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Trust Building and Regional Identity in Northeast Asia

by Nam-Kook Kim

ABSTRACT

With its complicated history of animosity, fostering shared identity and finding common interests in Northeast Asia is no easy task. This paper suggests two principles for promoting trust building in Northeast Asia: (i) identity balanced by interest, and (ii) an "Asia of citizens" beyond an "Asia of states". These principles are applied to three case-studies in the areas of economic, security and sociocultural cooperation: (a) the "Asian paradox" and the statements made by Japan's prime Minister Shinzo Abe in terms of the balance between identity and interests; (b) the multilateral security-cooperation regime in Asia from the European experience; and (c) the Campus Asia programme and the Asian Human Rights Court as means to encourage sociocultural cooperation in terms of realizing an "Asia of citizens" beyond an "Asia of states". It is argued here that efforts such as increasing exposure by encouraging travel to neighbouring countries and investments targeting younger generations can reduce negative stereotypes and rhetoric, thus helping to foster the emergence of a shared identity and promote trust building among Northeast Asia's elites and public opinion.

*East Asia | South Korea | North Korea | China | Japan | Regional integration
| Human rights | Public opinion*

keywords

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Introduction: Two principles of trust building in Northeast Asia

The United States (US) recently increased the level of its engagement in East Asia through its decision to deploy the Terminal High-Altitude Area Defense (THAAD) missile system in South Korea. China perceived this move as altering the strategic balance in the region, and resisted it fiercely in order to protect its security interests. China doubts the will of the US to maintain a positive and stable relationship, and complained about the US' breach of routine practice with regard to the containment of security competition in East Asia. South Korea and the US insist that THAAD is a defensive measure in response to nuclear threats from North Korea. Yet, this trend has resurrected former Cold War dynamics by encouraging a return to the "triangular alliances" of that era – that is, with the US, Japan and South Korea on one side, and China, Russia (then, the USSR) and North Korea on the other. In retaliation for the THAAD deployment, China broke off all military communications with South Korea and threatened its neighbour with economic repercussions. The worsening bilateral relationship between South Korea and China has coincided with the 25th anniversary of the establishment of official diplomatic relations between the two nations. The desire to repair relations and limit the damage looks unlikely to succeed in the short-to-medium term.¹

Even among members of these traditional alliance systems, conflict and discord is present. The legacy of World War II and the use of "comfort women" by Japan during its occupation of Korea and other territories remains a source of tension. South Korea and Japan are experiencing difficult times with Japanese Prime Minister Shinzo Abe's refusal to acknowledge Japanese responsibility for the plight

¹ Han-kwon Kim, "China's Foreign Policy in 2017 and its Influence on ROK-China Relations" (in Korean), in *China Watching*, No. 17 (2016).

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of “comfort women” in South Korea and elsewhere, and his aggressive efforts to return Japan to the status of a “normal state” in terms of its military capabilities and posture. Furthermore, North Korea continues to threaten regional stability with its nuclear weapons and ballistic-missile capabilities. Although the US, China, Russia, Japan and South Korea have agreed on the goal of denuclearization on the Korean Peninsula, their approaches differ as to whether to prioritize denuclearization itself or the securing of peace treaties. Given this complicated situation in Northeast Asia, establishing a broad framework for trust building and regional cooperation, including in the identity domain, is no easy task.

Identity entails a sense of belonging or an underlining recognition of commonality. It is generally based on shared values. Understanding “who we are” and “what we want” requires reconciliation – and the compatibility of individual identity, based on individual needs, with group identity, based on membership of a community. Many factors comprising identity are constructed through social interactions with others, giving it a contingent character that changes according to time, place and the type of environment where individuals live. However, identity is also based on biological traits as important symbols that distinguish individuals and groups.²

According to a survey conducted by the East Asia Institute in South Korea together with the Japanese non-profit organization (NPO) Genron in 2015, the proportion of South Koreans with a negative perception of Japan was as high as 76.6 percent in 2013, 70.9 percent in 2014 and 72.5 percent in 2015. The proportion of Japanese people with a negative perception of South Korea increased from 37.3 percent in 2013 to 54.4 percent in 2014, and still reached 52.4 percent in 2015.³ Another survey, conducted by Japan’s *Asahi Shimbun* newspaper in 2014, shows similar results of high and mutually negative perceptions in the three countries. The proportion of people having a negative perception of China among Japanese respondents was 51 percent, and of South Korea, 34 percent. Among Chinese respondents, 74 percent said they disliked Japan, while 67 percent of South Koreans had a negative perception of their Japanese neighbours.⁴

In the *Asahi* newspaper survey, people were also asked to give their impressions regarding threats to peace in East Asia. No less than 63 percent of Japanese respondents chose territorial disputes, 48 percent opted for Chinese military force and 38 percent highlighted conflict in the Korean Peninsula as threats. Chinese

² Nam-Kook Kim, “Identity Crisis and Social Integration under Globalization in Korea”, in *Korea Observer*, Vol. 44, No. 1 (Spring 2013), p. 31-54.

³ The Genron NPO and East Asia Institute, *The 3rd Japan-South Korea Joint Public Opinion Poll (2015)*, May 2015, http://www.genron-npo.net/en/opinion_polls/archives/5251.html; Han-wool Jeong, “Misunderstandings in the Mutual Perceptions of Citizens from South Korea and Japan and Finding Solutions for Improving Relations”, in *EAI Working Papers*, June 2015, http://www.eai.or.kr/type/panelView.asp?idx=13948&code=eng_report.

⁴ *Asahi Shimbun* Special Public Opinion Poll (04/07/14), <http://mansfieldfdn.org/program/research-education-and-communication/asian-opinion-poll-database/asahi-shimbun-special-public-opinion-poll-040714>.

respondents chose Japanese military force by a proportion of 49 percent, territorial disputes by 36 percent and the existence of US military forces by 34 percent. Among South Korean respondents, 58 percent picked territorial disputes, 50 percent chose conflict on the Korean Peninsula and 35 percent opted for Chinese military force. In addition, 47 percent of Japanese respondents, 88 percent of Chinese and 97 percent of South Koreans remarked that historical matters, including past wars and the colonial legacy, have not yet been resolved.⁵

Such levels of mistrust have reinforced nationalism and national identities, and interrupted the emergence of a regional identity that takes into account the commonalities but also the differences between East Asian nations. If some identities are given and others are chosen, one should classify essentialist factors that are given while discouraging negative and divisive connotations of these identities. Instead, one must find non-essentialist factors that can be chosen and encourage the positive influence of these factors for the sake of regional cooperation. The latter factors could be represented by the concept of "interest". This could include common economic interests or common environmental interests in the region.

A functional approach, one that largely follows the European experience, gives priority to interests over identity in matters pertaining to regional integration. Such an approach does not seek to produce citizens of a political community but rather consumers of mutual economic benefit. If there were no consensus on this fundamental point, talk of an East Asian community would simply mean supporting integration for the sake of integration. Such a blinkered concept of community easily collapses when circumstances change. Consequently, there needs to be adequate discussion regarding purposes and goals, targets and strategies through which integration can be achieved. Therefore, interests also need to be balanced by identity. Otherwise, the concept of an East Asian community, with its many conflicts, would break down even before it reaches the goal of integration.⁶

The Genron NPO-East Asia Institute survey yielded two interesting findings that could be employed to lower negative perceptions among the populations of East Asian nations. The first factor is whether an individual has travelled to the other country. Among South Koreans who have visited Japan, the dislike figure is 60.1 percent compared with 76.8 percent among those who have not. Likewise, among Japanese who visited South Korea, the proportion of respondents who had a negative perception of South Korea stood at 48.1 percent compared with 53.9 percent among those who have not. The second factor is age: younger generations – in both South Korea and Japan – display lower negative perceptions than older respondents. Among South Koreans, these negative perceptions appear to be decreasing with every generation: 88.4 percent of those in and over their sixties,

⁵ Ibid.

⁶ Nam-Kook Kim, "European Experience for East Asian Integration: Ideas, National Interests, and the International Circumstance", in *Asia Europe Journal*, Vol. 7, No. 2 (June 2009), p. 295-312.

79.8 percent of those in their fifties, 74.2 percent in their forties, 59.7 percent in their thirties and 55.9 percent of those in and under their twenties. Likewise, in Japan, the proportion of people who had negative perceptions of South Koreans ranged from 54.9 percent of those in and over their sixties to 58.5 percent of those in their fifties, 50.3 percent in their forties, 47.8 percent in their thirties and 47.5 percent of those in and under their twenties.⁷

These results demonstrate the value of people-to-people interactions and the need for increased interchange and investment targeting the younger generations in an effort to build cross-national networks and contacts. Current developments in East Asia are once again being dominated by the state, with the North Korean nuclear crises and tensions in the South China Sea demonstrating the continued relevance of the nation state. In this context, East Asia could seek to foster greater intra-personal solidarity among its citizens who share an attachment to democratic individuality while also acknowledging cultural diversity as a way to venture beyond essentialist nation-state identities. By encouraging networking and cross-border solidarity, one could build an “Asia of citizens” rather than an “Asia of states”. Otherwise, East Asia will face the problem of today’s Europe. The EU’s development requires the creation of “European citizens” but has actually only produced consumers as a result of its “interest”-based approach. In other words, the statist shortcut that Europe adopted in the 1950s has left a negative legacy, in which the EU must now “invent” European citizens who voluntarily participate in the self-government of a regional community. What East Asia eventually needs is not consumers but citizens; not integration for the sake of integration, but integration based on a consensus of goal and method.⁸

In this context, two principles for trust building in Northeast Asia can be advanced: (i) identity balanced by interest, and (ii) an “Asia of citizens” beyond an “Asia of states”. These principles can be applied to favour trust building in such areas as economic, security and sociocultural cooperation. Below, the analysis will examine the following: the “Asian paradox” and the statement made by Japan’s prime Minister Shinzo Abe in terms of the balance between identity and interests; multilateral security cooperation in Asia from the viewpoint of the European experience; and the Campus Asia programme and Asian Human Rights Court as means to encourage regional sociocultural cooperation in terms of realizing an “Asia of citizens” beyond an “Asia of states”.

⁷ The Genron NPO and East Asia Institute, *The 3rd Japan-South Korea Joint Public Opinion Poll (2015)*, cit.

⁸ Nam-Kook Kim, “European Experience for East Asian Integration”, cit.

1. The “Asian paradox” and East Asian regional integration

“Asian paradox” refers to the situation in East Asia, in which continuous conflicts are ongoing in the political and security domain despite a relatively high level of economic cooperation and interdependence in the region. This concept is helpful for understanding the asymmetrical relationship between politics and economy in the case of South Korea, China and Japan, where economic relations are robust but coexist with high levels of diplomatic tension.⁹ However, this term is in fact based on a false premise; there is no proper ground for applying the term “paradox” to the specific context of East Asia.

To begin with, it is not entirely correct to refer to the imbalance between political and economic relations as a “paradox”; the European experience demonstrates how economic integration tends to generally precede political integration. In the case of Europe, since economic cooperation began with the establishment of the European Coal and Steel Community in 1952, it took approximately 40 years for the EU to be launched, in 1992, as a political union. Furthermore, Asian levels of economic integration are not sufficiently high to justify the term “paradox” to describe the imbalance between the economic and political dimensions of regional interactions.

For instance, levels of East Asian integration are still at the “first” stage (that of negotiating free-trade agreements), given that the stages of economic integration are divided as follows. First, the lowest stage of integration is based on reaching free-trade agreements by eliminating tariffs among countries in a region; second, at the customs-union stage, tariffs among the members are abolished while they seek to negotiate common external tariffs for countries outside the region; third, the stage of a single market guarantees the free movement of labour, capital, goods and services; and lastly, the stage of an economic union adjusts economic policies among members through the adoption of a common currency and central bank, etc.¹⁰ The reality behind the primary stage of integration in East Asia reveals that the degree of intra-regional trade is much lower among the 16 East Asian countries, accounting for 44.5 percent of total trade as of 2011, than in the EU context, where levels reach 62.6 percent.¹¹ Thus, there exist in East Asia far higher incentives for

⁹ Young-kwan Yoon, “The Asian Paradox”, in *Project Syndicate*, 4 November 2014, <https://www.project-syndicate.org/commentary/apec-summit-xi-abe-meeting-by-yoon-young-kwan-2014-11>; Sang-ho Song interview with Peter J. Katzenstein, “Memory Politics Contributes to Asian Paradox”, in *The Korea Herald*, 31 December 2014, <http://www.koreaherald.com/view.php?ud=20141230000703>; Nur Hassan Wirajuda, *Keynote speech at the Friends of Europe conference “The Asian Paradox: Rising Wealth, Lingering Tensions”*, Brussels, 10 November 2015, <http://www.friendsofeurope.org/?p=3361>.

¹⁰ Michelle Cini and Nieves Pérez-Solórzano Borragán (eds.), *European Union Politics*, Oxford, Oxford University Press, 2010.

¹¹ Seong-dae Cho and Byung-ki Mun, “Intra-Regional Trade in East Asia: Need to Overcome Excessive Concentration on Intermediate Goods and External Dependency”, in *IIT Working Papers*, No. 14-02 (October 2014), <http://www.kita.org/about/iitView.do?id=&no=1610&searchWrd=&pageIn dex=7>.

pursuing an economic structure centred on exports toward countries outside the region than for seeking economic integration within the region.

However, an even stronger critique of the “Asian paradox” relates to the fact that by assuming a certain kind of direction that has not yet been tested (i.e. integration), this concept sets out regional integration as a premise that should be attained in its own right, while regarding politics as an obstacle to this goal. The regional order in East Asia has emerged from 2,000 years of Chinese hegemony, followed by 100 years of Japanese hegemony, and is currently experiencing a situation in which China is attempting to restore its hegemonic position. Contrary to the case of Europe, which has achieved regional integration through multilateral relations in the absence of an overwhelming hegemonic state, the future of East Asian integration is likely to be subject to the influence of China or Japan. Because of this, the US has never supported regional integration in Asia. Recently, while the external balance of East Asia has been maintained by the US – which supports Japan in order to counterbalance China – internally, countries in the region tend to prefer the state of “anarchy” under which each of them holds autonomy in the absence of an agreed hierarchical order.¹²

Therefore, the reason why relatively little progress has been made towards East Asian regional integration is linked to the fact that, besides the low degree of intra-regional trade dependence, countries in the region consider the current levels of autonomy to be the best guarantor of their interests – and thus do not want to risk any changes to the status quo. As revealed in the course of the recent European crisis, regional integration provides a stable framework for peace but at the same time restricts the autonomy of member states and can even force these to abandon discretionary policy measures. In other words, integration following the logic of the market economy, which the “Asian paradox” concept assumes is positive *a priori*, can also lead to a sacrifice of political ideals such as democratic accountability and independent sovereignty. In the end, movements calling for regional integration that consider solely economic interests without a clear agreement on purpose, subject and method need to be balanced and reinforced by the participation of citizens who share regional identity as well as democratic values.

2. The Abe statement and inherited responsibility

On the 70th anniversary of the end of World War II, Japanese Prime Minister Shinzo Abe delivered a statement claiming that post-war generations today exceeded 80 percent of the country’s population. Consequently, these citizens should not be predestined to apologize for the actions of their ancestors.¹³ The logic behind this

¹² Nam-Kook Kim, “Justifying Grounds for Multicultural Policies in Korea: Universal Human Rights versus Benefits of Diversity”, in *Citizenship Studies*, Vol. 18, No. 6-7 (2014), p. 6-7.

¹³ Shinzo Abe, *Statement on the 70th Anniversary of the End of the War*, 14 August 2015, http://japan.kantei.go.jp/97_abe/statement/201508/0814statement.html.

argument seems strong at first; it denies the succession of responsibility for the war and insists on its expiration. The logic of retributive justice, seeking to make amends for wrongdoing, is relatively private in character compared with that of distributive justice, which aims to reallocate resources. Compensation is simple when both offenders and victims are still alive. But the issue of so-called “inherited responsibility” is raised when both offenders and victims are deceased.

At least two conditions need to be met for a private compensation to become a problem at the societal level, and for the related responsibility to be inherited. First, there needs to be a recognition that we, in the present day, are affected by the social losses that were inflicted in the past or by the social gains enjoyed by the offenders who carried them out. For instance, American slavery and Japanese wars of aggression still have an influence on the descendants of both offenders and victims. Past discrimination that denied the human rights of black people has left their descendants with an inescapable stigma, whereas most white US citizens are today the recipients of benefits that American society has gained from the forced labour of black people. In the same manner, Japan’s colonial rule and war crimes, such as the mobilization of “comfort women”, have had significant impact on its victims and their descendants while its proponents and their descendants continue to enjoy the benefits of a social development achieved on the basis of colonial exploitation.

The second condition for the inheritance of responsibility concerns the issue of whether individuals of the present day share a specific kind of identity in order to shoulder the burden of a negative legacy, which is, in turn, related to the destiny of the political community that has undergone this particular historical trajectory. Protests by Japanese citizens against new security bills that would allow the exercise of the right of collective self-defence reveals that the country has not fully come to terms with the legacy of the war. Indeed, Japanese society still experiences conflicts and internal tensions over the war’s legacy. In particular, the actions of more conservative Japanese politicians and movements demonstrate the contradictory behaviour that is constraining post-war generations from moving into a new era. On the one hand, conservatives seek to preserve memories of the war through visits to the Yasukuni Shrine – which honours war criminals, amongst others – while on the other they insist that post-war generations should not shoulder any responsibility.¹⁴

In light of these two conditions, regarding the influence of social losses and gains and the sharing of identity among individuals in relation to their community, the insistence on there being no obligation for Japanese post-war generations to apologize is premature. Of course, over time, the legacy of this aggressive conflict will decrease, and with it so will the intensity of current debates on the shared

¹⁴ Mi-kyung Kim, “Why Is There No Regional Court in East Asia? Regional Judicial Institutions and Regional Integration in East Asia” (in Korean), in *Asea yōn’gu* [The Journal of Asiatic Studies], No. 158 (October 2014), p. 40-71.

responsibility of post-war generations, including in the identity domain. The statement by Prime Minister Abe focussed on this dimension of retributive justice. However, Japan's leader misunderstands the concept of retributive justice as an issue of physical time, and distorts the meaning of collective political responsibility as if Japanese citizens are asked to shoulder an indefinite and personal sense of guilt.

More fundamentally, the Abe statement on denying the inheritance of war responsibility is connected to the so-called "throwing off Asia" or "de-Asianization" policy, which attempts to evade demands for an apology by circumventing Asia and trying to deal directly with the West. Since the de-Asianization policy was first suggested by Shigeru Yoshida, Japan's first post-war Prime Minister, the "One Asia" policy of 2009 by Prime Minister Yukio Hatoyama marked the only case of Japan declaring itself a member of Asia and "returned" to Asia.¹⁵ Japan is now not only strengthening its alliance with the US and denying the succession of war responsibility towards Asia, but is even making an attempt to revise its pacifist constitution. Nonetheless, it should be remembered that Article 9 of the Japanese Constitution is not only a domestic concern but also an international provision, established during the arrangement of a post-war order, which contains promises made to neighbouring countries in Asia as well.

3. The Helsinki Accords and the multilateral security-cooperation regime in East Asia

The Helsinki Accords were signed in 1975 with the objective of pursuing security cooperation and peaceful coexistence between the members of US-led NATO and the Soviet-led Warsaw Pact.¹⁶ The Accords are now considered a "prelude" to the end of the Cold War and a trigger for the fall of regimes across the Eastern bloc. During the mid-1970s, however, no one could have predicted the fall of Communism, and the Cold War standoff seemed to constitute a stable status quo. Therefore, in signing the Accords, Eastern bloc countries at the height of the Cold War were generally unmindful of a possible overthrow, for the agreement also included clauses on the mutual respect of sovereignty and territorial integrity.

Nevertheless, the Helsinki Accords are praised for triggering the fall of Communism by providing "oxygen" for the expansion of anti-establishment movements and the growth of civil society within the Eastern bloc countries – not only through guaranteeing respect for sovereignty and territory but also through the 10

¹⁵ Shigeru Yoshida, *The Yoshida Memoirs. The Story of Japan in Crisis*, London, Heinemann, 1961; Ichiro Hatoyama, *Hatoyama Ichiro kaikoroku* [Hatoyama Ichiro Memoir], Tokyo, Bungei Shunju Shinsha, 1957.

¹⁶ Igor I. Kavass, Jacqueline Paquin Granier and Mary Frances Dominick (eds.), *Human Rights, European Politics, and the Helsinki Accord. The Documentary Evolution of the Conference on Security and Co-operation in Europe, 1973-1975*, New York, William S. Hein & Co., 1981-1995.

cooperative principles that included issues such as human rights and liberty, and confidence-building measures in the fields of military, economic and humanitarian interaction. South Korea's recent Northeast Asia Peace and Cooperation Initiative (NAPCI) and the "Trust-building Process on the Korean Peninsula" are both modelled after the Helsinki Accords.¹⁷ However, East Asian countries, well aware of the unintended consequences of the Accords (i.e. the fall of the Eastern bloc regimes), will be much more hesitant to participate in a similar process to NAPCI unless specific incentives are guaranteed.

Why, then, did NAPCI stop working – if not fail outright? Of course, it is not solely the fault of South Korea, but that country bears the greatest responsibility. We can apply the interest-and-identity formula to help explain this failure. In terms of interest, NAPCI was not effective enough to protect the interests of regional countries in areas such as respecting sovereignty, guaranteeing territorial integrity and providing economic benefits. In terms of identity, NAPCI had no detailed programme of building up regional identity in order to replace the exclusive national identity of each country. Someone may argue that NAPCI has simply meant North Korea's relinquishing of its membership of the Six-Party Talks. One can suggest many formulas for talks in seeking out a solution in East Asia. Under any kind of negotiation, however, the most decisive factor should be domestic trust building between the two Koreas. Negotiation between North Korea and the US on a peace-treaty and denuclearization policies would come next. Finally, discussion on the respective interests of China, Japan and Russia should be added. However, one can see the unfortunate development by which South Korea lost its leverage as an independent actor, giving up many channels in economic and social cooperation – not to mention security cooperation with North Korea. As a result, South Korea has now become only a "dependent variable" as a sub-partner of the US-Japan alliance alongside a shift in the international order of "Great Powers".

To build a multilateral security-cooperation regime, East Asia may follow the European experience of the Helsinki Accords, which were developed through the Conference on Security and Cooperation in Europe (CSCE) in the early 1970s (leading to the signing of the Helsinki Final Act in 1975) and, finally, through the establishment of the Organization for Security and Cooperation in Europe (OSCE) in 1995. Any successful "experiment" for East Asia will need to foster shared identity and find common interest as well, with specific incentives that diminish the concern of some more hesitant countries. One possible security regime might be based on a common agreement that military force alone cannot guarantee the security of the region. The ASEAN Regional Forum (ARF), established in 1994, remains the only regional conference in which North Korea has regularly participated, and could therefore serve as a basis for such development. The search for common ground in identity and interest is a matter for the countries of the region themselves. It also requires favourable international circumstances outside

¹⁷ Michael Reiterer, "The NAPCI in the Volatile Security Environment of North-East Asia: Which Role for the European Union?", in *European Foreign Affairs Review*, Vol. 20, No. 4 (2015), p. 573-589.

the region – especially the support of the US – which remain a crucial condition for such efforts.

According to Christopher Hemmer and Peter Katzenstein, US policy toward Europe in the early stages of the Cold War proceeded under a combination of identity and material factors.¹⁸ US policymakers perceived Europe as belonging to the political community that the US was obliged to help. The strong economic links between the two parties also provided ample material incentives for cooperation. These collective-identity and material incentives made possible a multilateral approach in the post-war establishment of NATO, and thus eventually helped the emergence of a regional community in Western Europe. In contrast, the US viewed Asia at the time as weak and backward, so its goal was not multilateral cooperation among equals but one of unilateral US dominance. The belief that Asians were not only foreign but also inferior helped push US policymakers to support unilateral or bilateral, rather than multilateral, policies in the region.

Whereas the conflicts of the Cold War era were symmetrically maintained among states holding monopoly over physical power, new types of war include cultural and identity conflicts, mixed in with the struggles of economic inequality and intangible forms of terror – indiscriminate as to place and target. These low-intensity and low-cost wars, fuelled by small arms and rudimentary bombs, are expanding globally, feeding on widespread fear and hatred. While the shadow of Cold War still hangs over the Korean Peninsula, we can find partial solace in the fact that the heavy purchase of arms and high military spending there remain under the control of states – thus making any negotiation procedure for a multilateral security regime relatively straightforward.

4. The possibility of an Asian Court of Human Rights

Asia is the only region in the world without a representative regional court of human rights. Compared to the early human rights courts established in Europe in 1959, in America in 1979 and in Africa in 2004, it is evident that Asia is somewhat lagging in this dimension. Some suggested causes of the delay include the geographical size and cultural diversity of the continent – comprising as it does 60 percent of the world's population, or 4.4 billion people. Some also point to the relatively large number of countries with low levels of development or the proliferation of authoritarian regimes as possible explanations.

More fundamentally, the lack of an Asian Court of Human Rights is related to the level of regional integration in the continent. Asia could follow similar steps to those taken in Europe, where the European Council, founded in 1949,

¹⁸ Christopher Hemmer and Peter J. Katzenstein, "Why is There No NATO in Asia? Collective Identity, Regionalism, and the Origins of Multilateralism", in *International Organization*, Vol. 56, No. 3 (Summer 2002), p. 575-607.

adopted the European Convention on Human Rights, which led to the creation of the European Court of Human Rights. However, with the current hegemonic competition between Japan and China being externally balanced by the United States, members of the Asian community tend to favour autonomous and non-hierarchical organizations over creating binding, cooperative institutions that require concessions and a change to the status quo.

Three possible routes towards a court of human rights in Asia can be explored. The first is by geographically or culturally adjacent sub-regions, such as South East Asia or Central Asia, creating sub-regional human rights institutions and expanding upon them. The second is by developing a new human rights institution based on existing regional, cooperative institutions such as the East Asia Summit, the Asia-Pacific Economic Cooperation or the ASEAN Regional Forum. The third is by developing a court of human rights grounded in existing human rights institutions in Asia, such as the Asia-Pacific Forum of National Human Rights Institutions or the Association of Asian Constitutional Courts and Equivalent Institutions.

The importance of an Asian Court of Human Rights lies in its potential to provide a mediating forum for regionalizing universal norms and universalizing regional cultures. The 1948 Universal Declaration of Human Rights, which works as a set of grounding principles for a universal human rights norm, provided universal and abstract rights and intentionally disregarded cultural differences. Fear of cultural relativism existed among the founding members at the time, as there was concern that the hard-won gains made since World War II would be lost if these human rights principles were not framed as being applicable globally. In lieu of this universality, the norms of the Universal Declaration of Human Rights bear the consequence of having to resort to courts of human rights in different regions with different cultures and traditions for adequate interpretations and implementations.

A unique characteristic of the 1948 Universal Declaration and the two following covenants in 1966 is that they provided the grounds for a new debate on human rights with individuals as the main subject instead of states. In this regard, regional courts of human rights are also important in securing the rights of individuals guaranteed by these covenants. While individuals challenge government policies that violate their own rights from the bottom-up, regional courts of human rights can seek universal values and principles by providing top-down comparisons and verifications, having a moderating impact on states.

East Asian political situations are, once again, being reorganized state-centrally with the North Korean nuclear crises and the current tensions in the South China Sea region. In any case, it is important to deviate from state-centric reasoning and instead achieve democratic individuality while tolerating cultural diversity. Meanwhile, the tendency to legitimize inhumane regional cultures under the name of cultural self-determination or to degrade the ways of life pursued in other regions under the name of universality must be contained. An Asian Court of Human Rights can be an important institutional resource in overcoming an "Asia of states" and instead move toward achieving an "Asia of citizens".

5. The Campus Asia programme and sociocultural cooperation

The Collective Action for Mobility programme of University Students in Asia originated in a 2009 decision at a summit meeting of Chinese, South Korean and Japanese leaders. Participants agreed on this student exchange programme, and launched 10 consortiums of Campus Asia as a pilot project in 2011 – lasting for five years, until 2015. It aimed to raise younger generations who shared common East Asian values under a common curriculum, and thereby to achieve a common good for East Asia as a whole.

There is also the Waseda Initiated Campus Asia programme, which aimed to cultivate a shared identity classified as Asian beyond national borders through university networks and personnel exchanges. This programme received exclusive financial support from the Japanese Government from 2012 to 2016. Five member universities – Waseda, Korea, Beijing, Tamasek and Nanyang Technological University – joined and targeted the establishment of an East Asian University Institute by 2020, to train specialists for East Asian peace and prosperity.

While economic and security areas form the traditional dimension of cooperation under the dominant nation-state system, sociocultural cooperation is a more future-oriented goal sought in the context of increased globalization. Globalization has often been understood in terms of its emphasis on economic and instrumental rationality while disregarding efforts towards the common good and democratic governance and denying the independence of political spheres in which justice and legitimacy are sought. In East Asia, globalization brings about challenges in two important ways: one is the deconstruction of state-centred identity; the other, reciprocal verification of locality as well as universality in the arena of individual rights.

The deconstruction of state-centred identity in East Asia encompasses the urban citizenship of global cities in China, local place-making through administrative services in Japan, tensions between local authority and migrants in South Korea and the emergence of a new middle class in contrast to the traditional system of patronage in Malaysia. In the realm of locality versus the universality of individual rights, gendered migration in a manner disadvantageous to women, foreign domestic workers chain of international care work, the ratification of a migrant workers' convention, the human rights declaration of ASEAN 2012 and efforts toward an Asian Human Rights Court would all constitute junctures where locality meets universality on the challenge of how to localize global norms and to universalize local practices.¹⁹

¹⁹ Nam-Kook Kim (ed.), *Multicultural Challenges and Sustainable Democracy in Europe and East Asia*, New York, Palgrave Macmillan, 2014.

As part of these trends on the deconstruction of a state-centred regional order and locality versus the universality of individual rights, the role of university education will be important in nurturing East Asian citizens who will voluntarily participate in the self-government of a regional community. Imagine a new East Asian community that shares the values of individual dignity within multicultural diversity, along with the emergence of new, cross-national networks in which the social majority as well as minority can achieve both individual rights and civic responsibility worthy of the regional community. University education can also guide younger generations along a path between emotional attachment and rational reflection in constructing a new regional identity. Regional integration through personnel-exchange programmes aims to eventually unite people who share an attachment to patriotism as democratic individuals without the exclusivist notions of nationalism. The result of such effort goes beyond an “Asia of states” and eventually targets and seeks to foster an “Asia of citizens”.

Conclusion

With complicated historical animosities and low levels of intraregional trade, fostering shared identity and finding common interests in East Asia is no easy task. It thus becomes essential to increase exposure by encouraging travel to neighbouring countries and investments targeting younger generations, as such efforts will reduce negative stereotypes and rhetoric.

In the areas of traditional cooperation in economy and security, free-trade agreements will be the basic step for enhancing the levels of intraregional trade; they can subsequently be expanded to customs unions and, perhaps, a full-blown single market. Recent business trends show that outsourcing of cheap labour tends to decrease over time. This situation would constitute a variable in deciding the level of intraregional trade. ARF, following the model of the Helsinki Accords, can be a basis for a multilateral security-cooperation regime in East Asia – but it requires specific incentives that mitigate the fear of some hesitant countries, which are aware of the unintended historical consequences of the Accords. It also needs favourable international circumstances – especially, the support of the United States. Conflicts in the South China Sea and North Korea’s nuclear crisis alter the regional order, in which states prefer an “anarchic” situation under the China–Japan power balance, with the support of the US. This order will eventually be influenced by compromise over the long-term interests of the US and China.

In the area of sociocultural cooperation, the Campus Asia programme and an effort to establish an Asian Human Rights Court would represent a good opportunity to promote democratic individuality within multicultural diversity, by universalizing local practices and localizing global norms. It would eventually contribute to the realization of an Asia of citizens beyond an Asia of states. The Trilateral Cooperation Secretariat (TCS) – which was established in 2011 by South Korea, China and Japan, with a vision to promote peace and common prosperity – can

also serve as a stable base from which to build a crisis-management mechanism for natural disasters and transnational human-security issues such as crime, pollution and climate change. The TCS – with resources including staff, budget and infrastructure – is very important in achieving preventive diplomacy, with discussions occurring under its aegis on a regular basis. It increases predictability in conflict management. Generally speaking, institutions tend to operate so as to reinforce their aims and influence under a system of path dependency. So, institutionalizing various human initiatives is always important. Cooperation – in areas such as the economy, security and sociocultural issues – with detailed programmes and principles will support and help foster a regional community with shared identity and common interests in Northeast Asia.

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