. Especially from direct neighbors like Indonesia. See Konfrontasi. So that they tried to slow down the norm implementation process.
- 53:45 – C:** Well, I think not related to norms. Not directly as counter norms as the ASEAN normative framework is so generally formulated that no one really has any issues with that and also not with the specific norms as they all were generally agreed upon. The issue is more like that everything is interpreted rather softly, like “we have it that way and we do it this way, we also implement it,” in order to maintain the pretence but in reality one can see that a trend of returning to ... well, you can't say returning to the own nations as there was never the idea of a wholly integrated ASEAN nation ... but I would still say that after ratification of the Blueprints 2007, 2008, a form of low level euphoria existed in the years until 2015. Not only in the private economy ... of course not in the villages, ASEAN plays no role there ... but knowledge about ASEAN increased and advantages were recognized. Also within the limits of specific norms, so not supranational, legalistic, binding, and verifiable, but they said it makes sense for us, we want to further strengthen ASEAN, we want to strengthen our own integration, and it is good that they sensed these advantages. Momentarily, I have the suspicion and also can observe that exactly this seems to have lost track. ASEAN is, not only for Indonesia but also for other states, it is important but they let things go their way and do more and more on a bilateral level. Fredrick Kliem, an employee of the Konrad-Adenauer-Foundation, wrote a study recently about the rising nationalism within the ASEAN states. It's accessible over the KAS webiste. I haven't read it myself yet but he elaborates on the phenomenon that there is this kind of step back. Kind of ASEAN skepticism. Just like we have the EU skepticism, there is a similar trend in the ASEAN.
-

Question Set 5

- 56:52 – I:** You spoke several times about conflicts in the South China Sea as well as the ASEAN. What influence do they have on the effectiveness or the influence of ASEAN norms? So, A external conflicts and B internal conflicts?
- 57:17 – C:** Well, thats manageable. The conflicts are mainly related to unresolved border issues and ... ok, many of these conflicts are already solved. Other issue areas are for instance the dispute between Malaysia and Singapore about three ... two actually, two island and one riff. This has been cleared by the International Court of Arbitration that these Islands belong to

Singapore and Malaysia accepted that. The conflict between Thailand and Cambodia has also been resolved in The Hauge. Then there are these latent disputes, boiling on a low flame. Vietnam and Cambodia still didn't demarcate their mutual border. Something they wanted to have concluded five to six years ago but since then there is no progress. 80% are clear, where all the landmarks have been placed but then there are these 20% and they just don't do anything there anymore. Every year I take a look and every year you'll find the same press releases that 80% have been concluded. They don't further engage with it. Otherwise there are no other bigger conflicts among the ASEAN states. Interestingly, the conflict about the South China Sea is never portrayed as intra-ASEAN conflict as the ASEAN states officially are not in conflict with each other. They are jointly in conflict with China but the ASEAN littoral states want to solve the conflict on basis of the Law of the Seas. So they wouldn't have problems among themselves. That's why, at least projecting externally, this conflict has never been a conflict among ASEAN states. I actually don't know if there would be exclusive economic areas, even among the ASEAN states, as the economic zones are only portrayed in relation to China. As China claims all.

- 1:00:06 – I:** I think there are overlapping zones of the ASEAN littoral states.
- 1:00:14 – C:** Maybe if it only affects the ASEAN states, a solution might have been possible, just as it was managed in other regions but due to the involvement of China that's not possible. So its rather conflicts with external actors. Otherwise there are issues that are not depicted as conflicts. As example, migration from Myanmar to Malaysia or Indonesia, the Rohingya. Several years ago there was his picture of a ship with the Rohingya refugees and no county of the region wanted to take them in. But officially these are no issue that are officially declared as interstate conflicts but as issues, to be solved at the bilateral level. And that is something the ASEAN always did very well, to keep these existing conflicts and disputes on a low level. They succeeded within the organization to manage these conflicts. Not necessarily to solve them but to manage them.
- 1:01:44 – I:** The example I had in mind would be the Sabah conflict. For instance, just recently there was an incident due to these Abu Sayyaf groups in the region that Malaysia closed down the border to the Philippines, thus affecting the economic relations and migration movement in its entirety. At least at this point.
- 1:02:08 – C:** Yes, true and that's a good example that they didn't solve a conflict as the Philippines still claim Sabah and the Malaysians argue that this is bogus and devoid of any logic. Then we had 2013 this Filipino group, trying to conquer Sabah and the Malaysian military tried to take a sledgehammer to crack a nut and in a demonstration of force they quelled the whole thing in a couple of days. Back then I was in Malaysia and experienced it first hand and the ASEAN solidarity was gone immediately and it didn't matter if the Philippines were a member or not. This was an attack on Malaysian sovereignty and they of course immediately defended themselves. The Philippines draw this card every time they can make use of it. One can't say that this incident in 2013 ... or 2012, I don't know at the moment ... that this incident was orchestrated by the government, I don't believe that but one likes to create ... all governments like to do that ... to create a foreign policy crises, in order to draw attention from internal crises. Then ... one can actually see that very well within the course of ASEAN history ... that the Philippines occasionally drew this Sabah card to signal that they still have an unmet claim. But this is valid for all others as well that it didn't escalate. So we have occasional closing of borders. But even within the Malayasian are Sabah and Sarawak treated exceptionally. If one goes

from the Malaysian mainland, West Malaysia, then there is a border check. Sabah and Sarawak have a special status and in order to demonstrate that special efforts have to be undertaken the special status and the border controls are implemented. This counts also for intra-Malaysian travel.

- 1:04:37 – I:** So could one argue that these forms of conflicts or even crisis occur frequently but do not necessarily directly hurt the ASEAN norms, for instance if it comes to cross-border interaction? Because it eventually normalizes again.
- 1:04:54 – C:** Yes, it normalizes eventually. The governments take efforts that this does not escalate and there are again and again ways to informally find solutions because through ASEAN so many different levels of contact exist. I think that is one of the decisive advantages of ASEAN. Not conflict solution through formal means as the ASEAN never actually employed its well formulated conflict solution mechanisms, but either through informal means by using its information channels and structures or, if nothing else helps, the international judicial system is employed. There are some cases, several times Singapore and Malaysia, one time Cambodia and Thailand, and thats culminating to three or four cases ... I've forgotten about the third one ... oh, one case before the World Trade Organizations between Malaysia and Singapore about some plastic products. There they called the WTO. It was the first case the new found WTO had to engage with. Singapore sued Malaysia or was it the other way round? I don't know. Yes, so these ... I think these things you can't really proof. And it is difficult to get people to talk about that but from what I know it works surprisingly well. Even in 2012, 2013 between Malaysia and the Philippines or in 2008 and 2011 between Cambodia and Thailand there were these contacts and mediation through the ASEAN Secretary General, who was really engaged to solve this conflict through internal and unofficial channels and not to let it escalate.
- 1:07:31 – I:** Ok, that's very interesting. Second last question: Crises. For instance world economic crises or financial crisis. To what extent do these have an influence on cross-border cooperation between the states?
- 1:07:51 – C:** Hm, ok the big crisis 97 ... hm. That's a good question. Had it a huge impact back then?
- 1:08:09 – I:** Well, at least they were engaged in concluding a new agreement and afterwards they started to conclude new agreements rather rapidly.
- 1:08:12 – C:** Yeah ... in the last years, well the ASEAN wasn't that much affected by the financial crisis of 2008. Otherwise there weren't any big crisis in Southeast Asia.
- 1:08:34 – I:** Well, there is the question if one could describe the current US administration as crisis.
- 1:08:39 – C:** Yes, that's true [laughs] but even here Southeast Asia is not really affected. Well, TPP, we have to see how much sense it makes without the US. So what would have been really interesting, especially concerning Vietnam that joined TPP and the bilateral agreement with the EU and with very different norms. The EU agreement was way more extensive than TPP and includes environment norms, worker rights norms and they still persist. The agreement hasn't been ratified and it is not clear if trade agreements of the EU have to be ratified by all EU member states or not. So we have the two agreements with Singapore and Vietnam, the one with Singapore dates already a little back, like 3 or 4 years ago and Vietnam 2 and a half years ago. So, there, in the sense of a norm conflict, I was actually looking forward how Vietnam would deal with that. Because they can't apply different standards for their industrial products. One for the EU and one for the US for instance. So this is a question ... it wouldn't have affected ASEAN itself. So, external crises did not have a strong impact in the intra-

regional borders, I believe. But I didn't engage with this issue so closely before. 1997, interesting. I never thought about the consequences it had. Generally speaking, it meant a step backwards for ASEAN as it showed that ASEAN couldn't deal with the issue. Great disenchantment actually. What did the ASEAN do? But it was institutionally not prepared to deal with such a kind of crisis. But they then started to quickly recover.

1:11:10 – End of interview, private comments follow

C.6 Interview F

Interviewee Information: Expert on Southeast Asia, German Political Foundation, Singapore Head of Office **Interview Language:** German (translated to English by author)

Mode: By Telephone (WhatsApp Video Call)

I: – Interviewer

C: – Interviewee

Question Set 1

04:48 – I: And at this point I already would like to start with my first question which I send beforehand: From your point of view, how relevant is the ASEAN and the norms of the ASEAN for its member-states. Maybe not only the ASEAN that provides the framework, but maybe specific norms like the ASEAN Agreement Framework on Mutual Recognition Arrangement or ASEAN Concord II. So these subnorms – so to speak – that reverberate within these and that relate to the four fundamental freedoms.

05:29 – C: Yes, so, I am probably not the first one telling you that but with the ASEAN it is a little bit difficult. So, it is like that, that the superordinated norms of the ASEAN – unlike as in the EU – are more regarded as recommendations. More like suggestions than legalistic instruments that can be implemented and whose implementation can then be supervised like we have it in Europe. In ASEAN it is more like that all ... that the specific norms that are prescribed ... so there are the superordinated norms, like you pointed out, and they are called, using an umbrella term, the ASEAN Way, but I wouldn't neglect these superordinated norms and not focusing only on the subnorms, because then you wouldn't understand why these subnorms do not work as they do in the EU. So this ASEAN Way is based on the principle of absolute sovereignty of the national state is untouched. Despite regional integration. And that is an inherent contradiction. One asks how can regional integration actually work, if national sovereignty as superordinated norms is paramount. And from here we come to the implementation of the subnorms. There are many, many, many agreements. And basically nothing is adhered to. There is nothing in ASEAN that works across the whole ASEAN. The ... so the ... what you mentioned, services, goods, persons and capital is part of the ASEAN Economic Community. I do not know to what extent you engaged with ASEAN but the ASEAN Community, which exists since 2015, consists of three pillars. And these three pillars are the pillar of economic community, the ASEAN Economic Community, then the pillar of political and security community, and the third pillar is the socio-cultural pillar. And all of the points you mentioned, they fall into the pillar of ASEAN Economic Community. And in this ASEAN Economic Community, if you take a look on all of the subnorms that exist there – right now very interesting the ASEAN single Window, I am not sure if you know of it, if you have engaged with the topic ...

08:09 – I: Yes, in cooperation with the EU.

08:15 – C: Exactly, so this ASEAN Single Window works for example only – so only – in half of the ASEAN member states. So, despite being an ASEAN initiative only five member states agreed to participate. That the founding states minus the Philippines, plus Vietnam and ... this is very characteristic and is suitable as case study for your analysis because, from my point of view, it demonstrates that where ASEAN is printed on, ASEAN

is not necessarily inside. Actually, all of these are bilateral associations or ‘minilateral’ associations that are agreed upon outside of ASEAN and implemented outside of ASEAN. For single states that are willing to go along. What differentiates the economic community from the other two pillars is the principle of ‘ASEAN – x’. This principle was introduced just for the economic community and means that there are ASEAN measures where not all ASEAN states participate.

- 09:35 – I:** So on a voluntary base.
- 09:38 – C:** On voluntary basis, yes. So, they leave participation and advancement of this measure open for other ASEAN members to join later. This allows members to take up the cause in the name of ASEAN but to cooperate outside of ASEAN and to advance the economic community. The ASEAN single window is a good example for that.
- 10:05 – I:** How good does that work? In principle we have very different economic capacities within the ASEAN. So a very distinct differential.
- 10:13 – C:** Exactly. Precisely this is the reason why the ASEAN Single Window has been introduced. Especially the richer countries, for instance Singapore where I am, or the middle income countries like Thailand or Malaysia, the said – rightfully so – an integrated market, like in Europe, can’t exist in ASEAN as the differences are so stark. So if you try to advance the ASEAN cause you need options to exclude certain countries who then have the option to join later on.
- 10:52 – I:** But within the AEC framework wasn’t there the idea to implement a common market similar to that of the European Union?
- 11:04 – C:** Yes and this idea still exists and that relates to what I said before. There are many ideas and measures but let me say this, since 2015 we have the single market. So the idea to have a common market like in Europe. This was begun in 2003 with the Bali Concord, with the ASEAN Concord. There they decided to create this pillar structured community. Among other things they decided to create a common market similar to the EU. 2003 they have begun. 2015 was the date they said everything is completed. Having completed the formation of an economic community. Then 2015 came and it was realized that nothing happened. So the economic community came into effect but the relations among the states actually didn’t change at all. So basically the economic community was declared without having anything. That led to having an economic community on paper but *de facto* it is not even possible to do unhindered trade between states like Singapore and Malaysia that are located on the same peninsula. It takes at least ten days at the border to export from Singapore to Malaysia and the other way round. Hopefully this [amount of time] will be shortened with the ASEAN Single Window. But that’s because every single country has its own customs measures, customs regulations, minimum standards for electronic goods, groceries, etc.
- 12:54 – I:** So basically that means that this contradicts the ASEAN Framework of Mutual Recognition of 1998. Because in this we already had the harmonization of all the electronic regulations.
- 13:08 – C:** Exactly, exactly. That’s like it is, and this is the paradox. ASEAN always declares to do that and this but then they leave it as ‘work in progress.’ They never say that at time point x we are on the same level and then declare this or that law. They only declare the direction without happening to much. Cause is that single member states regularly reject specific measures. Which member states these are and why they object is always different. That depends on the member states. Take another example. Free movement of labor. So how is that in the European Union. Theoretically we have a free exchange of people. This is also part of your analytical framework ...

- 14:02 – I:** Exactly ...
- 14:03 – C:** So there is supposed to be a free movement of people within ASEAN. Right from the beginning this was limited very much. Contrary to what was discussed initially. So it was limited to skilled labor. Skilled labor means that every country can choose which jobs are to be considered as skilled and which are in demand in the own country. And only these people can enjoy the free movement. But every country does it differently, every country has different jobs on that list and every country has different regulations. For instance Singapore would never allow Laotian or Burmese workers to come in. Never. They would never do it and they will never do it. Despite having agreed on that within the ASEAN Economic Community framework.
- 15:04 – I:** Already in 2003 with the ASEAN Concord II ...
- 15:10 – C:** Exactly, it already started in 2003. And the reason is that agreement in the ASEAN framework come with relatively little costs. So, if something is promised or discussed in the ASEAN framework, every country knows at the time of discussion that every country at every time point can veto. In the European Union, if something is agreed upon in the Parliament or the Commission, this normal European process has taken place and results in a European legal act then this is the law and the national states have to act accordingly. If they like it or not. In ASEAN it is different. In ASEAN no one has to adhere to anything and there is no implementation surveillance mechanism. There is no superordinated instance that is able to check the compliance with agreed upon decisions in any form. There is not even the possibility for a supranational instance to check on the promises of the states or the processes to comply with these promises.
- 16:38 – I:** That relates to the implementation of AEC and the score card system?
- 16:45 – C:** Exactly, in all areas. In all areas. Not only limited to the AEC but this relates to all areas.
- 16:55 – I:** If we would summarize that, the relevance of the ASEAN and its norms, than that is *de facto* more symbolic?
- 17:03 – C:** Absolutely. *De facto* only symbolic. I am not saying that this is bad. I am no destructive pessimist. If you speak with politicians of the ASEAN, they would definitely tell you that this is the sense of ASEAN. It is not about creating a supranational framework like in the EU that guarantees implementation. Or guarantees equality before the law. That's not what it is about. It is about meeting on a regular basis and to exchange information. Dialog in a region where dialog on a supranational level has been more the exception than the rule. And that's the main concern of ASEAN policy makers.
- 17:59 – I:** Could one say that these norms, that are disseminated in the region, for comparison EU [norms] are more legalistic, that they are more evaluative? Stressing the "ought to be."
- 18:10 – C:** Definitely! It ought to be. And as you mentioned correctly, it is totally symbolic. It is just about creating a normative framework that the states should/could take as a guiding principle. But without any legalistic intention or legalistic framework. And that is the huge difference between EU and ASEAN. So that's why it is important to be careful if one employs comparisons. One has to be careful. That not only applies to your work but all areas. The comparability between European Union and the ASEAN is limited even though on paper they are the same. But in reality they are quite different animals that are difficult to compare. Not only the degree of integration differs ... One could for instance say, the European Union is – considering an integration spectrum from least integrated to fully integrated or even a national state – so one could pose the thesis that

the European Union is far further on this spectrum than the ASEAN, who is trailing behind. One could theoretically argue that way but that does not apply, as the ASEAN did not plan to integrate that much. They are, where they are right now, exactly where they wanted to be. They achieved their goal. In their self-perception. They actually do not want to orientate themselves on the European Union or to go that way further. All analysis on that topic that make this claim are usually European analysts. It is relatively obvious that Europeans believe that. This three pillar programme of the ASEAN follows the Maastricht Treaty and the Europeans say, 'Yes,' this Maastricht we know and here they conclude that ASEAN is heading the same direction as the European Union. Within ASEAN, all of these documents they agree on, one reads the Concord and all of the Blueprints, and Action Plans and is delighted concerning this flowery language and these extremely optimistic endeavors but soon realizes that in reality nothing happens. Here you see this enormous contrast between the implementation on the one hand side and the rhetoric on the other. There is an extreme incline and one asks how to explain that difference? Well, this difference can be explained that implementation was never the goal as all of the contracts and declarations have been signed. It really is about language. It is about a normative framework. But it is not about finally implementing all of that. I am saying that because ... In other words: objectives are set, of whom it never was planned to be realized. This rhetoric, this flowery language, is basically an end in itself. Crazy, right? But that is how politics work in Asia.

- 21:50 – I:** Well, I noticed that there are fall-back options on quite a lot of different places. So if projects are not realizable or the symbolic goal is unattainable, for instance if a bad image is created, an easy withdrawal is possible.
- 22:10 – C:** Always, every time. Precisely. Every time. So they are for instance concerned with a scenario like Brexit [unintelligible] this possibility does not exist in ASEAN, well, it does exist, this concern of an ASEAN Brexit moment does not really exist because there can not be reason for that. Because the political costs, every national state has through ASEAN membership, are nearly zero because everyone can block anything anytime and withdraw itself from anything.
- 22:51 – I:** So an ASEAN Brexit is already institutionalized within the whole normative framework. For instance ASEAN – X.
- 23:00 – C:** Exactly. Well spotted. In principle it is already institutionalized. The only difference is that one stays ASEAN member but can withdraw from specific arrangements. A very interesting phenomenon. But in principle, ASEAN is a good thing. As I say it again, ASEAN is really a good institution as it enables exchange between states within a highly heterogeneous region and in which it is not guaranteed that states engage in dialog with each other. But through ASEAN that is provided. In Southeast Asia that is possible because ASEAN provides a forum. But ultimately is the scope for design, the independent scope for design by ASEAN minimal. Really minimal. Nearly non-existing.

Question Set 2

- 23:55 – I:** Alright, but nonetheless, I am trying here to advance the narrative. Despite having rather evaluative norms that are disseminated within ASEAN, do they contribute to cross-border related interaction?

- 24:16 – C:** The norms, well yes, to a certain degree they contribute to it. Because ASEAN is, as I just mentioned, it is about dialog, so it is about ... so I believe we need to break it down in a very minimalistic way. I do believe that they contribute to cross-border interaction among the states because ASEAN enables exchange of individuals and opinions through the discussion of rather diverse and supranational topics within the ASEAN framework. This does not mean, that any results will be achieved other than policy exchange. Eventually these are nothing but dialog foras. ASEAN is basically nothing else than a platform for intraregional dialog in Southeast Asia. Only for this purpose ASEAN possesses functionality.
- 25:18 – I:** And through that, agreements on the bilateral or multilateral level come to be.
- 25:23 – C:** Yes, of course. Exactly. But this then is outside of ASEAN even though it is enabled through ASEAN. You need to .. just like German politics, German politics can only be explained through history and a similar case it is with Southeast Asia. Think about the time before ASEAN, before Konfrontasi under ... before 1967 between Malaysia, Indonesia, and Singapore, if you look at the history of Cambodia and Thailand, or the history of Vietnam and the other states and so on. If you take that as starting point and then think about what ASEAN achieved since 1967: a peaceful exchange devoid of war among the ten member states and over 1500 meetings per year on various official levels, including the heads of government. So that is actually a miracle. And so ASEAN is an incredible vehicle of cross-border related interaction in Southeast Asia. But one should not make the mistake to analyze what agreements exactly have been implemented and to measure ASEAN's success based on that. If you would do that, then you would immediately come to the conclusion that the ASEAN failed. But that is not the benchmark you have to apply.
- 27:10 – I:** Depends, concerning the free movement of goods and services there seems to be a measurable positive influence. This has been the first part of my work, for other parts it seems more complicated. However, what would interest me at this point, we have a quite diverse setting of states, very heterogeneous, especially concerning their history, decolonization process before founding of the ASEAN, occasionally even nation building, and this leads to a strong focus at the domestic level on norms like security and independence, also in economic perspective. From your perspective, do these domestic norms have a more positive or negative influence on accepting ASEAN norms? You wrote an article concerning ASEAN scepticism on that. Contesting norms on national level so to say ...
[Line dropped and private comments followed until 29:52, the question has been repeated]
... contesting norms on the national level and to what extent they conflict with ASEAN norms, no matter how soft they are. For instance Malaysia. At the beginning we saw a nation building process with a focus on political and economic independence. Paired with the Indonesian Konfrontasi policy this led to a deeply ingrained scepticism. Also regarding ASEAN.
- 30:25 – C:** So that applies to all states of Southeast Asia. Based on my experience of the region, the sole reason for that is colonization. This is based ... in the case of Vietnam, China may play a role, so in Vietnam it is feared that China may become a new colonizing state ... so we do have a very strong emphasis on the national state and on national consciousness that is not relatable from a European perspective. As I said in the beginning, this contradicts any notion of regional integration. In every Southeast Asian country we see the furtherance of national unity by the respective government. You can see that also within ASEAN. So, the ASEAN norms, that are enshrined within the ASEAN charter like the non-interference princi-

ple or the consensus principles, is based on the fact that nationalism is perceived as the most valuable good within each of the states. The reason for that is that establishing the national state has been hard fought for. Independence for the national state has been hard fought for. So you mentioned Malaysia. But Malaysia is but one example of many. You can transfer that to any state in the region in Southeast Asia. Even on Thailand, the only country that hasn't been colonized. The only reason Thailand wasn't colonized was that they surrendered to the British and the French and agreed to do anything the British and French wanted. So they were de facto colonized but just not on paper. However, the principle is the same. It is about becoming an independent and unified state. To be one people. And that contradicts the idea of regional integration. That's why one has to perceive regional integration in Southeast Asia differently. Regional integration not as a supranational idea but dialog platform. So that's why you also have contesting norms. But no one in the ASEAN region would claim that the ASEAN norms contradict their national norms. To the contrary, they would argue that ASEAN is based on their norms. Nonetheless, you have a new development in the region. ASEAN can't function any more as it was initially designed as the decision makers of the states in the region have become so differently that the rather soft norms of the ASEAN way do not work anymore.

- 33:50 – I:** What do you mean with the decision makers becoming so differently? Politicians emphasizing the aforementioned nationalism ...
- 33:57 – C:** Yes, exactly, those that focus very much on nationalism and those that dismissed the established ASEAN modus operandi. So persons who run a tight ship, I would even call them semi-autocrats, that try to reach a consensus. That doesn't work anymore. You have a much bigger influence of social media, a stronger participation of civil society in political processes. So there is a reaction to political processes, Duterte is a good example, who is an incredible populist, kind of an Asian Trump. Like a weather vane, he turns in whatever direction that is indicated by political surveys in his country. From that perspective, Southeast Asia is becoming more like Europe, as in Europe it basically is the same. So I think this is an inherent part of democracy, that hasn't existed like that here in Southeast Asia, to include the political will of an enlightened civil society in the political processes. Yet ASEAN was built in such a way that people like Lee Kuan Yew or Suharto who met for golf, coordinated policies and were not accountable for anything they did. So that does not work anymore today and that's why one has to think about institutionalizing ASEAN more and to make it more independent from these persons. Because actually it still is like it ever was. The only ASEAN organ that is actually capable of doing anything is the meeting of all 10 heads of government, who meet twice a year and who decide about whatever. So this is the only decision organ and, at least from my perspective, this just does not work anymore. Basically this is a whole new topic but essentially, it makes the ASEAN very ineffective.
- 36:26 – I:** Concerning the three core states, the Malayan states, Singapore, Malaysia, Indonesia, in Malaysia we have Mohammad, and in Indonesia we have Joko Widodo, so what I got from reading their public announcements and interviews within them, is that they are principally interested in strengthening ASEAN.
- 37:01 – C:** Well, in two points I would agree with you and with one not. Sorry, with one I would agree, and not with the other two. I would agree that Mahathir is interested in strengthening ASEAN. He already was Prime Minister before. Mahathir is a person that is very critically concerning western states and China. If you take away these two poles than this limits

his choices for international cooperation. If Mahathir focuses on ASEAN, then he hopes to find cooperation partners. Especially concerning trade. That is why ASEAN is so important for him.

38:04 – I: But always limited to what is important at the national level at that point of time?

38:06 – C: Yes, of course. But that is not so bad. That is also why he likes the ASEAN. But I would not agree with the three core states of Indonesia, Malaysia, and Singapore. I would contest that. Nowadays, the de facto driving force in ASEAN is Vietnam. So interestingly Vietnam turned from outsider to the driving force of the ASEAN. One should not forget that. Indonesia is more blocking ASEAN nowadays under Widodo. So that is the second point I would not agree with you as Widodo is not necessarily a friend of ASEAN. He does speak of ASEAN as one pillar of Indonesian foreign policy but distanced himself from his predecessor, who defined ASEAN as the pillar of Indonesian foreign policy. Nowadays is but one of the foreign policy pillars. So I would say that Widodo is ... he has no critical position towards ASEAN, he is just heedless of it. He is kind of circumventing it. The reason for that is ... Indonesia is actually a very interesting country in ASEAN, because it is actually too big to cooperate with the other countries. Kind of similar to Germany in the EU. If Indonesia wants to, quite a lot can happen in ASEAN but if Indonesia is obstructive or does not participate, then not that much is happening in ASEAN. It stands and falls with Indonesia. Currently they are blocking the ASEAN integration process. I hope that might change with the election next year but we will have to see. Mahathir is definitely a strong advocate of ASEAN and I am happy about that. Concerning Widodo I can not say the same.

Question Set 3

40:15 – I: Ok, and if we consider these different approaches to ASEAN and the different value associated with ASEAN, do the ASEAN norms actually do have a direct effect on the border configurations of the member states. In this sense, for instance harmonization of standards or visa agreements. There is this one interesting case, just like in the European Union, that airports have 'ASEAN citizen lines' for more rapid transfer checks. Even though, in the sense of the EU's Lisbon treaty, there are no citizens within ASEAN.

41:00 – C: I also regularly use these lines as they are faster. Even though I am no ASEAN citizen. But no one cares. I just take these lines because the queues just are shorter. Nonetheless, ASEAN is ... you just mentioned one of the few good examples that exists. ASEAN does have an influence on the border characteristics of the member states but that is on a minuscule level. If one measures that based on what ASEAN set out to undertake, there is not so much. I would also content that the economic boom in the ASEAN area has much to do with ASEAN itself. I believe the reason is to be found on the national level. National initiatives caused that boom and the ASEAN can not claim credit for that. Nonetheless ASEAN does have an impact and these airport lines is one of these factors. Citizens of ASEAN member states do have ... there are exceptions but in most cases they do not need a visa and, that's implemented differently, but they do get a certain amount of retention time without a visa. For instance, my wife comes from Singapore and she does not need a visa if we are

- traveling here and I always need to get one at the airport. But that is not a comprehensive ASEAN measure like it is in the Schengen Area.
- 43:06 – I:** So again the usual bilateral mode?
- 43:10 – C:** Yes, exactly. For some we allow it and for some not. Yes, on a bilateral level. I would say it is existent, it is a given but rather minuscule. Especially compared with what was envisaged.
- 43:21 – I:** Maybe in connection to that, most companies in the ASEAN member states are rather small. So mostly small and medium sized enterprises. But we also have some bigger ones. Especially the influence of some of the bigger trade associations, I am just calling them that, it seems that they focus on more interaction within ASEAN. Especially in the trade in goods and service sector. For instance airline companies that want to have access to more ASEAN countries. Bringing in the services character and the free movement of services. What would be your take on that?
- 44:17 – C:** Definitely. They do quite a lot of lobbying. But again, this happens more on a bilateral level. There is no one within ASEAN where you can effectively lobby as bigger company. You just mentioned a good example. If you take the airplane companies, there is AirAsia, a big airline company in Malaysia that wants to further visa free traveling, integration of services, and so on. The question however is, whom am I targeting as big company. So basically they have to address the single national states. You can not do lobbying like in Brussels, in the Parliament or the Commission. They have to target the single national states. So there is quite a lot of lobbying. Especially AirAsia has a huge part in visa free traveling. At least in quite a lot of ASEAN states.
- 45:43 – I:** And what role does ASEAN play in form of a forum for this lobbying? What I concluded so far is that ASEAN as fora, through a form of track-two diplomacy, is the instrument of choice to start such initiatives.
- 46:03 – C:** Yes, but ultimately you have to ask who are the people meeting in these different forums and these are the national states. The representatives of the national states and they are the target. One could say that in ASEAN ... if you want to find anything where ASEAN is involved in, then you could say that ASEAN is the meeting point of different forums and meeting. At this level the different national states come together. And in this frame quite a lot of company lobbying happens. But eventually the goal is, in contrast to the EU, the ASEAN itself is never the target of lobbying like it would be the case in Europe, or Brussels, different organizations in Brussels. The lobbying target is always Singapore, Kuala Lumpur, Bangkok, and so on. Ultimately, there is no one in ASEAN who is able to regulate. Yet ASEAN itself serves as a platform for dialog and that is also the added value of ASEAN.

Question Set 4

- 47:14 – I:** Ok, I would come to my next to last question complex ...
- 47:21 – C:** ... what was that? Was that China?
- 47:25 – I:** Well, more generally the influence of conflicts on the effectiveness of ASEAN norms, or ability to influence. As a good example is the recurring conflict between Malaysia and the Philippines in the Sabah region. Causing a regular closing of borders. These kind of low-key conflicts smouldering in the region. So also kind of contradicting this war devoid interaction as they regularly return.

- 48:04 – C:** Hm, yes. Exactly, there are quite a lot of examples for that. Sabah is one example for that but not only. Thailand and Cambodia have reoccurring border conflicts. Also within the South China Sea we see quite a lot of unsettled territorial disputes among the member states. Brunei, Malaysia, and so on. So the question was how the influence the effectiveness of ASEAN?
- 48:39 – I:** Yes, especially the ASEAN norms. On the one hand we have the free movement of persons, at least envisaged, but on the other conflicts leading to closed borders.
- 48:59 – C:** Yes, any time. And that will stay like this and that of course contradicts the whole. Ultimately, we come back to the same point that ASEAN is nothing more than a dialog platform. All measures agreed upon, all mechanisms that are agreed upon in ASEAN, for instance like the free movement of persons but then borders are closed during conflicts or contestations, so that does not contradicts the self-conception of the ASEAN member states as this is secondary. If you think about Germany and how big a problem that was, and still is, to close down the border to Austria for instance, what for a huge problem ... I would not see that as a problem in Southeast Asia. They would say, we are national states and we can close what we define as our borders anytime. This is the right as national states and it would not contradict ASEAN as it is no supranational organization but just a platform for dialog. Along those lines the states of Southeast Asia would define that. From that perspective, it makes these superordinated ASEAN norms totally ineffective. The power of decision always remains with the national state.
- 50:25 – I:** So, if you say the ASEAN norms are secondary, the consequence would be the primacy of national norms. Especially security relevant norms.
- 50:36 – C:** Definitely. And if you would ask anyone in ASEAN no one would object if you would say it like that. It is clearly the primacy of national norms. ASEAN norms are only relevant in so far for the national states as they do not affect national interest. As soon as they do, ASEAN norms will be levered out stone-cold and declared irrelevant. Always.
- 51:07 – I:** And what is especially the case in conflict scenarios of all kinds?
- 51:10 – C:** Yes, exactly. This is especially the case concerning conflicts. Of all kinds. But that is also the case in a second scenario, which is a little difficult ... it is also the case for anticipated conflicts with external players. So I am thinking about China in this case. ASEAN is levered out through states that are influenced by China.
- 51:39 – I:** So Cambodia?
- 51:41 – C:** So China is constantly trying to ... yes, Cambodia, but not only. Laos is also a rather destructive actor in this area. Myanmar increasingly as well. The Philippines a little bit since Duterte. So it is not only Cambodia. Cambodia yes but unfortunately not only. But that is a real issue that ASEAN norms are levered out by single national states. Not because they themselves have a conflict but because they anticipate a conflict with China.
- 52:19 – I:** Because here the relationship is stronger?
- 52:27 – C:** Exactly, because the relationship is stronger. Especially in economic matters. So, China has become the 11th member state. And that is difficult. This is a real problem for ASEAN.

Question Set 5

- 52:45 – I:** I am coming to my last question. What about crises? What I noticed is that after the Asian crisis 97/98 a lot of new agreements, ASEAN agreements were implemented. For instance ASEAN Concord II or in 98 in the investment sector we had the ASEAN Investment Area Agreement. So that is very interesting. Can we say that these forms of crisis have a strengthening influence on ASEAN and the whole community, even if it is only symbolic?
- 53:31 – C:** Exactly. Clear case. 1997, the Asian economic crisis is a very good example for that. Ultimately, all of these concords since 2003 leading to the Blueprints of ASEAN Community and ASEAN Community 2015. Eventually this is all based on the Asian crisis. Interestingly, to that point, in Malaysia, Mahathir, the current Prime Minister, was also Prime Minister and he advanced that quite a lot. The reason was that they realized that they could not rely on the norms of the Western world. We can not rely on help of the Western world but they needed to cope with that themselves. They could manage relations among each other only among themselves. And that only through ASEAN. In this sense, the Asian crisis of 97/98 was actually very healthy for ASEAN as it fueled integration. Of course, no one wishes for crises but I would wish for a moment that would bring the ASEAN states to integrate further and maybe to take the next big step. If they wish to. China might be such an opportunity at the moment. But at the moment that is not foreseeable.
- 54:54 – I:** China as push factor, so to say, for more integration?
- 55:03 – C:** Yes, exactly, China as push factor for ASEAN. Totally. Right now it is more a pull factor. I hope that changes. Nonetheless, crises have had until now, as you said, a healing influence. Ultimately, a decisive crisis caused the founding of ASEAN. And that was Konfrontasi. The military actions of Indonesia against its neighbors and the diffusion of Communism in Vietnam. Crises were always invigorating for ASEAN. One could say that Communism in Indochina and Konfrontasi in the Malayan ASEAN area were reasons for founding ASEAN. The economic crisis of 97/98 initiated the next step of integration, leading to the ASEAN Community. In a morbid sense one could wish for another small crisis leading to more integration for ASEAN. That would be quite nice. In Europe it is the other way round. Concerning the refugee crisis in Europe, suddenly the whole construct of Europe is questioned. In ASEAN it is the other way round. Decisive crises come and strengthen the integration process.
- 56:39 – I:** If we take a turn to current times, on the one hand China that has an extremely decisive influence, not only on ASEAN members, and on the other the current US administration that wants to retract from a lot of agreements, what is left for ASEAN, or the ASEAN members?
- 56:59 – C:** Sorry, could you repeat that? I did not catch the last part. I could not hear you. The last part was what is left for ASEAN. What do you mean by that?
- 57:11 – I:** For instance in the sense that ASEAN and ASEAN members usually used multiple tracks. TPP for instance. On the one hand we have China coming in, the US is retracting, and Europe is far away. How does that influence the interaction mechanisms of ASEAN? Will we see a turn back to ASEAN or what is left as opportunities of action?
- 57:46 – C:** Now I've got what you mean. Yes. It is, and that is currently a major part of my work to convince Europeans that the door is open in ASEAN for

cooperation. ASEAN members are actually longing for western cooperation because the Americans are retracting. They can't rely on this security and economic guarantor the US have been for a long time. The withdrawal from TPP has caused way more damage here in the region than Donald Trump can imagine. Not that he would be interested in that but it caused considerable damage. It caused quite considerable damage in the region. The answer to that could be, and that would be one of the crises that fuels the ASEAN, the answer to that could be: ok, now we have the chance actually liberalize our ASEAN Integrated Market. However, this is not working as the vacuum the Americans leave behind is immediately filled by the Chinese. Every centimeter the Americans withdraw is immediately conquered by the Chinese. This relates to all sectors. In the socio-cultural sector, in the economic sector, and in the military sector. Everywhere, immediately. RCEP is a quite good example for that. This new free trade agreement that is negotiated with China right now. Between the ASEAN states and China. This was a little bit in the backgrounds. The idea is not so new but it was put to the rear because TPP existed. TPP was way more important to the ASEAN states. However, since Donald Trump withdrew from TPP not much was left of TPP. Now there is TPP 11 with Japan and so on. But eventually the free trade agreement with China became more important. Suddenly this is unbelievably popular.

59:54 – I: Alright, this is kind of surprising, as the ASEAN states have already cooperated with China on a lot of levels and most noted, apart from Malaysia, that they will end up with a trade deficit.

1:00:09 – C: Yes, that's right.

1:00:17 – I: Especially as China is saying a contract is a contract and does not follow this ASEAN Way of oughtness.

1:00:23 – C: Yes, but not only the ASEAN states and China are in this RCEP but also some others. India is in there, Australia is in there, an others.

1:00:35 – I: So that has a stabilizing effect?

1:00:36 – C: Yes. Eventually, the added value of free trade agreements can't be measured through trade balances. Also if Donald Trump claims that but that is very simplified argumentation. The added value of free trade agreement is not trade balances but the harmonization of standards in order to facilitate trade. Something that can not be measured that easily.

1:01:10 – End of interview, private comments follow

C.7 Interview G

Interviewee Information: ISEAS Institute, Senior Fellow, Co-coordinator, Indonesia Studies Programme, and Coordinator, APEC Study Centre

Interview Language: English

Mode: By Skype

I: Interviewer

C: Interviewee Partner

Question Set 1

- 03:22 – I:** Ok, thank you very much. Alright, then I would like to start with the very first question. Very general, as how relevant would you describe the ASEAN and the ASEAN norms for the member states in general?
- 03:41 – C:** I think ASEAN from Indonesian point of view is very crucial, is very critical themselves. While the norms of ASEAN is basically to form an association that is mutually neutral and we don't take side to any major power in the world. So basically, this association is important; in order to create a stable, secure, and maybe prosperous region. So, for Indonesia, ASEAN is critical for maintain and to foster, and to promote, because, again, without a stable region, and secured region, it will be difficult for countries located in the Southeast Asia region to continue to develop their economy or any other develop objective that they have.
- 04:55 – I:** Especially under the former Presidents Sukarnoputri and Yudhoyono we saw a stronger focus on ASEAN and economic integration. There was a speech by President Sukarnoputri at the EFTA summit, where she focused very much on ASEAN economic integration and arguing against a confinement to the Indonesian market. But somehow this changed with the new President Joko Widodo. At least I have the impression that he is kind of orientating more towards global interaction and not so much on ASEAN integration. So the question would be why? What is the reason for this kind of change?
- 05:50 – C:** I think the answer to your question is the foreign policy of a country is determined by the character of the leader. The president of Indonesia, we do not have Prime Ministers or Kings. Our [unintelligible] is the President. Some Presidents like Megawati Sukarnoputri or Susilo Bambang Yudhoyono, they are more outward ... maybe they have the interest to be on the regional stage, the global stage. So they emphasize on ASEAN. For our new President Joko Widodo, as you rightly pointed out, he is more interested in the global, more wider, scope. He pays more attention to the G20 for example. Because he thinks that Indonesia might benefit more from interaction with G20 rather than ASEAN. ASEAN might be considered too small or maybe has lack of resources. So he is paying attention on the framework or the platform that may give a better chance to get the benefit.
- 07:27 – I:** Ok, so it is basically a personal focus of the specific Presidents in terms of foreign policy?
- 07:37 – C:** Yes.
- 07:39 – I:** And concerning your remark that ASEAN is too small or is lacking resources, isn't that an issue which is ... quite frequently visible in ASEAN integration that we do see a lack of these, especially resources? Kind of a transfer of sovereignty towards ASEAN in order for ASEAN as an institution to kind of do its job? To kind of put it that way?

- 08:13 – C:** Yes, yeah. I think the lack of resources is one of the key factors that hampers the integration in ASEAN. The most advanced, richest country in ASEAN is Singapore. But Singapore is too small. Only 6 million population. The biggest in terms of population is Indonesia with 260 million population. The problem with Indonesia is that it is not a rich country. It can not push ASEAN forward because the country itself still needs to develop in order to reach kind of high income states. Without reaching the necessary threshold of development it is very difficult for Indonesia to take a more active leadership role in ASEAN. Singapore is too small in terms of size. Other countries in the region are also still struggling in terms of ... each countries development [unintelligible] development states a very ...you know, if you compare Singapore with for example Cambodia or Laos, they are all third [world] countries, they are very far away from Singapore. So, the wide disparities in terms of development levels, also income level, means the ASEAN can not really accelerate the integration process. And each member that is still less developed, they rely on more resources. Including Indonesia. We Indonesian need more resources from more advanced countries. And these resources usually are available in other parts of the world outside ASEAN.
- 10:36 – I:** So there is a kind of a shift towards other regions, other cooperations, in order to favor national development, so to say.
- 10:48 – C:** Yes, correct. So actually it is driven by domestic needs. Development needs of each country.

Question Set 2

- 10:56 – I:** Ok, coming to my second question. To what extent do border related norms, especially concerning the free movement of goods, services, labor, and capital, for instances in form of the declaration of ASEAN Concord II or the AEC Blueprint, how do they contribute to an increase in cross-border interaction?
- 11:25 – C:** In terms of cross-border interaction, are you talking about goods?
- 11:34 – I:** Goods, and services, an labor, and capital. So kind of ... this is kind of based on the European Union and the four freedoms. Which is to a certain degree mirrored across the world in other regional settings.
- 11:51 – C:** So the progress is quite mixed in this cross-border transaction between ASEAN. If you look at the goods, the flow of goods, they are quite, maybe more advanced in terms of the free flow of goods. Because ASEAN has actually started to implement zero tariff on goods that are crossing borders in ASEAN. But, for services it is a bit more difficult. And even more so for labor movement. So each country has their own kind of non-tariff barriers. Even though the tariff is already zero but they implement a national standard, security issue, all that national regulations that actually prohibit the flow of non-goods like services, labor, maybe capital as well. For capital for example, Indonesia still has a kind of negative investment list for foreign investment. And other countries also have some security regulation that prohibit the free flow of capital and labor in ASEAN. I think ASEAN is still working on that. Minimizing or reducing the number of non-tariff barriers. But it will take some time and will need political commitment to continue doing that. To open up the economy to other ASEAN goods, also services and labor.
- 13:58 – I:** But if you are kind of talking about the zero tax for the goods, we saw this exclusion list for specific goods that are deemed crucial for the domestic

- sectors. And this is very dynamic. So, quite often new goods are put on this list and old goods are removed, which is basically nothing else than a non-tariff barrier. So how does that contribute to the integration efforts?
- 14:30 – C:** It is contributing in a negative sense, right? Because it is basically an additional barrier. Well, the list keeps on changing because of the conditions in the domestic economy. For example, Indonesia has some requirements, they call it local content requirement. So what does it mean by local content requirement is that any goods or any investor that would like to pass it in Indonesia, they need to achieve a certain amount of local content. So an electronics, or car factory 30 percent of the input of their production is sourced locally. This actually may be, for companies this is a bit, a little bit of restriction for them to find the cheapest or the most efficient, the most cost effective inputs of the world. Actually, maybe that kind of regulation, exclusion is ... maybe hamper or hinder this integration process. Exclusion meaning that some goods are excluded from the ... in the culture for example it is considered sensitive. Indonesia considers agricultural, rice, and other strategic food commodities as a strategic sector. So, Indonesia will not import even from Thailand, from Vietnam, or from other surplus countries. Because if Indonesia imports these kinds of goods it is actually politically risky for any government, for any President in Indonesia.
- 17:04 – I:** Ok, if you are saying strategic commodities ... so for me this kind of sounds like there is still a certain level of distrust among the member states. Kind of to engage too much with each other in order to kind of loose control and to get into dependencies. So, again, this is for me kind of very contrary to the general idea of regional integration.
- 17:40 – C:** Correct, yeah. Because, you might be aware that in each country, either big or small, they also have this kind of nationalist sentiment. Under the current President, he wants to make Indonesia a more self sufficient country in terms of food, energy. But what does he mean by self sufficient? It is by minimizing import. Meaning that all these so called strategic basics, food, rice, sugar, salt, all of them have to be bought domestically because he believes that Indonesia will be able to produce all of these key commodities for the people. But again, in reality there are a lot of, there are a many times where Indonesia can not achieve the food self sufficiency in terms of food production, energy supply. Again, this is driven by nationalist sentiment and the public is actually kind of pushing the government, you know, to pushing the local producer, the local farmer, all the local companies. These are all the main beneficiaries for all these economic activities. So again, yeah, when we talk about regional integration, if we look at the Indonesian case, Indonesian [unintelligible] what they think first is Indonesian national interest. Domestic interest. And that is the top of their agenda and after the Indonesian national interest, then ok, ok, let's think about our regional interest, global interest. So, again, there is a lot of priority.
- 20:05 – I:** Ok, so basically we could speak about something like public protectionism?
- 20:11 – C:** Yeah, yeah, of course.
- 20:16 – I:** Another question, you mentioned that integration kind of only works if we have a certain political commitment. Especially in regards to ASEAN, and kind of to strengthen ASEAN agenda. How does that work if the focus of the member states lies on other regions or other frameworks like the G20 or cooperation with the European Union, and so on and so forth?
- 20:47 – C:** Yeah, it is a bit difficult for ASEAN at the moment, because the political commitment for each member state leader is very important. If they consider ASEAN is still the key priority for their own country, then of course they need to show their political commitment. In many cases in ASEAN actually has failed to show their political commitment to maintain

ASEAN interests. You are a political scientist, so maybe you know better what happened in South China Sea. We are not able to cope with one kind of statement from ASEAN and the position on the South China Sea. Of course about the relation as well with the major power, some countries are very close to the China government, others are close to the US. So it's actually ... ASEAN is divided. Because of their national interests they are divided and there is no political commitment that can be seen, can unite ASEAN, can strengthen ASEAN. Actually now, we can see that ASEAN is weakening.

22:32 – I: You spoke before about the domestic interests. I would be interested, are there specific norms at the domestic level, at the national level in Indonesia that either enhance or counter ASEAN norms. For instance if ASEAN says we want to have more cross-border mobility of labor forces, does that fit with domestic norms in Indonesia or is there a certain kind of resentments against that?

23:11 – C: I think that is a really good question. There are some contradictions in terms of ASEAN norms and Indonesian norms in terms of labor movement. Where ASEAN foresees that free flow of labor within the ten member states. But Indonesia, given that this country has a quite big labor force surplus, they try to protect the labor market. What Indonesia does is that it tries to limit especially ... we only allow for skilled labor movement. What Indonesia means by skilled labor movement is also narrowed down into eight provisions. Provision like engineer, medical doctor, and also skilled labor provision. Indonesia thinks that it maybe can be open to other professionals from other ASEAN member states. The biggest issue is that these provisions, anyone that wants to work in Indonesia needs to pass the Indonesian certification. It means that, it is not ASEAN certification, it is Indonesian certification. National certification. So it means that Indonesia does require the certification from the Philippines or Singapore or from Malaysia. It means that any doctor or engineer from other ASEAN countries, if they already passed their certification in their respective country and they want to come to Indonesia, they need to take another certification. And another barrier is that they need to speak the language of Indonesia. Sometimes it is very difficult to speak the local language. So again, this barrier is put up, maybe to minimize the flow from neighbors.

25:38 – I: So, what might be the reason for that? Speaking of normative incentives, is that a kind of security related issue, like decreasing dependencies?

25:52 – C: It is a protectionist policy. Because, again, all of these associations, labor unions, engineer association, medical doctor association, lawyer association, they want to protect their own market. They have fasted interest to keep their ... well, they don't want competition from international, local, regional, players. They want to keep their own market for them. So, if this attitude continues, it is really difficult for integration in ASEAN.

26:45 – I: And does the same principle also translate to the other free movements like goods, and services, and capitals? This protectionist principle?

26:59 – C: I think so, yes. In some sectors Indonesia thinks that ... so again, it is not all sectors are open and not all sectors are closed. So Indonesia picks and chooses which sector, which provision they want to open and which they want to close. It depends on the local demand. The local interest. So the President, or the leader, the government they usually discuss with the association and test or check with a certain sector are ready or not ready for competition. If they think that a certain sector is not ready for competition they will close that sector but if they think that sector is strong enough than they let this open for competition. So again, this is a pick and choose which sector to open.

-
- 28:01 – I:** Ok, that is very interesting. Even though we still see this kind of protectionism, we do have some subregional initiatives that seem to work very good. Especially the Sijori, the Singapore-Johor-Riau triangle or the BIMBP-EAGA, I have forgotten the specific name
- 28:37 – C:** EAG, yes, Brunei, Indonesia, Malaysia, Philippines, economic ... I think the economic group, grouping?
- 28:50 – I:** Yes, yes exactly, the grouping. And this kind of seems to work pretty good, especially if we are speaking about economic cooperations, even though it is a kind of subregional initiative. So how does that relate to the ASEAN itself?
- 29:09 – C:** I think, when you say that this subregional initiative is successful, it is not quite true. This initiative involves more than two players. Sejory from Singapore and Johor from Malaysia and Indonesia. So if look at what other success stories, it is Bejee, like in some sector, in some location, they are quite successful but in other part of the cooperation, they are not successful. So we can not generalize whether this subregional cooperation as it is can be considered a success story. There are a lot of challenges for Sejory and also the BEMP. So, again we see that this is kind of, maybe top-down approach. This is driven by the top ministries of each countries which wants ASEAN certain pilot projects to show case that integration works. They do this with like programmes. Again, if that top-down approach is not understood well by the bottom, by the business players that work on the ground, it is difficult to reach the success of the programme. So again, the idea comes from the top of the government but then the business sector is not really able to really .. I do not mean whether they are able or not but maybe they see it is government initiative and not business initiative. So, it is different. They have a different interest. They think it is more like political agenda instead of business interest or business agenda
- 31:42 – I:** So this is elite driven, these initiatives, which then again clash with public protectionism?
- 31:52 – C:** Yes, I think we can say that.
-

Question Set 3

- 31:58 – I:** Ok, coming to my third big question. Do these norms, these ASEAN norms in terms of the four freedoms, free movement of goods, services, capital, and labor, do they have a direct effect on the border configurations between the member states? For instance in the form of reduced border controls, or visa agreements, or specific free trade agreement?
- 32:24 – C:** Yes, there have. There have some agreements in terms of visa free ... so free visa. Tourists from each ASEAN countries we can travel without visa. So, for the ten ASEAN countries. But not in terms of working. This is only for tourism, not for working. Again, that is why the agreements seems to be ... the interpretation is only in terms of tourism sector. Open Sky policy like [unintelligible] and Singapore can travel to Indonesia or other parts of Asia without constrains. We also have agreements in terms of economic cooperation. We have ASEAN Economic Community, which started in end of 2015 actually. We continued making an economic community. The three pillars of economic community are the free flow of goods, services, and labor. And capital as well. So, the problem is, the agreement is there but implementation is very difficult. Again, national regulations sometimes do not match sometimes with the ASEAN vision for integration.
- 34:14 – I:** So, especially concerning the free tourism, it is more symbolic, or?

- 34:18 – C:** Yeah, it is more symbolic. I think ASEAN wants to show some achievement as well. They have kept pushing. In some years we have to make some milestone. Reach the milestone. ASEAN is actually moving forward in the integration. It is slow but if there is some achievement, we can consider that we are putting effort in the integration. Tourism is good because tourism is also part of the ... we actually want to share the cultural aspect. So, this is good for the tourism if we allow people to travel easily. They can learn the culture of other parts, of other countries in ASEAN.
- 35:25 – I:** And how does it work? What I have heard before is that especially between Malaysia and Singapore, there are still some difficulties. Even though they are culturally rather close, belonging to the Malay people. But Malaysian do not really, or are not really interested in Indonesia.
- 35:49 – C:** Yes, yes. There ... I think, well ... the problem is there are some competitive feelings as well between Malaysia, Singapore, Indonesia. We are competing to some extent. Everybody wants to be the best. Everybody wants to show ... well, actually we want to show that we are better than others. That sort of competitive feeling or mindset makes it very difficult to bond. When you want to create bonds but you can not really trust your partner ... but sometimes the partner is also the competitor.
- 36:50 – I:** What I am also interested in is the role of China. To certain degree we have the ASEAN and very diverse forms of cooperation and non-cooperation and then we have China as a huge regional, even global player, just in front of the house door. How does that have an effect on the creating or the border configurations among the member states. Do they kind of try to counter China by opening themselves up more to each other or ... ?
- 37:38 – C:** I think that China ... the China factor is very important for ASEAN integration. China is the kind of the global factor. It is actually the hub of manufacturing sector in the world. So a lot of production ... [colleague interrupted] So China is the global factory. So a lot of inputs that China needs come from ASEAN. Like Indonesia, we export a lot of raw material and China makes some kind of final product. Also, other parts of ASEAN like Singapore invested a lot in China. I think some countries in ASEAN also receive a lot of investment from China. So there are some mutual economic relations between ASEAN and China. It means ASEAN is actually very dependent on China in terms of economic aspect. At the same time, because China is rising, they are becoming richer, they also have more resources in terms of financial resources but also technology. They offer assistance to countries in ASEAN that need to develop infrastructure and we know that countries in ASEAN, most of them, still have some infrastructure deficit. So Indonesia, we need to build lots of infrastructure and we don't have resources, we don't have money, we don't have the technology. And the only source that Indonesia thinks is easy to get is China. Japan is there. But Japan a bit difficult, you know? When you apply for infrastructure project, they come up with so detailed requirements. Every aspect, they are very careful. China is very flexible, easy to get. Of course there are some aspect, some negative aspects. But for a country that desperately needs, or quickly building infrastructure, China is there to give some help or assistance. So that is the attractiveness with dealing with China. Of course, for some ASEAN countries that rely on Chinese investment a lot, they can not say no to China. So whatever China wants, they will basically follow that. But for some countries that have issue with China, they can not ... support any movement from China. So ASEAN is divided. One group is very supportive and another not so supportive and another group is very neutral. They are quite neutral. They think it is better to be neutral, because China is still important. On the same time, they can not neglect the importance of other regional power like US and

Japan. In that sense, most countries try to be neutral. Try to balance between these major power and try to take advantage of each of the major power for their domestic interests. But again, for ASEAN it is not good because, again, this is not ASEAN priority. It is not the ASEAN objective that they ... not the ASEAN that they put at priority but the domestic interest. The foreign policy of each member state.

- 42:45 – I:** So basically, this factionalism within ASEAN is kind of bounding towards huge players from the outside like the US or China is basically hampering the reconfiguration efforts of borders in the sense of a liberalization effort?
- 43:05 – C:** Yes.

Question Set 4

- 43:08 – I:** Going from there on. Conflicts, to what degree do conflicts have an impact on the cross-border interaction within ASEAN? One of the prime examples would be that between Malaysia and the Philippines in the Sabah region, where the border is regularly closed down. Does Indonesia experience similar difficulties or events?
- 43:43 – C:** Well, I think I don't have much knowledge on that area. On that conflict but I know Indonesia once had a border conflict with Malaysia on the island, I think this is called Sipan Legitat. But eventually Indonesia lost to Malaysia because the international court decided that these two islands belong to Malaysia. So actually there are some conflict. But we bring the conflict to the International Court of Justice to be resolved. So, it is not solved within ASEAN. So it is really difficult. So, if there is a border conflict within ASEAN, usually the issue will be brought to the International Court of Justice. But again, I am no expert in that area so maybe I am not the right person to answer that.
- 44:43 – I:** But from an economic perspective, the South China Sea conflict and the entailed issues within there, not only with China but also with the ASEAN states that claim parts of the South China Sea. Does that kind of contribute or hamper ... more or less hamper the ASEAN integration? Because, what I saw, was that several of the ASEAN states claim more or less the same parts of the South China Sea region or the South China Sea itself.
- 45:20 – C:** I think, indirectly, the conflict affects the integration. Because, yes, you mentioned there are some claimant states but some are not claimant states. They don't really have an issue with this conflict. But if China is involved, then we know that all ASEAN member states, they have dependency to some extent with China in terms of economy. This really affects the integration indirectly through the economic factor. China providing assistance. Development assistance to Cambodia, to Laos, to other countries as well. But this country that receives investment from China is usually very pro China. During the ASEAN meeting when ASEAN needs to come up with statement basically to provide a strong statement against China action in the South China Sea. ASEAN can not do that because some of the member states, they will not support this kind of statement.
- 46:55 – I:** I think Cambodia blocked it.
- 46:59 – C:** Yes, so actually because of that it is really difficult for ASEAN to integrate. But if your question is in terms of economic integration, how the South China Sea issue affects ... it really is complex. It is not a direct link. Because the region, the South China Sea is still used for international shipping. There is no kind of restriction on the area as shipping route.

-
- 47:46 – I:** So that will probably be an issue that is coming up later on, if a form of settlement for the South China Sea dispute is found.
- 47:56 – C:** Yeah, it is kind of a time bomb and we don't know when it will explode. Maybe if China and ASEAN can not find an agreement ... but actually they found a code of conduct to ... how to ... basically how to [unintelligible] in the South China Sea area. So, I think it should be, I think, managed by the two groups. China and ASEAN.
-

Question Set 5

- 48:37 – I:** Coming to my last complex of questions, so to say. To what extent do crises, for instance the Asian financial crisis of 1997/98 or the world economic crisis of 2008, influenced the cross-border interaction between or within the region and especially, how did they do affect Indonesia?
- 49:11 – C:** The crisis actually started from Thailand when the Thai Baath was attacked and then depreciated significantly. Then it spilled over to other currencies in Southeast Asia. Especially Indonesia. Indonesia was the hardest hit by the Asian financial crisis. Malaysia also experienced that but Malaysia then later used a capital control to minimize the impact. Indonesia somehow was not able to manage that capital outflow quickly enough, effective enough. So we were hit by the crisis. The effect of this crisis on the integration ... actually ASEAN learned from how bad the impact of the crisis on each of our economies. From then on, ASEAN financial ministers they gathered, they started to think about how ASEAN could strengthen its financial sector. So, there are a lot of initiatives based on the crisis. This crisis triggered a lot of initiatives in ASEAN. To basically respond to future crisis, how ASEAN can effectively maybe respond and also fight future crisis. So, we have Jummui initiative to provide some assistance if some countries in ASEAN get crisis, financial crisis, then other countries can stand ready to bail out that crisis country. So, to some extent the crisis makes ASEAN understand it is weak in Southeast Asia. We need to find our own solutions. We have to help each other. otherwise, if one country gets affected then it can easily transmit it to other countries.
- 51:33 – I:** So, in other words, the crisis actually started a stronger integration process?
- 51:40 – C:** Yes, I think that is the thing, when we have crisis, maybe we start to think as a group. We think as a group and then unite. But somehow the crisis in South China Sea doesn't make ASEAN think as a group. This is a bit maybe paradoxical. During the Asian financial crisis, ASEAN managed to behave like a group. Like one united. But this is for the South China Sea ... maybe because the crisis is still not exploded. There is no impact yet.
- 53:40 –** **End of interview, private comments follow**

