CONTENTS

ABOUT THE CONTRIBUTORS

YB Senator Dato' Dr Asyraf Wajdi Bin Dato' Dusuki is the current Deputy Minister in the Prime Minister's Department since 29th July 2015. Previously, he was appointed as a Senator or Member of Parliament since 2014. Prior to that, he served as the President or of Islamic Da'wah Foundation Malaysia (YADIM) from 2013 until 2015. He was also the Head of Research Affairs at International Shariah Research Academy for Islamic Finance (ISRA) and Associate Professor of International Centre for Education in Islamic Finance (INCEIF). In the sector of Islamic finance, he used to serve as an Independent Director of Affin Islamic Bank, sit as a Chairman of Affin Bank Group Shariah Committee & Shariah consultant and advisor to several financial institutions and advisory firms including Maldives Capital Market Development Authority. He had also served as Shariah Advisor to AIA AFG Takaful Berhad, AIA Takaful International. Currently, he was appointed as Panel for PERMATA Insan Advisory Board starting from August 2017 and the member of Highest Council for Muslim World League in the same year. He succeeded in becoming Best Graduate of International Islamic University Malaysia (IIUM) in 2000, and received several awards in the National Graduates in the same year. He holds Master of Science degree in Islamic Economics, Banking & Finance, and Ph.D in Islamic Banking and Finance from Loughborough University, United Kingdom. He has published his papers especially Islamic finance aspect in numerous international and local refereed academic journals. In 2011, he was conferred with Global Islamic Finance Award for the category "The Most Upcoming Personality in Islamic Finance" in Oman Islamic Economic Forum. Furthermore, he has presented papers at both local and international conferences including Middle East, Europe as well as Asia countries. He also conducts training in Islamic banking and finance related areas to officers of Central Bank of Malaysia, banking practitioners, government officials and public in both local and international.

Cdr Ivan Mario Andrew RMN was commissioned as an Executive Officer in Jan 1988. He was promoted to Cdr TLDM on 2 Feb 06. During his 30 years of service he has commanded numerous ships namely KD SRI SARAWAK (Patrol Craft – 2002), KD LAKSAMANA TAN PUSMAH (Corvette – 2010) and presently commanding KD MAHAWANGSA (MPCSS). Besides command duties, he has also served as Directing Staff in MAFSC from 2007 – 2010. He graduated from MAFSC and obtained his Diploma in Strategic and Defence Studies (UM) in 2004. Accordingly, he also holds a Bachelor's Degree in Business Administration (Hons) (UNITAR) and obtain his MSc in Engineering Business Management from University of WARWICK in 2013. He is married Ms Daisy V. John James and is blessed with 3 children (2 girls and a boy).

Capt Hj Satria Sarawak bin Hj Jais RMN was commissioned into Royal Malaysian Navy as a Logistic Officer on 6 Dec 1986. He has served in various key appointments as Director of Finance, Assistance Chief of Staff Logistic and procurement manager. He holds a Diploma in Strategic and Defence Studies and Master of Science from Warwick University.

Ahmad El-Muhammady is a lecturer at the Centre for Foundation Studies, International Islamic University Malaysia and a Senior Fellow at the Institut Kajian Strategik Islam Malaysia (IKSIM). He has extensive knowledge on the issues of extremism and militancy, and works closely with multiple security stakeholders to undermine terrorist activities and network in the country. He regularly delivers public speeches on these topics and has been a member of the Royal Malaysia Police panel for Special Rehabilitation Program since 2011. He was a consultant to the Royal Malaysia Police, Special Branch office on confiscated terrorism-related evidence and expert witness in a terrorism case in 2015 and 2016. He is currently developing the profiles of Daesh militants in Malaysia. Mr. Ahmad is also a committee member of the Malaysian Institute for Research in Youth Development (IYRES) think tank, Ministry of Youth and Sport where he offers advice relating to youth and terrorism.

Hafez Shahril bin Hussin is an independent defence, security and intelligence researcher with previous military and intelligence experience. He was commissioned into the Royal Intelligence Corps (one of the leading corps in the Malaysian Army) on 8th January 2003 and left the service 13 years later. He had served in various intelligence appointments, especially in the Directorate of Security and Counter-Intelligence, Defence Intelligence Staff Division (DISD), Ministry of Defence. He holds a Master's degree with merit in Intelligence and Security Studies from Brunel University London, United Kingdom in 2011. He also holds a Bachelor of Laws (Honours) degree – LL.B (Hons) from the International Islamic University Malaysia (IIUM). He contributed many articles to the Malaysian Army Journal 'Sorotan Darat' and won 'The Best Article Award' in 2015 for his article *"Counter-Intelligence and Counter-Espionage by the United States of America (US) and the United Kingdom (UK)"*.

Colonel Ramli H Nik (R), a former Defence Adviser at the Permanent Mission of Malaysia to the United Nations in New York (2001-2005), is currently a Senior Fellow with the Department of Strategic Studies, National Defence University of Malaysia, in Kuala Lumpur. A graduate of the Royal Military Academy Sandhurst, UK, and obtained his Master of Arts (MA) in Strategic Studies in "Defence Security Analysis" from the University of Lancaster UK. His latest publication is a monograph on Malaysia's Contributions in the United Nations Peacekeeping Operations since 1960, published by UPNM Press, October 2016.

Lt Col Ir. Suthan Venkatachalam was commissioned to the Royal Electrical and Mechanical Engineering Corps on 27 Nov 1999. He has held various appointments at unit, logistic HQ and training centre. He is a graduate of Malaysian Armed Forces Staff College and Australian Technical Staff College. He holds Masters in Defence Technology and Masters in Occupational Safety & Health. He is a qualified Professional Engineer, competent Safety & Health Officer and registered as National Industry Expert in Mechanical and Automotive Sector with Department of Skills Development, Malaysia. He currently serves as the Deputy Director of Policy Research at Malaysian Institute of Defence and Security (MiDAS).

THE MALAYSIAN WASATIYYAH MODEL IN FACING THE CHALLENGES OF GLOBAL EXTREMISM

Asyraf Wajdi Dusuki
Deputy Minister of Prime Minister's Department
Email: wadi@gmail.com

ABSTRACT

This article discusses the Malaysian Wasatiyyah approach and its principles in facing the challenges of contemporary global extremism. This article focuses on two main aspects. First, understanding the background history of extremism in the modern Islamic world and its categories in the liberal and radical dimension. Second, elucidating the Malaysian Wasatiyyah concept that has become the administrative principle and approach by the Malaysian Government. This article applies both historical and documents analysis. It is found that the Malaysian Wasatiyyah model is a balance between the liberal secularization approach and the widely propagated doctrine that seeks a radical change in Islam. The moderate approach of the Malaysian Wasatiyyah model is premised upon the principles of conscientiousness, and being evolutionary, holistic and substantive. All these principles have contributed towards a civilizational development and Islamic progress in Malaysia.

Keywords: *Islam, Malaysia, Wasatiyyah, Extremism*

INTRODUCTION

In 2011, in their Global Peace Index, the Sydney-based Institute For Economics & Peace places Malaysia as the 19th most peaceful nation in the world. This report is based on the moderation index as practised in Malaysia, encompassing democratic practices, transparency, education and economy [1]. This report is testament that the racial and religious diversity is not an obstacle in actualizing a peaceful and harmonious life in Malaysia. Nonetheless, as an Islamic country in the South East Asian region, the development and progress of Islam in Malaysia are subjected to the influence of extremist ideologies and activities, which is a phenomenon that is also experienced by almost all Islamic countries. However, since its independence in 1957 and the formation of Malaysia in 1963, Malaysia has successfully preserved peace and harmony in the midst of global turmoil, and in the wake of extremism associated with Islam. This success has been driven by the moderate approach or known as Wasatiyyah in the Quranic context, as practised by the Malaysian Government. The nation's prime minister, Mohd Najib Abdul Razak articulated the Malaysian Wasatiyyah approach to ensure peace and to guarantee the rights of the people. This article endeavours to discuss the Malaysian Wasatiyyah approach, which is the ethos of the Malaysian Government. This article will delve into the history of the emergence of extremism in the modern Islamic world and the role of the Malaysian Government in striking a balance between being accused as a secular-liberal nation and the demands for a radical implementation of Islam.

SECULAR EXTREMISM VIS-À-VIS RADICAL EXTREMISM

Extremism in the modern Islamic world began to proliferate in the early part of the 20th century. Before the advent of the nation state concept, in general, the Islamic world was regarded as part of the Istanbul-based Ottoman Empire. The Ottoman Empire functioned as a power and symbol of global Muslim unity.The Empire was a continuation of the Islamic administrative and political concept that was founded by Prophet Muhammad (PBUH) in Medina. There was a continuous practice of Prophet Muhammad's governing model by the Khulafa' al-Rashidin, comprising Khalifah Abu Bakr, 'Umar, Uthman and 'Ali in the form of a Islamic Caliphate, with the purpose of 'upholding religion and administering the world with religion'.

When the era of the Khulafa' al-Rashidin ended, thus began the era of Islamic rule based on lineage and nobility, as established by Mu'awiyyah bin Abi Sufyan in Damascus, taking the name of al-Mulk (government). The Umayyads (661-750 A.D) ruled for almost 89 years before it was replaced by the Abbasids, with Baghdad as its capital. In Baghdad, the Abbasids (750-1258 A.D) ruled for 508 years, while in Andalus (Spain and Portugal), the Ummayyads and Nasrid dynasties (756-1492 A.D) in ruled for 736 years. When the Abbasids fell in 656H, the Islamic world lost its power and symbol of unity. However, three and a half years later, the Mamluks came into being, ruling from Cairo, hence replacing the function of the Abbasids as centre of power and symbol of unity for the Islamic world.

The reign of the Mamluksin Cairo ended in 923H when Cairo was conquered by the Ottomans, led by Sultan Salim I. That marks the end of the Mamluks rule over the Islamic world, which lasted for 267 years. The shift of the centre of leadership and rule of the Islamic world from Arabia to the borders between Europe and Asia saw the end of the monopoly of power held by the Arab nobles. Nevertheless, the Turkish Ottomans continued the legacy of rule in the form of al-Mulkbased on lineage and nobility. For 600 years, the Ottomans implemented the same system as practised by the Ummayyad, Abbasids and Mamluks, namely hereditary succession.

At the end of the 19th century, the political power of the Ottomans began to weaken. The 34th sultan of the Ottomans, Sultan 'Abd al-Hamid II had to face both internal and external threats. Internally, the Turkish Nationalist group or Young Turks demanded for the powers of the Sultan to be transformed in constitutional form. Meanwhile, the Arab Nationalist group or Pan-Arabism sought a reversion of Islamic political power back to the Arabs. As for the external threat, the British tried to incite hatred between Arabs and Turks. Consequently, Sultan 'Abd al-Hamid II with his Pan-Islamism policy called upon Muslims worldwide to unite against the British-led foreign threat [2]. Pan-Islamism was a Muslim unification policy and a conduit for strengthening international relations between the Ottomans and Muslim leaders in India, Central Asia and Southeast Asia.Pan-Islamism was underscored by unity and cooperation amongst all Muslims, under the leadership of a caliph. This concept was supported by Muslim thinkers, including Jamaluddin al-Afghani, Rashid Ridha and Muhamad 'Abduh, who helped to propagate Pan-Islamism to the whole world [3].

Nevertheless, the reign of the Ottomans came to an end in 1924. This marks the beginning of a change in the governing and political thinking approach of the Muslims. The last Ottoman sultan, Sultan Mehmed VI was deposed by the military, led by Mustafa Kemal. Subsequently, on the ashes of the Ottoman Empire, Mustafa Kemal established the Republic of Turkey. Not only was the governing and political approach changed, but he also forced secularization on the Muslims in Turkey. His secularization policy, aptly called Kemalism, encompassed six main principles, namely republicanism, secularism, nationalism, revolutionism, populism andetatism. All these principles ultimately resulted in relegating the fundamentals of Islam as the religion and way of life amongst the Muslims in Turkey.

Amongst others, Kemalism made way for the dissolution of the Ministry of Shariah and Waqaf, and the Shariah Judiciary Ministry, the establishment of secular education based on the sciences and the logics, the Turkification process by replacing Arabic with the Turkish language when adhan (calling for prayers) and replacing Arab with Latin alphabets. The Kemalism secularization process was at its worst when Article 2 of the Turkish Constitution was changed, hence replacing 'The religion for Turkey is Islam' to Article of the 1937 Constitution, which states that Turkey is a secular nation [4].

The Kemalism policy in Turkey was part of the efforts to liberalize the thinking of Muslims. Mustafa Kemal took pride in the modernization and Westernization of Turkey, all the while trying to emulate what was happening in the West. However, his approach removed the essence of Islam in the identity of Turkish Muslims. As such, I am of the opinion that the success of Kemalism was an extreme way of liberalizing the thinking, culture and practices of Muslims. Though Kemalism hid behind the veil of legitimate political power and nationhood, the act of forcibly removing the fundamentals of Muslim thinking and practices is an extreme act that is also secular and liberal.

The fall of the Ottoman Empire in Istanbul and the changes made to the political system and Muslim ethos in Turkey made it possible for territories formerly under the Ottomans to declare independence. At this time, the nation state concept was introduced in the Middle East and North Africa. Muslim territories began establishing itself as free and independent nations, such as Saudi Arabia, Syria, Jordan, Egypt, Kuwait, Iraq, Libya, Tunisia, Algeria and Morocco. These states were no longer bound under the same governing system. On the contrary, the said states practised self-governance and are separated from one another, with land, maritime and airspace borders that hinged upon the concept and sovereignty of nation states [5].

Amidst the establishment of independent and soverign nation states in the Middle East and North Africa, the Muslims responded by calling for the formation of an Islamic political and governing system that adheres to the practices of the Prohpet (PBUH), the caliphs and previous Muslim empires. The earliest response came when the Ottoman Empire was at the brink of destruction. Rashid Rida, an al-Azhar scholar proposed the establishment of a nation that fulfills the requirements set by Islam. In his book, 'al-Khilafah aw al-Imamah al-'uzma', Rida recommended the formation of a Dawlah Islamiyyah (Islamic State) to replace the Ottoman Empire. Rida tried to strike a balance between the weaknesses of the Ottoman Empire with the characteristics of an Islamic Country [6]. For the Muslims who were at the time desperate for guidance and a solution,

the 'Islamic State' notion formulated by Rida was very much needed. Nonetheless, Rida only managed to put across his ideas in the form of a book. He wasn't able to actualize his ideals, as the Muslims themselves didn't strive to actualize it in an organized and systematic manner.Rida's biggest contribution, however, is the introduction of the term 'Islamic State', whereby the term then became the benchmark for Muslim countries that were accussed of being secular to free themselves to the status of an 'Islamic State'.

Rida's ideas were embraced and systematically worked on by Hasan al-Banna. Al-Banna tried to once again create an Islamic political system that adheres to the practices of the Prohpet (PBUH), the caliphs and previous Muslim empires. This restoration idea enabled al-Banna to establish the Muslim Brotherhood (Ikhwan al-Muslimin) in Isma'iliyyah, Egypt in 1928. Al-Banna developed an idealism that is holistic, gradual andconscientious, namely the restoration of an Islamic structure beginning from the individual level; totally embracing Islam as the way of life. It is followed by the development of an Islamic familial institution, Islamic society and subsequently a full-fledged Islamic State and Islamic Caliphate.

The al-Banna movement was driven by the principles of implementing Islam holistically, gradually and conscientiously, due to the fact that colonization and Westernization had left Muslims ignorant of their own religion. But when the Muslim Brotherhood's influence gained traction amongst the Egyptian population, the Egyptian Government started a crackdown against the movement. This led to the assassination of al-Banna in 1949. As a consequence of this crackdown, not only was the Muslim Brotherhood outlawed, but the Muslim Brotherhood leaders and supporters were also imprisoned. Due to this crackdown, some the Muslim Brotherhood members migrated to Europe, Arab countries and established an international network for the Muslim Brotherhood.

From 1948 to 1966, the Muslim Brotherhood experienced a phase typified by pressure and tribulation from the Egyptian Government, led by Jamal 'Abd Nasir. It was during this phase that the Muslim Brotherhood's orientation changed from tarbiyyah (Islamic education), as founded by al-Banna to extreme radicalism. The fundamentals of al-Banna's wasatiyyah-centric Islamic education approach were changed to conform to an extreme and radical understanding of Islam by Syed Qutb. Qutb reorganized the Muslim Brotherhood and determined the new approach to face the Egyptian Government's pressure. Rached Ghannouchi explained that Qutb's radical approach was articulated during his second phase of thinking. In the first phase, Qutb was still accommodative and was willing to consider Western ideals in the context of democracy, capitalism and social justice [7]. This changed during the second phase, whereby Qutb cemented his stand and totally rejected Western ideals, such as democracy, capitalism and socialism. Qutbisme is very black and white in its approach; either you are practising Islam or you are jahiliyyah (an ignorant). The discussion on radical Qutbisme became the crux of his famous book, 'Ma'alim fi al-Tariq'(the Milestone); a book that was highly influential in the Muslim world, particularly during the Islamic resurgence era.

Nevetheless, it can be understood that radical Qutbisme emerged as a response when the Muslim Brotherhood continued to be besieged by the Egyptian Government. This response became a self fulfilling prophecy when Qutb was sentenced to death in

August 1966. In spite of his demise, his radical ideas in 'Ma'alim fi al-Tariq' lived on. Unfortunately, the radical ideas of Qutbisme have not been read and understood in the context of the trials and tribulations that were faced by Qutb and the Muslim Brotherhood in Egypt.The imprisonment and hanging of Qutb indicated that the jihad by Qutb and the Muslim Brotherhood against the Jamal 'Abd al-Nasir regime was only possible by way of radical and extreme thinking. However, Qutbism was later on interpreted and understood in a universal context and became the cornerstone for the radical Islamic dogma that pursued rapid and revolutionary change. The irony is that on 1 April 1979, the Islamic Revolution in Iran successfully toppled the Shah Iran regime, and this gave way to the formation of the Islamic Republic of Iran. This success inspired Muslims worldwide to seek change through drastic, revolutionary and radical means.

In actuality, the rise of radical extreme Islam was the result of the Muslims' attitude, reactions and responses against the tribulation, and persecution and oppression by dictatorial regimes in Muslim countries, including in Egypt and Iran.They retaliated against the physical aggression that was inflicted upon them by falling back on radical and extreme thinking. From what I understand, the historical background shows that the fall of the Ottoman Empire manifested two contradictory political thinking with regard to extreme ideologies. Firstly, extreme secularization occurred, as in the context of Turkish Kemalism. Secondly, an extreme form of radical Islam was articulated in the context of Egyptian Qutbism, and later reinforced by the success of the Iranian Islamic Revolution. Both phenomena contradict one another, but with one thing in common, that is both are extreme in nature. Nonetheless, history must be interpreted, understood and judged within the context of the time when the incidents happened. On the contrary, the consequences of that context are unfair towards other contexts, time and era. Both extreme phenomena influenced the development of Islam in Malaysia. As a country that declared independence from the British in 1957, the Federation of Malaya that later became Malaysia in 1963 was also considered a secular nation. This allegation is a consequence of the influence of the Islamic resurgence that occurred from the 1970s till the 1990s. However, is it true? How did the Malaysian Government, led by the Barisan Nasional (BN), with UMNO as the biggest political party try to balance between being accused of practicing secularism and the demands by the Islamic resurgence movement, which also includes radical and extreme elements?

IS MALAYSIA A SECULAR STATE?

The Federation of Malaya became independent on 31 August 1957, followed by the formation of Malaysia on 16 September 1963. Both historical events made Malaysia a nation of diverse races and religions. The Malay Muslims became the key community, whereas the Chinese and Indians became the next two main communities in Malaysia. Apart from that, the multiracial and multifaith indigenous people of Sarawak dan Sabah also became Malaysian citizens. With the diversity of race and religion, Malaysia hence became a truly plural society.

However, since its independence on 31 August 1957, the Federation of Malaya has made Islam as the religion of the Federation. This remains unchanged when Malaysia was formed on 16 September 1963. Article 3 of the Malaysian Constitution clearly states that Islam is the religion of the Federation; but other religions may be practised

in peace and harmony in any part of the Federation. As the Head of State, the Yang Di-PertuanAgong took an oath in the name of Allah to safeguard Islam at all times. The two crucial components enshrined in the Constitution, namely Islam as the religion of the Federation and the oath taken by the Yang Di-PertuanAgong form the source of authority for Malaysia to call itself an Islamic Country. This source of authority accords latitude to the government chosen by the people through a system of parliamentary democratic and constitutional monarchy to work together to implement and strengthen the Islamic progress agenda.

Nonetheless, due to the plurarity of Malaysia, Islam is not seen as a dominant factor in the context of nationhood. Islam, and the Quran and Sunnah are not seen as the basis and source of reference in articulating the Malaysian Constitution. This is made worse when the implementation of civil laws based on British common law is seen as a major element in the Malaysian judicial system. At the same time, the position of Islamic laws is seen as inferior to civil laws. This therefore set the stage for the accusations that Malaysia is not *Negara Islam* (Islamic State), but is instead a *Negara Sekular* (Secular State).

Ironically, the facts show that since its independence, Malaysia has been governed by UMNO, which is the main political party in the National Front coalition. As the ruling party, UMNO has made Islam as the agenda in developing the nation. Article 3.3 of the UMNO Constitution clearly states that the basis and purpose of UMNO is to uphold, safeguard and develop Islam.

Article 3.3 of the UMNO Constitution is also a source that proves and augments the commitment that Islam is the thrust in the Government's agenda of developing Malaysia. Islam consists of *aqidah, akhlaq* and the Shariah. *Aqidah* is the belief in Allah SWT as the Creator and Muhammad PBUHas His Messenger. Meanwhile, for Allah SWT to be pleased with the Muslims, they must embody all good traits, also known as *akhlaq*. On the other hand, the Shariah are the rules of living our lives in this world, and it is divided into two, namely *ibadah* and *muamalah*. *Ibadah* are certain practices, including praying, fasting, and performing *hajj* and *zakah*, while muamalah is a system to regulate the relationship amongst humans to seek the pleasure of Allah. *Muamalah* can be further segregated into five, including asset management, *ahwal syaksiyyah,* marriage, criminal punishments and politics. Among the elements within criminal punishments are *qisas, hudud* and *ta'zir.*

As the core party in the Malaysian Government, UMNO has implemented and developed many facilities for the holistic implementation of Islam. The reality was acknowledged by the Tunisian Islamic movement leader, Rached Ghannouchi, when he said to me:

> *"Coming to Malaysia makes me very happy. There is a huge opportunity for daawah and on top of that, it is openly supported by the Government. This is much better compared to the situation in Tunisia, where although more than 90% of Tunisians are Muslims, we have to face the Secular Government that makes it difficult for Islamic progress. So, use this opportunity fully"[8].*

This is the hard reality on the ground, notwithstanding the fact that a huge majority of the citizens of Arab countries are Muslims. There, daawah and Islamic progress are hindered. This, however, does not happen in Malaysia. Various Islamic movements are free to engage in daawah activities, and there are even political parties that claim to be Islamic parties; all are free to conduct their activities and their rights are guaranted by the Malaysian Constitution.

This enables the Malaysian Government to ensure continuous daawah, reinforcing the Shariah and elevating Islam to greater heights. Since independence, the Government has established many da'wah agencies to ensure that Islam continues to be propagated, such as Pertubuhan Kebajikan Islam Malaysia (PERKIM), Yayasan Dakwah Islamiah Malaysia (YADIM) and Yayasan Pembangunan Ekonomi Islam Malaysia (YAPIEM). With the aim of promoting the Islamic syiar, the International Quran Recital Assembly was created as an annual event to bring together all qari and qariah from the whole world. Till today, the International Quran Recital Assembly is one of the hallmarks of Malaysia's success amongst the Muslim countries.

In the 1980s, the Islamic Affairs Division of the Prime Minister's Department was established, and it expanded to become the Department of Islamic Development Malaysia (JAKIM). In the field of education, Islam is being taught as early as primary school. This resulted in the jawi, Quran and fardhuain (J-QAF) programme at the primary level. The Government also incorporated Bank Islam Malaysia Berhad and introduced the Interest-Free Banking Scheme (IFBS) in the early 80s. Today, Islamic banking and finance has become an industry that is growing by leaps and bounds. Malaysia has also produced many Islamic finance experts that are well known globally. This proves that in Malaysia, Islam is at the forefront. The Government has never stopped the development of Islam in Malaysia.

In the field of Islamic law, the Malaysian Government has established the Department of Syariah Judiciary Malaysia (JKSM), which is tasked with coordinating the administration of Shariah Courts in all states and in Federal Territories as well.It is through this department that the Shariah Officer post was created, whereby the officers would act as the judges in the Shariah Courts. This shows that the Islamic agenda is high on the priority list of the Malaysian Government. Though the scope of authority for the implementation of the Shariah in Malaysia is still not comprehensive and does not include criminal punishments, I am positive that the development of Shariah law in Malaysia will continue to move forward, leveraging on a gradual, conscientious and substantive approach, as opposed to labels and political rhetorics. It must also be stressed that the development and progress of Islam in Malaysia is totally different from what happened in Turkey when Mustafa Kemal institutionalized Kemalism, which consequently obliterated all systems and institutions related to Islam.

The reality in Malaysia is also vastly different from what is happening in Muslim countries in the Middle East and North Africa. In Malaysia, Islam enjoys healthy development, as it is supported by the establishment of many specialized agencies, consistent budgetary allocation and Islam is directly under the auspices of the Head of State, namely the Yang Di-Pertuan Agong as the Head of Religion of the Federation, while the respective Rulers are the Head of Religion of the respective Malay states. In

fact, the function of Islam is clearly stated in the Malaysian Constitution.

Nonetheless, the Islamic resurgence in Malaysia has been accompanied by some elements of radical extremism. However, we need to bear in mind that the Islamic resurgence in Malaysia is a response against colonization and Westernization that tried to be hammered into the minds of Muslims and their way of life. Having said that, we cannot however deny that the Islamic resurgence in Malaysia, especially during the 70s and 80s was also accompanied by numerous positive elements. The Islamic resurgence changed the society to become a religiously inclined society, and transformed their culture from adopting Westernization to embracing the Islamic way of life. With this however came the desire and ideal to drastically change the existing political system and nationhood to become fully Islamic, without considering the organized, gradual, substantive and conscientious approach. In this line of thinking, the only option is to demand a revolutionary change and to approach everything based on rhetorics and religious cosmetics, without much thought on content and substance.

In this context, Islam emphasizes on the term taghyir al-nafs, which refers to the islah and tajdid, starting from within an ummah that has an intellect, emotions, as well as physical and spiritual attributes. Islah and tajdid would not be complete without these 4 elements. Most importantly, the development of societies and nations need to begin with the development of individuals with intelligence and the conscience to avoid unlawful acts, as well as a balanced emotion, taqwa, and a strong and healthy body. Only then can we focus on building families,a united society and a country that adheres to the requirements of Islam. This gradual approach needs to be accentuated in the Islamic concept of societal and nation building, in contrast to taking short cuts while just focusing on Islamic names and labels. This is the Malaysian Government's approach in building the nation based on the true and authentic understanding of Islam. This approach is called the Malaysian Wasatiyyah, and it is geared towards moulding an Islamic civilization, instead of just using Islamic rhetorics for political gains.

The holistic, gradual, substantive and conscientious approach in implementing Islam proves that Malaysia is not a secular state. Instead, Malaysia is progressive Islamic state that is committed in its efforts to position Islam as the agenda of development and progress. The implementation of Islam in Malaysia is Wasatiyyah in nature, such that it is a balance between the challenges of globalization, the secular New World Order and system, and the demand for a radical and extreme implementation of Islam.This balance, as practised by Malaysia is called Wasatiyyah. The question is, what is the basis that lends credence to this approach?

THE MALAYSIAN WASATIYYAH APPROACH

While addressing the 65th session of the United Nations, the Malaysian Prime Minister, Mohd Najib Abdul Razak stated:

> *"Attempts to demonize Islam offend the one and a half billion adherents of the religion. It intensifies the divide between the broad Muslim world and the West. The real issue is not between Muslims and non-Muslims but between the moderates and extremists of all religions, be it Islam, Christianity or*

Judaism."

The Prime Minister's speech clearly calls upon the global citizens to choose the Wasatiyyah approach in addressing extremism. The Wasatiyyah approach should be used by all nations, and understood in more specific contexts vis-à-vis the global scenario that has seen the emergence of various extremist groups that has proven to be more extreme than their predecessors.

The current radical extremist ideologies include Islamic State (IS), Taliban and al-Qaeda, and secular-liberal extremists, such as LGBT, the Liberal Islam Network and Religious Pluralism. These are just some examples that goes to show that the contemporary challenges are much bigger compared to what happened during the 20th century. Muslim leaders ought to highlight the Wasatiyyah concept as one of the solutions to address the emergence of radical dan secular-liberal extremism, while preventing them from continuously threatening world peace. Wasatiyyah should be applied holistically in all aspects of life, including politically, economically and socially. Wasatiyyah is the best portrayal of Islam, as it is moderate in character and balances between being tafrit (too lenient or careless) and ifrat [9]. When an individual or a group of people become extreme or liberal to the extent that they trivialize religious requirements, it leads them towards destruction, thus unfavourable in the eyes of Islam. Hence, Muslims cannot be too extreme nor too lenient, but need to be moderate and balanced, encapsulating all aspects, including religion and faith, attitude and behavior, ibadah, way of life, laws, muamalah and the struggle in defending Islam [10].

The Wasatiyyah concept needs to be holistically and naturally understood in our struggle against the crisis that is facing the Islamic world, namely extremism and radicalism. This concept is stated in the Quran, surah al-Baqarah, verse 143:

وَكَذَلِكَ جَعَلْنَاكُمْ أُمَّةً وَسَطًا لِتَكُونُوا شُهَدَاءَ عَلَى النَّاسِ وَيَكُونَ الرَّسُولُ عَلَيْكُمْ شَهِيدًا

"Thus, have We made of you an Ummah justly balanced, that ye might be witnesses over the nations, and the Messenger a witness over yourselves"

The above verse explains that Allah SWT has elevated the status of Muslims to become "ummatanwasata"or middle nation; chosen, just and excellent. Wasatadoes not only relate to being a middle nation, but denotes the role of Muslims as witnesses over mankind, and the Prophet PBUH instead becomes a witness over the Muslims. Thus, the basic meaning of Wasatiyyah is also justice and excellence, as Muslims must strive towards excellence and furthermore,embody justice so that they become the role model and qudwahhasanahfor others. Wasatiyyah is moderation and balanced in close relation to justice, excellence and being the best. In other words, those who stand in the middle would make a sound judgement on the pros and cons of something, and is qualified to bear witness for those who are different from them. Justice include justice towards Allah, justice towards religion (tauhid), justice towards mankind and all creatures, justice towards the nature and justice towards oneself. Without the awareness of being just, Muslims are not worthy of being witnesses over others and hence, fail to fulfil Allah SWT's requirements for Muslims to bring peace to the whole world.

Besides being moderate, balance must also be considered. In other words, striking a balance between ifrat (extreme) or tafrit (careless) in ibadah, religion and ideology without trivializing the basics of religion in life. For example, certain individuals and groups claimed that solat is no longer relevant in this day and age, and is considered to be an archaic practice, even to the extent to claim that solatis a man-made tradition. Hence, they are kind towards mankind without performing the ibadah that has been made obligatory upon them by Allah SWT. Due to the lack of understanding Wasatiyyah holistically, this ideology is gaining a foothold amongst Malaysian Muslims.

Linguistically, "wasatiyyah" means moderate, middle, balanced (al-tawazun) and just (al-adlu). Another Arabic word that carries the same meaning is 'i'tidal', which means not exteme, strict, old fashioned and inflexible. According to Kamus Dewan,Wasatiyyah means moderation. Moderate is the root word, which means not more, not less, normal and middle.As for the Oxford Dictionary, moderate is defined as eliminating extremism and excessiveness. We can conclude that wasatiyyah can be defined as moderation, being in the middle and not being extreme. The traits typified by 'being in the middle' is elucidated in surah al-Imran, verse 110:

$$كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ$$

"Ye are the best of peoples, evolved for mankind, enjoining what is right,
forbidding what is wrong, and believing in God."

Muslims who consistently practise moderation will guide the both the extremists (ifrat) and the careless/liberal (tafrit) from continuously going against wasatiyyah. As such, wasatiyyah is much commended by Islam because going overboard is considered to be extreme, while doing less than should be done is considered to be careless. Abdullah bin Mas`ud said, "The Messenger of Allah drew a line with his hand (in the sand) and said, "This is Allah's path, leading straight." He then drew lines to the right and left of that line and said, "These are the other paths, on each path there is a devil who calls to it." Following that, the Prophet PBUH recited verse 153, surah al-An'aam:

$$وَأَنَّ هَٰذَا صِرَاطِي مُسْتَقِيمًا فَاتَّبِعُوهُ ۖ وَلَا تَتَّبِعُوا السُّبُلَ فَتَفَرَّقَ بِكُمْ عَنْ سَبِيلِهِ$$

Verily, this is My way, leading straight: follow it: follow not (other) paths:
they will scatter you about from His (great) path.

Abdullah bin Mas`ud said:Rasulullah PBUH said:

"Ruined are those who are extremists, ruined are those who are extremists,
ruined are those who are extremists".

This refers to those who are extreme in their words and actions. The proof from this hadith explained that moderation and being in the middle in our affairs is the safe path to avoid destruction, as through the condemnation of extremism in terms of words and actions, it is hence recommended to be moderate and demonstrate the best of actions. Abdullah bin Abbas said: Rasulullah PBUH said:

> *"Good way, dignified good bearing and moderation are thetwenty-fifth part of Prophecy"*

The history of the Islamic civilization has shown us that for 700 years, the Islamic Empire in Andalus successfully controlled the European continent. The Muslim scholars at that time were not merely experts in naqli knowledge (fiqh, Arabic language, tafsirand hadith), but were also experts in 'aqli knowledge (philosophy, medicine, social sciences, science and technology). The balance and integration between naqli and 'aqli knowledge prove that they practised Islam holistically, so much so that they were able to elevate Islam as both a religion and civilization.

Hence, in both the Malaysian and global context, the efforts towards defending ourselves against extremist ideologies must be done by understanding Islam holistically. Islam needs to be reintroduced as both a religion and civilization. As a religion, Islam acknowledges and practisesaqidah, the Shariah and akhlaq. However, as a religion and civilization, Islam holistically amalgamates aqidah, the Shariah and akhlaq with the view of building a civilization. Civilizational building means emphasizing on advancements in all aspects of life; economics, politics, social, humanity and technology. Advancements in all aspects can only be achieved when we master the bodies of knowledge that are beneficial for the country and all stratas of society. The prerequisite in mastering knowledge is by integrating both naqli and' aqli knowledge, as was done by past Muslims. The biggest obstacle faced by Muslims is when Islam is understood in an extreme manner, devoid of Wasatiyyah and worse still when a politically-dichotomised version of Islam is highlighted.

CONCLUSION

The Malaysian Wasatiyyah model that has been introduced by the Government since 1957 is the best model that has been successfully implemented based on the reality, context, culture, tradition and Islamic practices in Malaysia. By implementing Islam moderately or Malaysian Wasatiyyah, the Government has been able to harmonise itself with the influences of Islamic resurgence by focusing on a holistic, gradual, substantive and conscientious approach as the basis of implementation. All these components are the principles that have been protecting Malaysia from being engulfed by either liberal securalism or the demands for a drastic and radical revolution. In contrast with liberal securalism that overwhelmed Turkey, Malaysia has proven that though it was colonized by the British, it managed to reformulate the function of Islam as the religion of the Federation and made Islam an important agenda in nation building. On the other hand, though the incidents in Egypt and the Islamic Revolution in Iran affected the Islamic resurgence in Malaysia, the Malaysian Government was able to handle it wisely. All those historical episodes shaped the Malaysian Wasatiyyah, thus positioning Malaysia 'in the middle path' and drove the Islamic development agenda to be more civilizational-centric, with an emphasis on nationhood and mastering knowledge. thus positioning Malaysia 'in the middle path' and drove the Islamic development agenda to be more civilizational-centric, with an emphasis on nationhood and mastering knowledge.
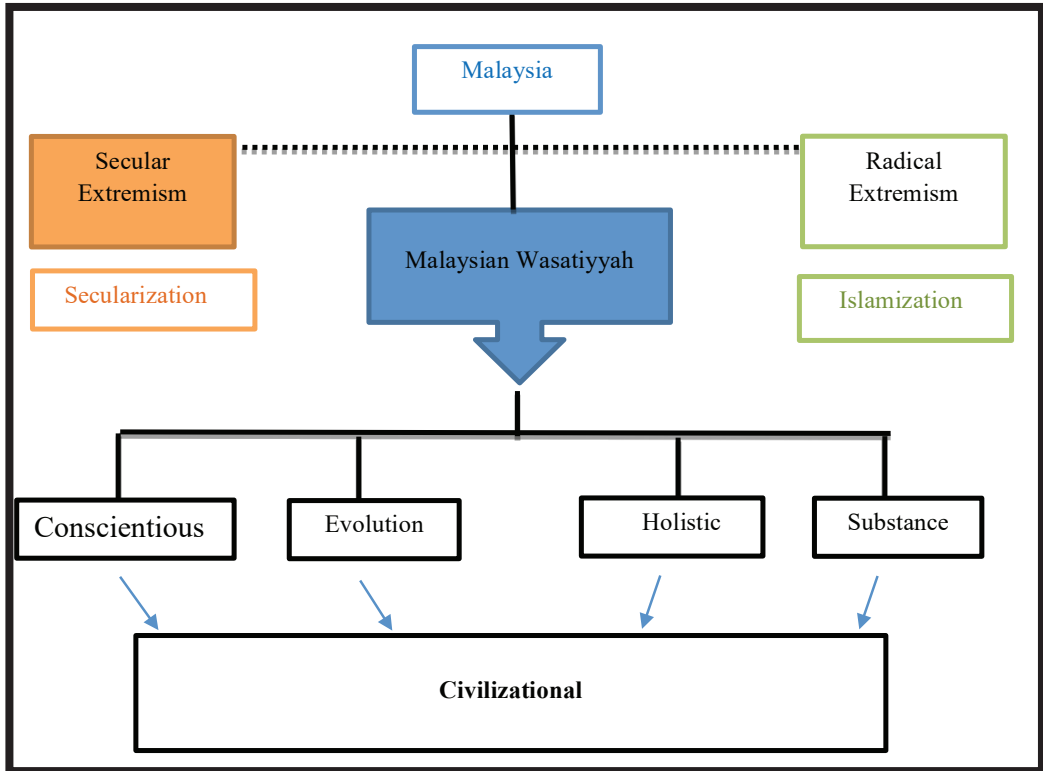
ACKNOWLEDGEMENT

Figure 1 : Shows the civilization- centric Malaysian Wasatiyyah model

REFERENCES AND ENDNOTES

[1]   Global Peace Index,Sydney: Institute For Economics & Peace. p.3. 2011.

[2]   Eeman Mohamed Abbas, In Sultan 'Abd al-Hamid II dan Kejatuhan Khilafah Islamiah. Kuala Lumpur, Pustaka Salam, 2002.

[3]   Ermy Azziaty Rozali, In Turki Uthmaniyah Persepsi dan Pengaruh dalam Masyarakat Melayu, Kuala lumpur, Dewan Bahasa dan Pustaka, 2016

[4]   Mohammad Redzuan Othman & Mashitah Sulaiman. 2015. Sekularis medan Proses   Demokrasi di Turki. Kuala Lumpur: Penerbit Universiti Malaya. p. 40.

[5]   Yapp, M.E., In The Near East Since the First World War, London, Pearson Education Limited, 1996.

[6]   Hamid Enayat, In Modern Islamic Political Thought,Kuala Lumpur, Islamic Book Trust. p. 106-107. 2001.

[7] Rached Ghannouchi, In PolitikdanDemokrasi, Shah Alam, IDE Research, p. 92-97, 2016.

[8] Asyraf Wajdi Dusuki, In Politik Islam dan Melayu, Kuala Lumpur, Yayasan Dakwah Islamiah Malaysia, p.73, 2015.

[9] MohdYusof Din &Mushaddad Hasbullah, In Penghayatan Wasatiyyah dalam Kerangka Maqasid Syariah, Putrajaya, Institut Wasatiyyah Malaysia, 2015.

[10] Asyraf Wajdi Dusuki, In Politik Islam dan Melayu, Kuala Lumpur, Yayasan Dakwah Islamiah Malaysia, 2015.

DEVELOPING DEFENCE COOPERATION IN MAINTAINING ASEAN'S RESILIENCE IN MANAGING CONFLICT AND UNCONVENTIONAL THREAT

Cdr Ivan Mario Andrew RMN
Defence Operation and Training Division- MAF HQ
Email: ivanmario@navy.mil.my

"Whosoever commands the sea commands the trade; whoever commands the trade of the world commands the riches of the world, and consequently the world itself."

Sir Walter Raleigh, 1616

ABSTRACT

Currently, ASEAN countries are facing complex and fast-changing regional security environment, including traditional or non-traditional security challenges. The initiative to develop defence cooperation within ASEAN committee is to establish direct communications and joint operations with all ASEAN members' defence force and security agency. Meanwhile, ASEAN is also facing the biggest conflict with China in South China Sea dispute. The strong bond of defence cooperation among ASEAN countries will create positive element for better security management within the regional territory and reflect a peaceful environment to stimulate economic development. What are the key elements of ASEAN defence cooperation that will assist in achieving strong bond in managing conflict and unconventional threat within its sea and land territory is an uphill task that needs careful and particular attention.

Keywords: *ASEAN, Globalisation, South China Sea, Sea Lines of Communications, (SLOC, United Nations Convention on the Laws of the Sea (UNCLOS).*

INTRODUCTION

Association of Southeast Asia Nations (ASEAN) has evolved considerably over the last 50 years. From inception to expansion, the ASEAN way of soft, flexible diplomacy, a preference for principles and non-intervention in member nations' affairs have slowly made way for increasing institutionalisation, legalism and reinterpretation of non-intervention. Remarkably, its biggest achievement thus far is the prevention of conflict from breaking out in the region [1].

With the global and economic centre of gravity shifting to Asia, unconventional threats and the on-going border delineations conflicts are but existing concerns that are perplexing the region's security and progress that constitute ASEAN's resilience in managing it cooperatively. Critically, China assertiveness (it's One Belt, One Road (OBOR) initiative and its increasingly aggressive behaviour in the South and East China Seas), and the United States (US) and other countries reactions to it, has also become key factors in contributing towards the already perceived disequilibrium in this region. Wittingly, although many may attest that wars between states that dominated the last century will not recur, nonetheless territorial disputes and unconventional threats are whittling South East Asia's (SEA) defence cooperation.

Then again, these ever increasing complex and evolving challenges faced by ASEAN brings about a growing awareness that cooperative mechanisms for managing conflicts and responding to unconventional threats has to be ameliorated by existing arrangements in order to reach a compromise between diametrically opposing views. However, there are still key elements of ASEAN defence cooperation that can assist in achieving strong bonds in managing conflict and unconventional threat within its sea and land territory. Accordingly, how to ensure this singly as a nation-state or in cooperation with other ASEAN member states remains the challenge. This essay discusses the Security Challenges faced by ASEAN and the key elements of ASEAN defence cooperation that will assist in achieving strong bonds in managing conflict and unconventional threats within its sea and land territory.

CHALLENGES FACED BY ASEAN

The defining feature of the 21st century has been the distinct shift in the global geopolitical centre of gravity to Asia. Hence, ASEAN with a considerable stake in the maritime domain must consciously be responsible in being the catalyst for peace, security and stability in the region. However, the nature of the following security challenges and its developments in this region over the last few years revolve around questions of whether ASEAN can stay united when national and regional interests diverge and whether it can effectively manage relations with their richer, more powerful and influential neighbours which have their own particular interest in the region.

Globalisation

Being the process that integrates the world into one comprehensive system, globalization has impelled inexorable unification of economic, political and cultural activities beyond borders which has profusely brought prosperity to ASEAN. Accordingly, thanks to the acceleration of cyberspace technology these days' local activities are influenced by transnational incidences at exponential speed, whereby E-Commerce and the unrestricted Internet have disassembled the barriers to the movement of goods and capital, and augmented political and economic powers [2]. Appropriately, this has distinctly facilitated ASEAN to delight in the benefits of this world's increasing prosperity and most advanced technologies.

Fortuitously, globalisation has not only changed the global political, social and cultural environment but also brought about significant opportunities and risks. Most importantly, economic globalisation has amplified the contemporaneous dependence on dependable seaborne trade which in turn has exposed maritime assets to vulnerabilities such as piracy, terrorism and other non-conventional threats. These vulnerabilities, to the esoteric defence intellect hold weighty security implications and decision-making process of a nation [3]. Furthermore, since maritime trade totally depends on the secure use of the world's Sea Lines of Communications (SLOC) therefore deliberately this requires ASEAN to have a comprehensive estimation of the associated risks and demands their ability to exploit the opportunities ambitiously and counteract the risk pragmatically.

Additionally, the dawn of globalisations' technology advancements has created an even more complex maritime security environment and impacted the development

of sea power globally. Today, technology has not only enhanced capabilities but has also impacted greatly on the abilities of maritime agencies to address a much more complex and dynamic environment. While technology supports operational security measures, simple but effective technologies for example portable radio communications and speed crafts have helped law breakers tailor their activities undetected. Therefore, new technologies have to be introduced to manage and enable real time surveillance, monitoring and enforcing the laws. Furthermore, since maritime security threats are non-traditional and transnational in nature, ASEAN maritime organisations have to increase its capabilities and seek comprehensive adaptable approaches towards this complex maritime environment and revisit their maritime strategies.

Unconventional Threats

Originating from the consequences of globalization, the maritime domain has attracted unconventional crime which by far and large has been greatly transformed by the revolution in military affairs. Although unconventional crime is seen to be dominant on land or ashore, it can be perceived that these unconventional modalities may soon become the most common type of maritime threats in the future. Furthermore, as the world have become 'borderless' and transit among countries has become easy, the entire world has now become a transit point for terrorist to launch their atrocities. Besides the evolving nature of unconventional threats, some of the much-debated issues in the maritime environment in this region are cross border crimes and the manifestation of illegal unregulated and unreported fishing and illegal migration. These maritime related vulnerabilities significantly affect and potentially pose a destabilizing effect on ASEAN's maritime security and safety which restricts the constructive characteristics of economic globalization [4].

Regional Maritime Domain Issues

The maritime domain has been and will always be a sphere of influence where divergence and cooperation would be the sound bites of the day. This is because evidently it has attracted numerous issues and challenges that have impacted not only the security but also ASEAN's strata of economic, social and environment levels [5]. Hence, with the deepening global crisis, these existing security challenges can be expected to increase over time.

Border Delineation. Contentiously, the most likely serious security challenge for ASEAN currently can be derived from the complex multiple territorial disputes in the South China Sea (SCS) between China against her smaller neighbours rather than the existing maritime periphery challenges between ASEAN members. The revolving dispute between ASEAN members centre on sovereignty concerns emanating from the apprehensions of insecurity and unresolved borders and boundaries. Presently, the intensity of the border disputes may be characterised as low and have remained more in the political and diplomatic level of acrimony and rancour. Furthermore, the use of force has been ostentatious where the role of navies and the employment of air force have only been tailored to augment the political and diplomatic rhetoric. In the short to medium term an armed conflict seems unlikely whereby the disputes remain primarily a political rather than a military issue. Nonetheless, the risks exist of miscalculations or accidents

that can potentially lead to limited confrontation which to a lesser extent involve other legitimate forces.

SLOC. Conflict of any scale with regards to the geopolitical complexities within ASEAN's SLOC will involve various state actors and conjointly hamper ASEAN from reaping the benefits of proven and potential riches in the SCS. This therefore closely links the SLOC to ASEAN's interest economically and politically, and underlines the globalisation of economies upon which it predicates the economic well-being of the state. Henceforth, any disruption of shipping will nonetheless undermine the network of ports to which trade flows and ensuring the safety of the SLOC has to take on a new dimension.

It therefore becomes a necessity for ASEAN to pool resources together for this common cause; a massive geographical task that no single ASEAN nation has the capacity to take sole guardianship. Nonetheless, it is one thing to call for cooperation and quite another thing entirely to make it happen what more with competing fundamental concepts of mare liberum (law the sea open to all nations i.e. 'free sea') and mare clausum (law the sea under the jurisdiction of a particular country i.e. 'closed sea') that remain it to be the compelling stumbling blocks to effective cooperation this present time.

SCS Territorial Dispute.

The issue of territorial disputes in the SCS pitting China against several SEA nations based on its controversial 9 Dash Line (Figure 1 and 2) is fast emerging as the source of friction in the region. Sordidly, Beijing is further fuelling regional tension by adamantly turning tiny ecologically fragile reefs and islets in the strategically vital waterway into artificial islands hosting military facilities despite competing claims from Taiwan, Philippines, Brunei, Malaysia and Vietnam [6]. In addition, the US who claims to take no position on sovereignty claims in the SCS has ratcheted up provocation by persistently carrying out periodic air and naval patrols designed to unwaveringly assert freedom of navigation rights under International Law near China's increasingly militarized man-made islands.

This Freedom of Rights Operations (FONOPS) has to a certain extent not allowed the shared domain to be closed down unilaterally but draws howls of fury from Beijing and increases the risk of a military mishap. Furthermore, by Beijing refusing to accept the verdict of the arbitration court in The Hague, which ruled in favour of the Philippines whilst rejecting China's territorial claims in the strategic waterways, has no less offended the principle of self-restraint in the conduct of activities and can escalate disputes thereby affecting peace and stability for ASEAN.
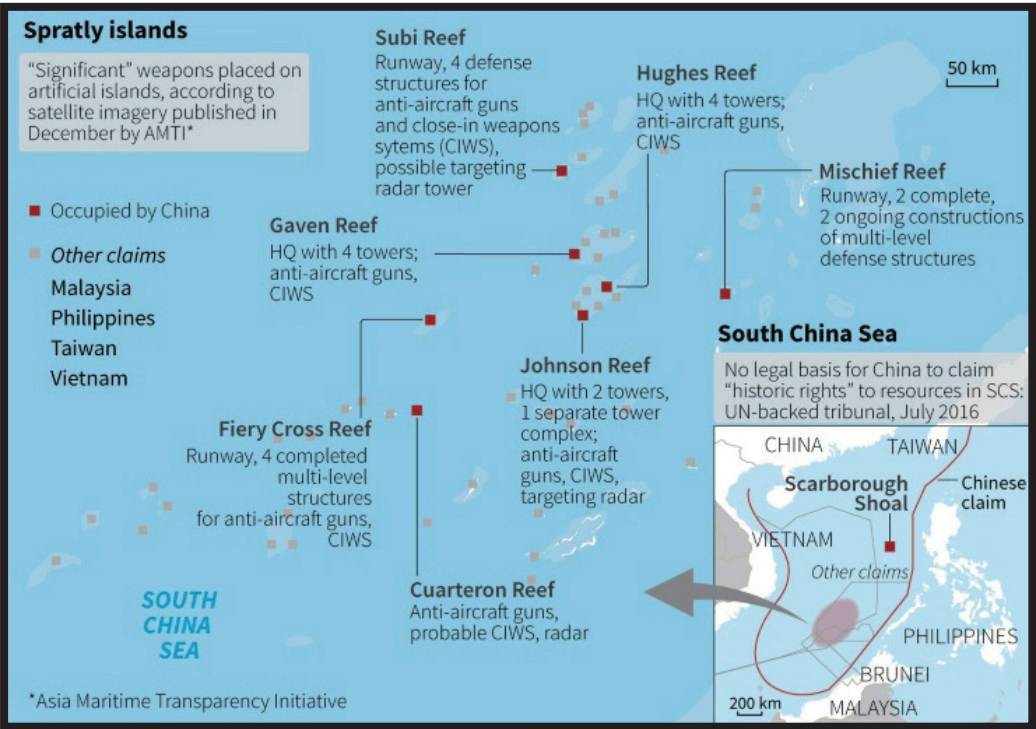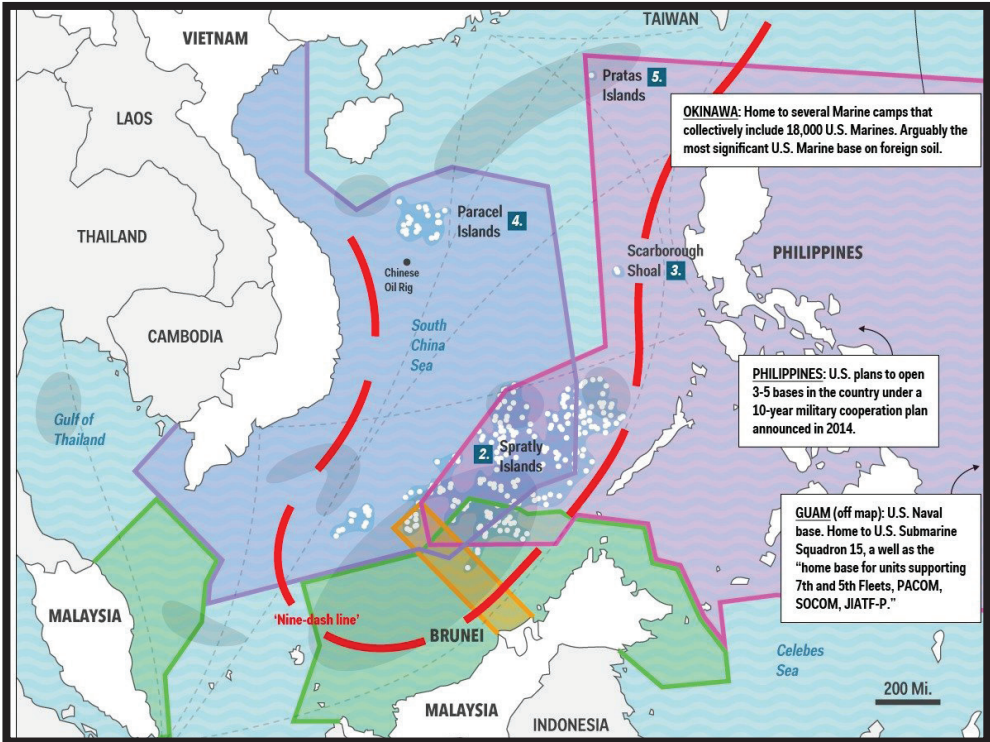
Figure 1 – China's Reef Fortifications [7]

Figure 2 – South China Sea Dispute [8]

US and China's Strategic Influence

Being the biggest economist in the world that also operates the biggest military budgets, the US-China relationship has always entailed elements of cooperation and competition [9]. As two hulking intertwined economies and permanent members of the UN Security Council, their interest and concerns range from economics to diplomacy to security. As such, in these and other ways, these 2 major powers represent the most important bilateral relationship that will impact on all of their other bilateral and multilateral relations. On the other hands ASEAN faces a fair amount of uncertainty in its most important strategic relationship in the region; that with China and the US – its policy and multilateralism in the region and the placement of ASEAN in its framework. ASEAN simply cannot afford any crises and the tiff between US and China with regards to the SCS dispute will continue to figure sturdily in its list of challenges.

International Laws and Code of Conducts

Although there are various concerted efforts by ASEAN states to curb unconventional threats and conflicts, however there are no adequate and effective legal frameworks which are consistent with the relevant international law that can conjointly be used by ASEAN states to aid in the process. The issue with regards to unconventional threats are all the more critical in the light of the seemingly intractable legal and judicial issues confronted by the international community in dealing with arresting, prosecuting and punishing the perpetrators of maritime crimes [10]. Hence, ASEAN member states must establish a legal framework to combat maritime crimes by ratifying and effectively implementing relevant global and regional conventions.

Defence Budget

The world at large is facing fiscal challenges that entail most nations to manage scarce resources and to do more with less [11]. Therefore, ASEAN maritime forces have to quickly adapt and seek unorthodox means to change this challenge into an opportunity and spend calculatingly on defence in tandem with the present scenario which has exponentially transformed from intra-state war to war against non-state actors. The trend towards higher defence spending by ASEAN states explained in large parts by an ambitious drive towards an arms' built-up could be looked at as an evolutionary process, driven by a number of long term considerations depending on the economic climate [12]. However, this should not be meted out as an arms' race and adversely escalate the existing tensed state of affairs.

Cyber Threats

Today's maritime environment has expanded from 3 dimensional domains to now include the evolving cyberspace. Cyber technological innovation and globalisation have proven to be an overwhelming force for good. However, the threat of falling victim to illicit cyber enterprises remains a clear and present danger; making cyber security become an increased global concern which has to be dealt with seriously. Firm national and regional resolves are needed because the perpetrators could be anyone, from individuals launching attacks from the comfort of their homes to militant groups who use the social

media as its platform to recruit members and to gain sympathisers [13]. Therefore, cyber security is by far a bigger concern than one may realise which needs ASEAN's concerted effort in order to thwart these perpetrators Machiavellian intention.

ASEAN'S RESILIENCE IN MANAGING CONFLICT AND UNCONVENTIONAL THREAT

The symptomatic fundamental challenges faced by ASEAN, if not curbed, might spiral out of control, become polemic and pit ASEAN countries against each other. Hence, there must be a growing awareness among the ten ASEAN members that cooperative mechanisms for managing tensions and responding to security issues are a priority in the wake of these challenges:

a. **Adapting to Globalisation**.The significant expansion of economic globalisation which has transformed SEA's maritime domain into a global strategic environment must be used as the new idea to effect interaction amongst ASEAN members in realizing their national agenda in accruing defence cooperation. Contemporaneously, economic globalisation and the expansion of sea borne trade which has made geo-economics replace geopolitics, should also dictate the magnitude of challenges ASEAN must spearhead in order to maintain the safety and security for seafarers to ply its waters. Besides individual states own national security measures, collectively all ten nations must come together to establish a comprehensive regional and multinational approach towards preserving the freedom of navigation for economic interdependence and globalization to carry on incessantly.

b. **Adapting to Technology Valencies**. Equally, technology valencies due to globalisation, which has prominently transformed and radically reduced time and space with regards to military applications, must make ASEAN consider radical solutions in order to be germane in this evermore insecure and complex maritime environment. Befittingly, ASEAN maritime forces have to be outfitted with compatible equipment that enables immense data and intelligence information to be networked, which is the sine qua non (a thing that is absolutely essential) for success in any maritime operations whilst operating with the major forces like the US Navy (USN). Substantially, the propagation of commercial equipment utilizing military hardware must also be incorporated widely to improve the maritime interoperability in combating potential maritime threats.

c. **Addressing Unconventional Threats**.Irrefutably, in this 'borderless' world, no one nation is able to address unconventional threats alone. Hence, tackling unconventional threats that emanate from within and externally requires inter-governmental cooperation. Furthermore, for ASEAN to combat these threats inter alia sufficient intelligence has to be first attained; and how best but none better than establishing appropriate bilateral and multilateral collaboration. Consequently, with each individual state having different capabilities and levels of ambitions in projecting power especially in their confined territorial waters, the challenge of who among the littoral states is to initiate or develop this maritime regime that will share intelligence, has to be first addressed amicably. In essence, successful maritime collaboration will also require ASEAN to develop unprecedented shipping protection practices, strategies and doctrines for the purpose of implementing joint

maritime operations in mainly territorial waters and within the confined routes/ straits of the littoral states.

    d. **Regional Cooperation Initiatives.**

    (1) Regionalism. Difficulties in achieving successful defence cooperation that go beyond recognizing the true motives and goals within individual states are issues in regionalism that must be addressed [14]. Presently, the lack of regional maritime security architecture means that ASEAN have no institutional apparatus through which they can cooperate, and therefore any such attempts must be made on an ad hoc basis. Although ASEAN states have had successes in bilateral cooperation and dispute resolutions, yet further and deeper ties hinge upon recognizing common and converging interests – the greatest of which is the stability of the international seaborne trade system. One possible solution for ASEAN would be to employ into the existing intergovernmental organizations a security mandate even though it has chafed at the idea of adding security issues to the organization's portfolio. Furthermore, complications which arise due to some non-ASEAN powers preferring to negotiate with ASEAN states on a one-on-one basis must be relooked. This is because an outsider that successfully engages ASEAN states in such a manner prevents the latter from presenting a united front on shared dispute issues, but adversely strengthens the relative position of the former.

    (2) **Securing SLOC**. The mounting challenges that maritime crime brings to its SLOC necessitates ASEAN members to nurture effective levels of security means to combat them and maintain regional stability. As it is also essential to integrate itself with rest of the world, the ten ASEAN nations must cooperatively assimilate its security undertakings to secure the regions maritime domain. As the sea closely links all ASEAN member states interest economically and politically, equally as important, ASEAN maritime forces must enhance premeditated interoperability and cooperation in order to be able to operate decisively. Hence, primarily all present doctrines, Standard Operating Procedures (SOP) and agreements have to be revisited and upgraded to include new bilateral and multilateral techniques, procedures and arrangements in accordance with the present geo-strategic environment challenges that besiege its SLOC.

    e. **US Strategic Influence.** Since establishing itself as the centre of gravity of the international system, the US will maintain global power, stabilize its economic interactions and secure the SLOC and ALOC globally for itself. Furthermore, with China's hegemonic aims in the SCS, and the increasing and obvious business opportunity arising in Asia, the US will continue to maintain its commitment to Asia-Pacific via being a major player in groupings such as ASEAN, APEC and East Asia Summits. Although, tensions have cooled to some extent in the SCS following some sort of landslide movement by certain ASEAN members towards China, however the US will still remain relevant in the SEA region. This pivotal rebalance from being over-reliance on the US will not 'blind' Washington of China's advancement in its military capabilities, nor that "two or three" ASEAN countries have become friendlier to Beijing. The US will continue to conduct FONOPS in the SCS in order to limit and challenge Beijing's territorial claims and be the indispensable anchor of peace and security insofar as maritime trade is the

key to the prosperity of the US and its allies.

f. As a result, Washington will unabatedly continue to put greater military presence in this region with a leaner military strategy as long as the security and prosperity of the Asia-Pacific region is critical to that of the US [15]. For this reason, the present defence engagements in the region through the continuous series of bilateral and multilateral training events, major exercises and capacity building exchanges, which ensures that the US Pacific Fleet remains forward deployed, will indeed dispense any insecurity for all ASEAN members that are embroiled in the territorial dispute with China and increase their levels of confidence in justifying their claims. Accordingly, interoperability between ASEAN maritime forces and the USN will be augmented, easing the process of joint operations should hostilities injudiciously jeopardise the regions globalised political and economic stability.

g. **Restraining China's Strategic Assertiveness.** The discomfit caused by China's assertiveness cannot be left unchallenged, not least by ASEAN. Primarily, the continuance expansion of military infrastructure in the 20 outposts in the Paracel Islands will undoubtedly play a key role in her goals of establishing surveillance and power projection capabilities throughout SCS. Additionally, it's OBOR initiative will be detrimental and therefore cannot be left unchecked also as it can be assessed to be an aspiration to engineer a "Pan-Asian Commonwealth" which is as much a dispensation of Chinese soft power as it is a projection of geopolitical sway to establish China's regional if not global pre-eminence [16]. Steadfastly, the US must continue to maintain active naval and air presence in the disputed area to underscore its will to respond resolutely to China's use of force against the US or any of its treaty allies [17]. Conversely, since ASEAN prefers security cooperation than military alliances, security dialogue platforms must be designed to promote military diplomacy and more importantly to steer economic globalisation towards greater inclusiveness for broader shared benefits in a more sustainable way.

h. **Implementing Cyber Security.** The expansion of cyber technology and the misuse of it by terrorist organisations warrant individual governments and ASEAN as a whole to place more resources, allocation and coherent cyber security strategies to combat these increasingly dangerous cyber-attacks. ASEAN has to set up cyber defence cooperation to tackle cyber warfare attempts that threaten the country and region. The goal should be to globalise cybersecurity, and expand and engage initiatives through bilateral and multilateral cooperation with local and international agencies in order to strengthen the individuals' nation's cyber security strategies [19]. The more ASEAN engages globally with other regional and international cyber security forces, the better the chances to protect the nation and people from cyber-crimes.

i. **Managing Regional Maritime Disputes.** The strong bond of defence cooperation amongst the 10 ASEAN countries must continue to become the deterrence factor in subduing any thought of hostilities. Therefore, in principal all potential security challenges and conflicts in the SCS must be handled through a pragmatic approach whereby the initiative is to develop defence cooperation within ASEAN community with regards to disputes based on the requisition of establishing direct communications and joint operations between all ASEAN members defence forces and security agencies. Additionally, this strategic relationship must be able
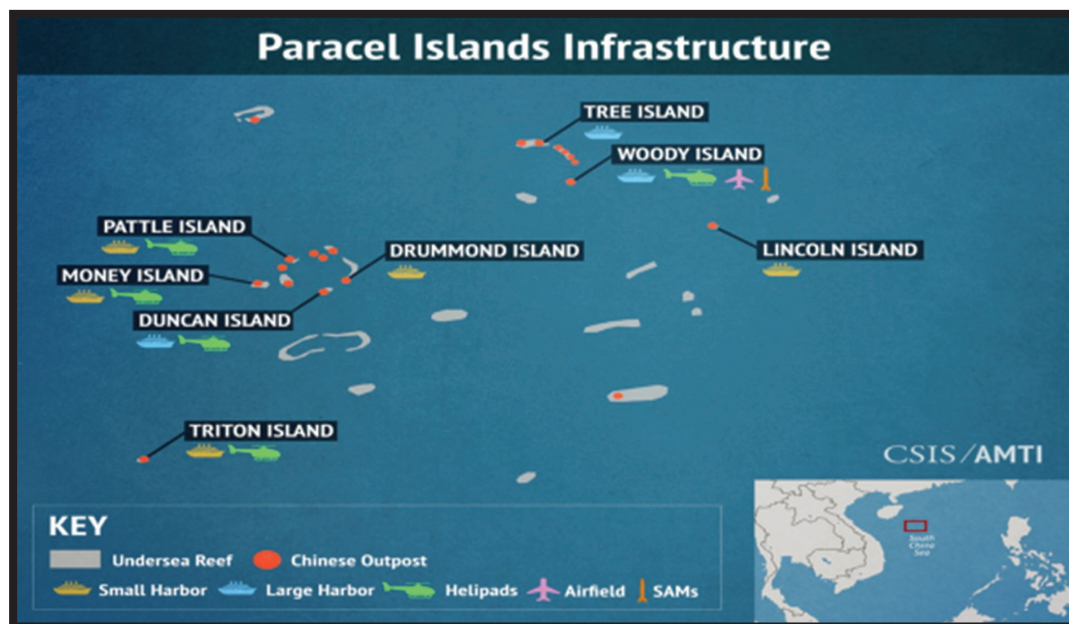
Figure 3 – Reported Build-up of Military Infrastructure on the Paracels by China [18]

to create a positive element for better security management within the regional territory and manifest the peaceful environment that will in dispute should compromise their claims either. But rather than resorting to military means, deliberations on a peaceful win-win situation should be sorted out amicably.

j. **Convening International Laws and Codes of Conducts.** The importance of international agreements concerning the use of the sea cannot be ignored and is needed to balance the competing claims and demands of territorial regimes. These agreements will assist in overcoming the capacity shortfalls, establish a well-balanced cooperative region and realize the full potential of the convention. ASEAN can establish a legal framework in combating maritime crimes and incidences at sea by ratifying and effectively implementing relevant global and regional conventions which among others include:

(1) Declaration on the Conduct of Parties in the SCS (DoC). The first step towards legally-binding China's behaviour and eschewing the use of force in resolving the dispute in SCS, is to speed up the negotiations with China on the framework agreement of the Code of Conduct (CoC) to replace the 15 years old Declaration on the Conduct (DoC) of parties.

(2) United Nations Convention on the Laws of the Sea (UNCLOS III, 1982). UNCLOS provides the overarching legal framework for maritime policy for law and order at sea, and the management of the security, technology and economic environment for all coastal states. For this reason, ASEAN nations must ultimately accept subtlety this law as the basis for drawing boundaries and negating disputes over EEZ (although overlapping). However, while UNCLOS

exhorts ASEAN countries to cooperate, the paradox of obtaining maximum benefit from their rights under UNCLOS should not limit the prospects for maritime defence cooperation and regime-building in the region either.

(3) Code for Unplanned Encounters at Sea (CUES, 2014). Having been adapted successfully by navies of the 26 members of the Western Pacific Naval Symposium (WPNS), CUES must now be expanded to the other ASEAN maritime law enforcement agencies. The adaptation of CUES will improve communications thus enabling each other's actions in close proximity be understood to avoid causing miscalculation and unprecedented issues while being involved in their myriad of activities at sea. Also, when adapted, this code will come in handy when maritime agencies that do not share a common language are called upon to conduct joint operations in conjunction with the already existing SOP's and agreements.

(4) Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA Convention, 1988). ASEAN nations that have not ratified this convention, due to some sensitivity to extra-territorial aspects of it, should do so quickly because this is the only code with its protocols that relates to terrorism and which closes the gap created by the limited definition of piracy. Ratifying this convention will extend coastal state enforcement jurisdiction beyond the territorial limits and in particular circumstances, allow the exercise of such jurisdiction in an adjacent state's territorial sea. Consequently, the non-ratification by some ASEAN members will further hinder the actions for combating and prosecuting individuals who use a ship as a weapon or means of committing a terrorist act. Additionally, the ratification of this convention will improve cooperation, law and order at sea in the region.

k **Structuring Defence Budget.** The coterminous prosperity achieved from maritime trade and economic globalization must be protected otherwise it will impair the nation's sovereignty, territorial moral and legal inheritance, and economic viability [20]. Though, every nation defines economic prosperity as its top priority, nevertheless it differs and makes a huge difference to different countries. When a stronger country puts economic prosperity as its national interest, it does have to go beyond its own border and exploit the economy or markets of weaker countries [21]. Thus, the impact of geopolitics, geo-economics, environment, unconventional threats and capabilities of other states will influence each nation in formulating its national security architecture [22]. Hence, the international character of the events will be the testament to the growing awareness amongst ASEAN countries that cooperative mechanisms for managing tensions and responding to various security issues are needed to justify its defence spending in order to protect its economic interest.

CONCLUSION

There is no doubt that ASEAN has come a long way since its establishment in 1967 and the growth of ASEAN's maritime trade has been both a consequence and a cause of the remarkable economic globalisation. Hence, in as far as economic and security matters are concerned, the needs and interests of ASEAN member states are relatively

similar – prevent wars and promote co-operation.

All nations will benefit from the free flow of world trade; hence freedom of movement on the high seas is essential. Until recently, developments in international law concerning the use of the sea are something that most nations, even those with an active stake in international affairs, cannot safely ignore. Therefore, the national defence policies of ASEAN countries participating in the global economy depend on an open, impartial trading system that predictably provides access to commodities from far-flung locations. Since, ASEAN's maritime policy is concerned with the fundamental drivers of seaborne trade consequently the security of ASEAN's SLOC and supporting infrastructure will also directly affect the global economic security. As such, the neglect of both unconventional threats and territorial posturing in the SCS will make commerce vulnerable and add to the cost of security for ASEAN's economic dynamism.

Astonishing technology advancement places ASEAN in a position to consider radical solutions to what would have been seemed intractable problems within the maritime security environment just a few years ago. No doubt the internet age has brought many conveniences; however, there are still vast, unregulated space where many bad elements are lurking in dark corners to inflict damage and misery. Cybersecurity should be every ASEAN nation's responsibility where a broad cooperative arrangement is needed as no single state has the resources to deal effectively with this threat. While individual governments, through their relevant agencies put in place protective cybersecurity measures and strategies, it still demands a united effort from the whole of ASEAN to counter the cyber menace in order to enjoy the wonderful benefits that the Internet age brings [23]. What is clear, however, is that ASEAN will have to continue to work with all its dialogue partners regardless of where it falls on the priority list of others. Equally, ASEAN need a region-specific approach to curb potential unconventional threats, by developing broad cooperative arrangements to combat the endemic.

Knowingly, US-China ties are on the precipice and as such they need to work closely to resolve transnational problems. However, the space they have given themselves to do so is rapidly closing and therefore, it is essential that ASEAN countries unite and oppose the militarisation of assets in the SCS. If the 10 members regional bloc do not come together to buttress China's claim to ownership of practically the entire SCS, geopolitical play by world powers will determine the fate of ASEAN nations. It is therefore important for ASEAN countries to be united and consistent on the SCS issue. Logically, no ASEAN country can face the world powers alone, but if they come together, China and the US will not take it easy and deny the position and stance of ASEAN.

Conclusively, ASEAN should look at maritime power in its widest sense, avoid contention and seek cooperation to maximise the aggregate ability in order to benefit from making the sea fulfil its economic, security and other goals. No single factor can really explain the military modernization of ASEAN states. Fittingly, the arms build-up among the states involved in the territorial water disputes can only add fuel to the already tense' situation in the SCS region. Lastly, the regional strategic environment is too complex while the regional security relationships are too varied to permit a simple explanation of the communal violence, irregular migration and the SCS dispute. Desolately, these challenges will continue to figure in ASEAN's list.

REFERENCES AND ENDNOTES

[1]   Noor, Elina, At 50, ASEAN Cannot Afford a Mid-life Crisis, New Straits Times 10 January 2017 pg 22- 23, 2017.

[2]   Soloman, Hussien, Challenges to Global Security: Geopolitics and Power in an Age of Transition, I.B. Tauris & Co Ltd, New York & London, 2008.

[3]   Olds, Kris., Dicken, Peter., Kely, Philip F., Kong, Lily & Yeung, Henry Wai-chung, Globalization and   the Asia-Pacific: Contested Territories, Routledge, London (UK) & New York USA), 1999.

[4]   Webb, Graham Gerard Ong, Piracy, Maritime Terrorism and Securing the Malacca Straits, International Institute for Asian Studies, Singapore, 2006.

[5]   Kamarulzaman, Admiral Tan Sri Ahmad, Opening address during the Maritime Warfare Asia Conference and Exhibition 2016, Kuala Lumpur, 2016.

[6]   AFP News, US Commander Warns of More IS Attacks in Asia-Pacific. AFP News 19 January 2017, Available from www.sg.news.yahoo.com (Assessed 19 Jan 17)

[7]   AFP News, China Boosts Defenses on S.China Sea Islets: US Experts, AFP News 15 December 2016   Available from https://sg.news.yahoo.com/china-boosts-defenses-china-sea-islets-us-experts. (Accessed   on 30 Jan 17).

[8]   Mike Nudelman, This Map Shows Why The South China Sea Could Lead To The Next World War, Business Insider 10 July 2014, Available from http://www.businessinsider.com/the-south-china-sea-graphic-2014-7. (Accessed on 30 Jan 17).

[9]   Schell, Orville & Shirk, Susan L, Policy Towards China: Recommendations for a New Administration, Task Force Report by Asia Society Centre US-China Relations, New York (UC San Diego School of Global Policy and Strategy), 2017.

[10]   Murphy, Martin N, Contemporary Piracy and Maritime Terrorism: The Threat to International Security. International Institute of Strategic Studies, (ADELPHI PAPER 388), Arunder House, London, WC2R 3 DX, 2007.

[11]   Kamarulzaman, op. cit.

[12]   Malaysian National Defence Policy, 2010, Available from http://www.globalsecurity.org/military/world/malaysia/policy.htm. (Accessed on 23 Feb 17).

[13]   New Straits Times (NST), Cybersecurity Centre to be Fully Operational by September, says Hisham, NST 18 January 2017, p15.

[14]   Pruitt, Cdr John, The Influence of Sea Power in the 21st Century, 2000, Available from http://web.mit.edu/ssp/publications/working_papers/wp_00-4.pdf (Accessed on 1 March 16).

[15]   Gaffney, H.H, Globalization and U.S. Navy Force, Centre for Strategic Studies, Alexandria, Virginia, 2016, Available from https://www.cna.org/CNA_files/PDF/D0005743.A1.pdf (Accessed on 3 March 16)

[16]   Chang, Peter T.C, Civilizational Fault Lines Could Unravel Grand Vision, New

Straits Times 31 Jan 17, p19.

[17] Schell, Orville & Shirk, Susan L, Policy Towards China: Recommendations for a New Administration,Task Force Report by Asia Society Centre US-China Relations, New York, 2017.

[18] Mike Yeo, China Upgrades Military Infrastructure on South China Sea Islands, Report Claims,Defence News, 9 Feb 2017, Available from https://www.defensenews.com/naval/2017/02/09/china-upgrades-military-infrastructure-on-south-china-sea-islands-report-claims/ (Accessed on 29 May 16).

[19] Kelvin, Capt Fu Wen Hao, Globalization and Its Impact on Military Intelligence., Pointer - Journal of the Singapore Armed Forces Vol 41 No.2 16 Jun 2015, Available from www.mindeg.gov.sg (Accessed on 19 Jun 16).

[20] Pfaller, Alfred & Lerch, Marika, Challenges of Globalization: New Trends in International Politics and Society, Transaction Publishers, New Brunswick (USA) & London (UK), 2005.

[21] Giok, Mej Khoo Koh, Sea Power as a Strategic Domain, Pointer - Journal of the Singapore Armed Forces Vol 14 No 3, 2015, Available from www.mindef.gov.sg/publications/pointer/journals/2015 w (Accessed on 19 Jun 16).

[22] Tan, Dr Andrew, Force Modernisation Trends in Southeast Asia, Institute of Defence and Strategic Studies Singapore January 2004, Available from https://www.rsis.edu.sg/wp-content/uploads/rsis-pubs/WP59.pdf (Accessed on 29 May (16)

[23] Kushairi, Cybersecurity, New Straits Times (NST), 2 Nov 2016, pp14-15.

CHINA'S QUEST FOR ENERGY SECURITY IN THE INDIAN OCEAN REGION: ITS IMPLICATION ON INDIA

Capt Hj Satria Sarawak bin Hj Jais RMN
Royal Malaysian Navy HQ
Email: sarawak2149@yahoo.co.uk

ABSTRACT

This study is to analyze the impact on India and the Indian Ocean Region (IOR) from China's quest for energy strategy that poses a threat to India's geostrategic and maritime interests in the region. Indian Ocean Region (IOR) is a transit route for the transportation of crude oil, gas and trade, and it is estimated that more than 100,000 ships transit through it annually. Majority of the world's present armed conflict, piracy, and political tension between neighboring countries took place in the littoral states. Due to the strategic importance of the IOR, this region has been the focus of constant attention from all actors, and non-IOR states for maritime security reason and their respective national interest concern. The IOR is deeply important to China as a major trading route, and sources of energy to fuel its economy. Thus, this study dwells on its impact on India's interest, and the IOR. This study hypothesizes that, despite China's legitimate freedom of navigation, and increasingly growing dominance in economic, commercial, and diplomatic engagements with IOR littoral states and naval presence in the IOR, India and China's diplomatic and economy relationships remain optimistic. The first objective of this research paper is to analyze China's strategy on naval/military, and economic posture to protect its energy and trade route in the IOR as a threat to India's interests. The second objective is to determine the India's strategy as a regional or global maritime player and security provider toward China's posture in IOR. Strategically, China's presence and interest in the IOR is to safeguard its energy imports, and trade lifeline. This posture has been seen in the forms of military engagements, and active participation in the economic sphere. India on the other hand has shown the desire and ambition for a greater global role in Asia by providing comprehensive strategic engagement in the Indo-Pacific in order to compete with China.

Keywords: *Indian Ocean Region (IOR), Sea-Lane of Communication (SLOC), Security, energy, maritime, threat*

INTRODUCTION

It is estimated that over 59 percent of oil, and 37.3 percent of gas supplies for China are imported from IOR littoral states and African countries [1]. Approximately 85 percent of China's maritime bulk cargo trades are transported through the IOR and its critical chokepoints from the rest of the world. Meanwhile, India imported nearly 80 percent for its energy consumption from the Middle East countries, which passes through the IOR as India does not have any international gas and oil pipeline connected from any oil-producing countries [2]. Both India and China's economies are very much dependent on its energy imports and other trades which are transported through the IOR. Although the IOR is arguably the most important energy and trade route in the world with an estimated 100,000 ships transiting through it annually, the littoral states bear the majority of the

world's present armed conflict, piracy, and political tensions [3]. It is important for the IOR littoral states, and the international community to ensure the freedom of navigation and maritime security of the IOR. This is due to the importance of the Sea-Lane of Communication (SLOC), and its strategic values.

Significantly, there are three different trade systems practiced within the IOR pertaining to the seaborne trade. These include the extra-regional trade transit between the eastern and western region that passes through the IOR. These postures are also in the form of facilitating the natural oil and gas shipments from the Persian Gulf, and providing regional or sub-regional trades to distribute the local goods into the larger trading system either in the Bay of Bengal, the Arabian Sea and the IOR. As a result, the IOR is noted to be one of the busiest waterways in the world for seaborne trade based on the intensity of the trading volume and growth of regional ports.

THE GEOSTRATEGIC IMPORTANCE OF THE IOR

In the past, IOR did not receive much attention and has been considered as a 'neglected ocean'. It was underestimated regarding its geostrategic importance by the westerner, and has seen to be marginalized to the global centers of powers, and conflicts [4]. There were five main reasons for the importance of IOR; firstly, the IOR was comprised of third world countries, thus it has been accorded as a low-level significance in comparison to the other oceans; secondly, the Northern-Western based system was unlikely to support the IOR, and they were hesitant about using the term 'Indian Ocean'; thirdly, this region was a former arena of European colonial competition that presented the westerners economic and political superiority over the littoral states along the rims; fourthly, the literature related to the IOR were dominated by western writers, and the inclination of the IOR's importance and understanding were marginally biased; finally, the geopolitical of many IOR states has tended away from the ocean [5].

The IOR has become the hub of intense global activity over the decades for various reasons. Significant international trade routes go through this region. The IOR is one of the predominant route for the delivery of oil from the Persian Gulf to various international locations. The dependency on oil will continue to increase in the future. With exports on the rise, there could be a clash of interests between the major powers, specifically for the economic interest in the IOR. The IOR is the world's third largest water body, also known as Ratnakara (the mine of gems) in ancient Sanskrit or Hindu Mahasagar in Hindi. The IOR stretches eastward from the Horn of Africa and passes through the Arabian Peninsula, the Iranian plateau, and the India subcontinent. This is extended all the way to the Indonesia archipelago and beyond. The IOR includes strategically important states from the Middle East, Indian Subcontinent, and Southeast Asia. The IOR also contain islands such as Seychelles, Maldives, Mauritius, Andaman, and Nicobar.

The increased use of the IOR as a route way takes on new significance especially in a global environment of increasing energy and one in which non-state security threats have become increasingly prevalent [6]. The IOR now contains the world's most important route way for international maritime cargo-long haul-cargo. Currently, half of the global daily oil production have been moved by tankers on fixed maritime route. More than 60 percent of the world's oil imports came from the Middle East, secure oil shipments through

the region of the IOR important to the prosperity of the world. Security is especially important for oil imports to Japan (80 percent of oil imports come from the Middle East), China (39 percent), Europe (21 percent) and the USA (16 percent). In addition, more than 80 percent of the world's seaborne trade in oil move through the IOR three choke points – Strait of Hormuz (SOH) (40 percent), the Straits of Malacca (SOM) (35 percent) and the Bab El Mandeb Straits (BEMS) (8 percent) [7]. Therefore, India and China have a legitimate interest in the safety of the SLOCs and have special concern for the stability and geopolitical orientation of the countries proximate to the entrance and out to the IOR [8].

THE MARITIME SECURITY ISSUES

The post-Cold War period has witnessed significant maritime developments. The intensification of trade-linked development and the entry into force of the Laws of the Seas in 1994, which led to state interests being increasingly identified with freedom of navigation, and ocean resources, thus making maritime issues a major subset of national security [9]. While the scope of this study is restricted to the IOR, the maximum stakes in vital resources and sea-lanes is also the most risked, especially in terms of asymmetric threats. India is an emerging power in the region. It can assume the responsibility to address these threats through a proactive approach and convergence of interests with regional maritime players.

The discussion on maritime security have frequently pointed to 'threats' that have been prevailing in the maritime inter-state disputes, maritime terrorism, piracy, trafficking of narcotics, people and illicit goods, arms proliferation, illegal fishing, environmental crimes or maritime accidents and disaster. As the seas of peninsular India and the IOR become more important than even before to the security of the country, it is imperative to examine the maritime dimensions of Indian security in a comprehensive manner. India's maritime security provides a holistic assessment of the economic, political, and military aspects of India's maritime security [10]. James (2001) suggests three frameworks of maritime security. The first framework includes marine safety, sea power, blue economy and resilience as the first framework. The second framework is securitization, which allows how maritime threats are made and which divergent political claims entail in order to uncover political interest. The third framework involves practice theory that enables the study of what actors actually do when they claim to enhance maritime security [11].

During the Cold War, the newly independent IOR states of Asia and Africa became subject to the competition between the superpowers of US and Russia. This resulted in the security balance in the region dissipated when the Cold War came to an end in 1990. The post-Cold War era, the IOR becoming less stable, with much rivalry, competition, suspicion and turmoil. Moreover, the maritime security environment in the IOR also underwent a transformation. Because of weak governance structures, and a limited capacity to control maritime domains, all types of illicit activities began to flourish in many parts of the IOR. As a result, the region's maritime security challenges are now considerable and are affected by key variables such as militarization within the region, the involvement of ma jor and extra-regional powers, and non-traditional security threats.

There are many sources of insecurities in many of the countries in the IOR. Those challenges are mostly traditional sources in nature. These challenges include simmering conflicts between Persian Gulf states; terrorism in Pakistan, Sri Lanka, India, and Saudi Arabia; insurgency in Yemen and Iraq; state failure, civil war, and starvation in Somalia; high-volume trafficking of drugs from Afghanistan via Pakistan and Iran; and piracy and armed robbery at sea. Not all of these security concerns have occurred at peak intensity at the same time. Thus, it can be argued that attempts to address the security concerns by the conflicting parties have been made. Even though these risks threaten one of the most critical strategic, and trading spaces in the world, the Persian Gulf remains the global market's most important source of crude oil, while the northern IOR constitutes a key sector of the globe's east-west-east trading belt. For this reason, it is all the more remarkable that these issues have not previously caused a greater holistic security breakdown in the IOR.

The IOR has been a focus of constant attention from all actors, and non-IOR states for maritime security reason and national interest concern. Currently, the USA maritime interest in the IOR is in the form of preserving a minimum level of maritime security, keeping the SLOCs open, and maintaining sea control in support of the USA's interest ashore. About 15 percent of the USA's oil import are coming from the Middle East, while Japan and Korea who are USA's strong allies are importing about 60 and 42 million tons of oil respectively from the same sources. As a superpower with global interest in security and stability, the USA's Naval Force has for years provided a common good to the international community by championing the freedom of navigation on the high sea and in the congested chokepoints including the IOR. The USA has vital national interests in the Persian Gulf, and in South Asia, which require continuous communication by sea with its forces engaged ashore especially in combating terrorism in the Islamic State for Iraq and Syria (ISIS). Sustaining this effort requires free movement through the choke points at either end of the IOR and the uninterrupted transit across it. The IOR therefore has become a great importance to the USA, because sea control of such vital connection route would be beneficial to the US Navy.

The biggest threat to the free flow of trade and energy through the IOR are piracy, terrorism, or a combination of both. Though the incidents of piracy, robbery and maritime terrorism in the IOR waters have been controlled to a large extent on account of the anti-piracy measures initiated by United Nation's resolution and active participation from international forces, the prospect of a rise in such incidents still exist. The menace of piracy off the Gulf of Aden has a direct impact on the seaborne trade and energy supplies shipments from and to the IOR.

There is a logical explanation for the IOR as an ideal location for piracy. Open waters, impenetrable coastlines, large distances, crowded sea-lanes, and most importantly, failed states, have all created the perfect environment for piracy. As the region has attracted more capital and tourists, pirates have simply followed the value of money that is transacted in the region. Somalia, with a long and ungoverned coastline, the lack of economic opportunity for its populace and defunct governance structures has become an ideal breeding ground for pirates.

Arguably, some of these long-standing security issues such as the pressures of insurgent conflict, terrorism, political insecurity, illicit trafficking of all kinds, and piracy and vessel hijacking could not be addressed effectively by the international and regional community in a sustained fashion. Leaders, especially from countries with strategic interest on the IOR, have to confront with the logic of adopting an effective conflict management approach to the above challenges. However, successful management of a security challenge of this magnitude, complexity, and interconnectedness requires policy coherence, close cooperation, the longevity of participation, and considerable resources. Amidst the existential pressures of geopolitical fragility of the IOR, internal political upheaval of some regional countries, and inter-state tensions particularly between India and Pakistan, there is a growing danger that the specific threats from terrorism, trafficking, and piracy will not get the resources and policy attention they required, and could therefore increase further in the near term and beyond.

ENERGY SECURITIES AND INSECURITY

Since many IOR states possess significant energy resources, the IOR becomes the world's most important energy highway and energy security is among the greatest regional and global security challenges. Energy security can be conceptualized within a broad systems framework as a set of interactions among four principal components; namely the dynamics of energy demand and supply relations, the nature of energy flows, the environmental outcomes of maximizing energy security, and the various state's policy responses designed to enhance energy security. Almost half of the world's energy-niche economies are located in the IOR, such as Saudi Arabia, Kuwait, UAE, Qatar, Iran, Iraq and Indonesia. Clearly, energy-niche economies also possess a keen interest in the stability and security of energy supply routes.

The International Energy Agency (IEA) defined energy security as the uninterrupted availability of energy source at an affordable price. In due course, short term of energy security focuses on the ability of the energy system to react promptly to sudden changes in the supply-demand balance while the long-term mainly deals with timely investment to supply energy in line with economic developments and environmental needs [13]. At the nexus of energy and national security, the challenges faced are to construct sustainable, viable, and effective strategies [14]. Therefore, securing the supply chains of energy security means to protect the entire chain through which supply move from initial production down to the final consumer [15].

When the world community regards the energy security as paramount and affect the country political and economic stability, it indicates that the energy has its own threats that has to be dispelled in order to secure it for the benefit of others. Threats to energy security include the political instability of several energy producing countries, the manipulation of energy supplies, the competition over energy sources, attacks supply infrastructure, accidents and natural disasters, terrorism, and reliance on foreign countries for oil [16].

The strategic perceptions of the policy makers of the oil producing countries is becoming increasingly oriented towards energy security, especially in the developing world. This is exemplified by the intense competition among the USA, India and China for access to oil in the Middle East, Central Asia and Africa. The process of competition for

scarce energy resources is invariably accompanied by new or increased in arms supplies either from China to unstable Africa countries and Pakistan or the USA to Saudi Arabia and various Middle East countries. From this perspective, energy security, provided military aids and human security are invariably related to globalization.

PROTECTION OF TRADE AND ENERGY SUPPLIES IN THE IOR

China's strategic interest in IOR is purely to safeguard its seaborne trade, energy shipment, and investment. Due to the insecurity and the vulnerability of seaborne shipments, China has to ensure the safety and security of its imports and export of trading across the IOR sea-lane and chokepoints are safe. Any disruption and possibility of threats such as sea dominance and blockages by other powers in the region must be addressed accordingly with options available to protect China's interest. This will either be through the use of soft or hard power. China has legitimate interests in the IOR due to its huge seaborne transactions of its international trade. With the high volume of trading that passes through the IOR and chokepoints, China's shipment could face hostile actions from a state or non-state actor, which in turn would potentially impede imports and paralyze China's economy. Thus, the security of waterways stretching from China's coastline to the IOR will be strategically important to China's interest and nation's survival.

China's interest and commitment in the IOR are based on two pertinent reasons; economic gains and the security of the SLOCs. China had developed diplomatic ties through commercial interactions with a few IOR littoral states with regards to energy supply and trade import. Companies from China have invested more than USD40 billion capitals worth of investments in Pakistan, Sri Lanka, Myanmar, Bangladesh, and Seychelles in construction projects. This would include port facilities, energy storage, oil and gas refinery, and oil and gas pipeline. This investment illustrated China's long-term planning to find an alternative on China's energy import route passing through three vulnerable chokepoints which are the BEMS, SOH, and SOM. In 2008 and 2009, during the peak of piracy incidents at BEMS, China's People's Liberation Army (PLA) Navy had participated in international military efforts in combating piracy off the coast of Somalia waters.

China believes that the economy leverage is an imperative key to enhance and modernize its military power capabilities, as well as to become a regional power in the IOR. The Neo-Liberalism theory emphasizes that the economic strength of the state would be a tenet for the enhancement of military capabilities. Since China's economy development has been increasing gradually, China's military expansion and modernization are reflected through the defense budget, which has been increasing in double digits rate in every consecutive year for the past two decades. China's defense spending continues to grow at 10.1 percent from USD145.8 billion in 2015, to USD215 billion. The increment shows Beijing's intention and their commitment to protect and safeguard China's maritime rights and territorial sovereignty in the SCS and adjacent seas.

China has foreseen India's Maritime Security Strategy produced in 2015 of having the intentions to defend its coastal area and play a more active role as the security provider over its maritime economic zones and waters adjacent to its neighbours. China regarded India to have advantages over the IOR in terms of geostrategic and geopolitical factors.

India could become a peer competitor of China over the long term. Apart from India, the US's Navy prowess and dominance of the highs sea over the IOR, especially on the chokepoints, could hold China's sea-dependent economy and energy shipment route during a time of crisis. China's response to its seaborne trade and energy import vulnerabilities due to India and USA's presence in the IOR was done through the formulation of a sophisticated, and long-term strategy, which as aimed to secure its maritime positions. In view of this, China's pursuance of a diplomacy and soft power approach in the IOR region can be seen by their support to the other littoral states leadership's objective in building up state's economic and commercial initiatives.

In essence, China's military and economic postures are not a threat to India's geostrategic and maritime interest in the IOR. The peaceful rises of China in the global economy and extensive investments are based on economic purposes; it is all about national interest and survivability of its economy. It is clearly based on the factors and arguments described above.

The development of China's economy so far has shown the importance of China's peaceful rise in economic expansion and stability to its people. China's leadership has successfully drawn up a far-sighted plan for its economic strategy in the long term. The consistency of energy supply and secure shipment is a key factor to fuel up its economic growth. Similarly, the safety and security of seaborne and waterways on its export and import trades are crucial towards China's success in future. The SLOCs must be free from all threats that could affect China's economy and interests. China would in its capacity react militarily if the safety and security over the IOR are compromised, as what had happened in 2008 and 2009. China and its people need to determine and ensure that every level of economic threats the means of safe and secure transportation are taken into detailed consideration. China's military modernization, especially on PLA Navy, would not be able to maintain its operational presence without having their own strategic forward bases in IOR. China's military presence in the IOR could promote the security of maritime commercial transportation that would also serve and share India's interest as well.

INDIA A MARITIME SECURITY PROVIDER IN THE IOR

A document on India's maritime strategy titled 'Ensuring Secure Seas: Indian Maritime Security Strategy' [17], determined two key aspects. Firstly, the rise in sources, types, and intensity of threats requires a seamless and holistic approach towards maritime security. Secondly, in order to provide 'freedom to use the sea' for India's national interests, it is necessary to ensure that the seas remain secure. The strategy brought out the various ways in which the Indian Navy could serve as a catalyst for peace, security, and stability in the IOR. The maritime strategic imperatives cover India's relation with the sea that also has a security connotation. These maritime strategic include India's unique maritime geography with a central location, and reaches across the IOR, which is also the hub of global trade and commerce. Raja Mohan (2006) [18] explained that India is on the verge of becoming a great power, and turning to be the swing state in the international system. As a commendable, multiethnic, economically stable, non-Western democracy, it has the potential to play a key role in the years to come.

India has perceived China's rise to be with dual purposes. There has been an indication of the potential of China's hegemony in economic, and military, throughout the Indo-Pacific region. India has perceived that China's economic power will become the world's economic power that would also require investment in sophisticated military development. China's attitude towards the neighborhood in SCS has become increasingly assertive in recent years, which has enhanced India's anxiety. In response, India has established a credible naval presence in the Andaman Sea adjacent to the Straits of Malacca, and they are partnering with USA, Singapore, Indonesia, and Australia to balance China's influence in the region. This form of partnership is done through the conduct of bilateral military exercises on yearly basis. In relations to this, the Chinese's involvement and increasing support of infrastructure projects in various IOR littoral states is regarded by most of the Indian scholars as String of Pearls that would encircle and undermine India as a maritime dominance and security provider in IOR. Simultaneously, a recent China's move to modernize its military capability especially to transform China's PLA Navy into a blue water navy could reach and be operational in India Ocean. This has increased India's security dilemma towards China.

Even though India has shown the desire for a greater role and engagement in Indo-Pacific including as a security provider in the IOR, India's motivation for these engagements in the region exists independently of its relationship with China. India has in the past been cautious to avoid the perception that it is attempting to rebalance China's influence. In March 2015, India Prime Minister, Mr. Modi had visited three IOR littoral states namely Mauritius, Seychelles and Sri Lanka to initiate several development projects with India [19]. This effort would be to counter China's influence in these islands. Modi's visit was basically to consolidate India's position. Indian Navy has continuously conducted a routine maritime patrolling on the island state's water as to portray India is playing the role as a maritime security provider.

To facilitate this ambition, India's defence budget in 2015 was increased by 11 percent with an approval to build six new nuclear submarines and seven new frigates. India perceives its military expansion not as competing with China, but to seek sufficiency and capabilities in executing its role and utilizing India's geography in the most innovative and effective manner to counter any potential military incursion in the IOR. Therefore, while monitoring China capabilities carefully, India has to invest with the other IOR states and this would allow India to engage with China in the most effective manner. The island states in the IOR become important because it can provide support and sustain potential operations for any regional power. India is aware of the importance of the IOR to China's trade and oil route, especially the Chinese merchant ships that passes through the IOR and the other two chokepoints. What worries India is when China's nuclear submarines and other warships begin to appear in India neighborhoods, and starts anchoring in the island states, and the IOR. It is important to India that they do not have to deal with the presence of China's military engagement in any of the IOR islands states. China's bilateral ties with Bangladesh, Sri Lanka, and Pakistan have given opportunity to extend China's military logistic supports.

CHINA'S ENERGY SECURITY POLICY

China's Energy Security Policy has outlined a comprehensive strategy to secure its energy import especially on their imported oil and gas resources in order to continue the economy sustainability and to meet their requirement for domestic and international trade. It started from 1993, where China became a net importer of oil and gas which required them to source the supply from oversea. In addition to that, China's accession to World Trade Organization (WTO) has further increased the domestic business competition and force them to expand their business worldwide. To meet the extensive requirement on energy supply, in the year 2000 China's energy security policy adopted the slogan of 'Go Global' which encourages local companies and firms to seek new sources of energy overseas.

Due to the high volume and huge consumption of energy to meet industries and domestic market's need, China's energy policy had turned to 'Go Abroad and Buy' slogan in 2008. The rapidly increasing energy demand, especially for petroleum and other liquid has made China an influential figure in world energy markets. This is reflected by the need for Chinese companies to develop technical expertise for their challenging resources issues, and their attempt to capture the oil and gas upstream market. Chinese companies are participating in upstream activities in 42 countries, and half of the overseas oil production stems from the Middle East and Africa. China's National Oil Companies (NOCs) had invested an estimated USD73 in overseas oil and gas assets projects between 2011 and 2013. These projects range from oil refineries, new oil explorations, and the formation of strategic commercial partnerships with existing and potential oil producing countries such Angola, Brazil, and few other Central Asia countries. In addition to that, a few of China's NOC have also invested purchased several large oil fields in Iraq, Latin America, and Africa.

Apart from securing its energy supplies outside China's mainland, the policy has also outlined several new strategies to reduce import on fossil fuel by using natural resource endowment. This strategy has increased the utilization of renewable energy to 10 percent of its total national energy consumption. The sources of natural renewable energy are hydropower, nuclear, wind and natural gas and coal that could alleviate on oil dependence or oil conflict in the future. China's energy policy also encourages the NOCs to conduct on oil and gas exploration research in the Artic Sea, to explore the abundant of natural resources which are estimated to be around 13 percent of oil and 30 percent of natural liquid gas. In another strategic option, Chinese's companies have provided loans to the country that need capital to extract oil reserves and building up energy infrastructure in the exchange for constant oil and gas supply and at established prices. For example, Chinese's NOCs has secured bilateral oil-for-loan deals with several countries such as Sudan, Bangladesh, and Kazakhstan with the investment value amounting to almost USD 150 billion.

To lessen China's dependency on energy imports via sea routes and avoid any interruption on energy shipment in future, China has funded various pipeline projects for its oil and gas supply to China's mainland. China has actively sought cooperation from neighboring countries to improve its integration plan on energy pipeline network. In view of this, China has completed the building of the 1,200-kilometer length of oil and natural

gas pipeline project from Myanmar Port Kyauphu in the Bay of Bengal up to Kunming City in Yunnan Province. The pipeline has the capacity to supply 12 million tonnes of crude oil per year to Southern China. This pipeline project has diversified China's crude oil and gas imports coming from the Middle East and Africa continent to circumvent SOM as most vulnerable seaborne traffic, which China always regarded it as the Malacca Dilemma. Another new oil and natural gas pipeline project estimated about 3,600-kilometers long is currently being built under the purview of China – Pakistan Economic Corridor. The project was launched in 2015 starting from Gwadar Port in Pakistan that connect oil supply from the Gulf Sea to the western China's territory. Similarly, this project is linked and will go along with China's mega project OBOR that connects Central Asia states to the mainland in western China.

In addition to their plans to ensure sustainable practices for energy sources, China wishes to diversify both transport options and their potential producers. Although the idea of energy independence is no longer realistic for China given their population's growth rate, and increasing energy consumption per capita, China are keen to sustain a supply chain which would not be affected heavily by external factors. Currently, the growth of energy domestic consumption is at 48 percent, and China targets their domestic nuclear power generation to be increased by 12 percent per annum starting from 2014 to 2035 [20].

The pressing and continuously growing demand for these significant hydrocarbons leaves the economic perspective that the Chinese government's interest to secure a constant supply of oil and gas. Impacting on China's energy security policy measures, uninterrupted, and constant economic development is in political terms the fundamental pillar of China's claim for domestic political stability, national security and implicitly for the survival of China's government. Its legitimacy and political fate are closely linked to the continuous economy expansion, and reduction of poverty, which is essentially geared to the uninterrupted access to crucial energy resources, which will fuel the growth of China's industrial and domestic sectors [21].

DISCUSSION

Based on the above puzzling situation especially on the China's intention, this study has analyzed on China's military and economic posture as a potential threat to India's geostrategic. Thus, India's current maritime strategy readily available to match any aggression posture given by China.

China's Peaceful Rise and Its Presence In IOR

The emergence of China as one of the biggest world economy powerhouse in the 21st century is inevitable. China's strategic interest in IOR is purely to safeguard its seaborne trade, energy shipment, and investment. China's responses to its seaborne trade and energy import vulnerabilities due to India and USA in the IOR by formulating a sophisticated and long-term strategy aiming at securing its maritime positions. The development of China 's economy so far has shown the importance of China's peaceful rise in economic expansion and stability to its people. China is pursuing a diplomacy and soft power approach in the IOR region by supporting other littoral states' leadership objective in building up state's

economic and commercial initiative. Meanwhile, the presence of China's military posture in 2008 and 2009 by participating in international military efforts in combating piracy off the coast of Somalia waters is seen as aligning to United Nation Council Resolution that welcome all member states to deploy maritime forces for anti-piracy escort mission in the associate waters of IOR.

The consistency of energy supplies and secured shipments are key factors to fuel up China's economy growth. Similarly, the safety and security of seaborne and waterways on its exports and imports trade are crucial to China's success in the future. The SLOCs must be free from all threats that can affect China's interest. China would be in its capacity to react militarily if the safety and security over the IOR are compromised and detrimentally affect China's seaborne trade and energy shipment.

Political Leaderships

To strengthen both countries in diplomatic and economies ties, India and China leaderships, as well as their senior officials, must continue to meet regularly in various forms of bilateral meetings, regional forums, and business forums. These series of exchange visits could perhaps make these two countries better in communication for the management of any transgression and divergences which could arise. Until this day, the political mode between India and China has been aspiring and closer, promoted by their mutual interests.

Energy Policy

China's Energy Security Policy has outlined a comprehensive strategy to secure its energy import especially on oil and gas from abroad in order to sustain the economy, and to meet their targets for domestic and international trade. To lessen China's dependency on energy imports via sea routes, and to avoid any interruption on energy shipments in the future, China has funded various pipeline projects for its oil and gas supply directly to China's mainland. China has actively sought cooperation from neighboring countries to improve its integration plan on energy pipeline network. This has illustrated China long-term planning to find an alternative on China's energy import route passing through three vulnerable chokepoints that are BEMS, SOH, and SOM.

India as the IOR Maritime Security Provider

India's maritime security strategic imperatives have been outlined in the "2015: Ensuring Secure Seas: Indian Maritime Security Strategy", whereby it was emphasized that the Indian Navy would serve as the catalyst for peace, security, and stability in the IOR. This required India to balance the influence of other powers and prevents them from undercutting its interests. Subsequently bringing them to emerge as one of the great powers, and a key player in international peace and security in the IOR area. These key determinants will shape the maritime security strategy that covers the broader maritime strategic imperatives, specifically on maritime security drivers, the important influences in shaping the overall strategy, and also to govern the determination of India's areas of maritime interest.

Even though India has shown the desire for a greater role and engagement in Indo-Pacific, including to be a security provider in the IOR, India's motivation to engage in the region exists independently of its relationship with China. In the past, India has been careful to avoid the perception that it is attempting to contain China. India's defense budget in 2015 had increased by 11 percent, which saw them approving 6 new nuclear submarines, and 7 new frigates. India perceived its military expansion not to compete with China, but it is only to seek a sufficiency to be capable of executing its prospective role. This is also through the utilization of India's geography in the most innovative and effective manner, to counter any forms of military incursion in the IOR. These plans were made with India being fully aware on the importance of IOR to China's trade and oil route, especially on the practices of Chinese merchant ships that passes through IOR and the other two chokepoints.

India and China Strategic Partnership and Cooperation

Despite clashes of interests between India and China, the study found that various mechanisms have been put in place to ensure that the maritime competitions, inadvertently or otherwise, are resolved and do not increase any form of tension. India and China have tried to mitigate tensions by proposing more co-operation and diplomatic Confidence Building Measures (CBMs)

The cooperation of both India and China currently are translated into a high level of commitment and active participation in a regional association such as an association of five major emerging national economies (BRICS), bloc of four large newly industrialized countries (BASIC), G20, East Asia Economic Caucus (EAEC) and ASEAN. India and China have pursued effective cooperation in the areas like combating the financial crisis and climate change, assisting in multi-polarizing, democratizing international communications as well as protecting the rights of developing countries.

Therefore, the focus has been on increased economic and trade cooperation. India and China have also increasingly begun to see each other and their relationships as crucial factors in their foreign relations. Both India and China have shown the tremendous collective capacity to address their bilateral issues, though, in the given context, the number of issues might have multiplied over the years. Both the countries are now engaging each other in a practical mode of interdependence in a globalized world.

Over the years, China has become India's primary trading partner and the volume of trade between both countries annually grows at a breakneck speed. India and China have set a goal to increase trade of its current value from USD80 billion to USD100 billion in 2016. Chinese businesses play an important role in improving Indian infrastructure and hold a stable position on the Indian market in sectors like electricity, communications, and metallurgy.

CONCLUSION

India and China today represent the world's two largest and fastest-growing economies. China and India will be competitors and collaborators in the future. This change is due to the nature of both states recognizing their own stability and prosperity are dependent on

the success of each other. They understand the relevance for them to engage with each other judiciously and with sensitivity across the spectrum of each other's national interests. The socio-political stability and economic prosperity of each of them are dependent upon those of the other; they will calibrate their policies accordingly. The most potent and immediate threats to them are the strategic challenges facing international society; they both stand to play an increasingly crucial role in combating them. Their success and the good health of international society go together.

REFERENCES AND ENDNOTES

[1]   Niclas, D. W., Sino-India Power Preponderance in Maritime Asia: A (re) Source of Conflict in the India Ocean and South China Sea, Global Change, Peace and Security, 2013.

[2]   Albert, E., Competition in the India Ocean, Council on Foreign Relations, 2016, Available on http://www.cfr.org/regional-security/competition-indian-ocean/ p37201, (Accessed on 10 March 2016)

[3]   Niclas, D. W., Sino-India Power Preponderance in Maritime Asia: A (re) Source of Conflict in the India Ocean and South China Sea. Global Change, Peace and Security, pg 12, 2013.

[4]   Rumley,D., Chaturvedi, S., Geopolitical Orientation, Regionalism and Security in the Indian Ocean. New Delhi, South Asian Publisher, 2004.

[5]   Rumley,D., et al., The Indian Ocean Region: Security, Stability and Sustainability in the 21th Century Australia India Institute Task Force On Indian Ocean Security, March 2013.

[6]   ibid.

[7]   Rumley, D., Chaturvedi, S., Energy Security and the Indian Ocean Region. New Delhi South Asian Publishers, 2005.

[8]   ibid.

[9]   Khurana, G. S., Maritime Security in the Indian Ocean: Convergence Plus Cooperation Equals Resonance. 28(3), pp411–426, 2004

[10]   James, A. B., India's Maritime Security. Pacific Affairs, 2001.

[11]   ibid.

[12]   International Chamber Of Commerce (ICC) International Maritime Bureau, Piracy and Armed Robbery Against Ships, Available on http://www.hellenicshippingnews. com/wp-content/uploads/2016/04/2016-Q1-IMB-Piracy-Report-ABRIDGED.pdf (Accessed on 23 March 2016)

[13]   International Energy Agency, Energy Security, 2009, Available on http://www.iea. org/topics/energysecurity/. (Accessed on 12 April 2016).

[14]   Phillip E. C., Energy Security as National Security: Defining Problems Ahead of Solutions, Journal of Energy, February 2009, Available at http://www.ensec. org/index.php?option=com_content&view   =article&id=183:energy-security-as-national-security-defining-problems-ahead-of-solutions1&catid=92:issuecontent

&Itemid=341-title= (Accessed on 12 April 2016).

[15] Daniel,Y, The Quest: Energy Security and the Remaking of the Modern World. Penguin Group, p28, 2011.

[16] Michael, W., Power Plays: Energy and Australia's Security. Australia Strategic Policy Institute, p15, 2007.

[17] india Ministry of Defence, Ensuring Secure Seas: Indian Maritime Security Strategy, Revised Version, Integrated Headquarters, Ministry of Defence (Navy), 2015.

[18] Raja Mohan, C., India and the Balance of Power. Foreign Affairs July/August 2006, pp 17-32. (August), 2006.

[19] Chatterji, SK, Narendra Modi's Active Indian Ocean Diplomacy, The Diplomat, Available   at   https://thediplomat.com/2015/03/narendra-modis-active-indian-ocean-diplomacy/ (Accessed on 23 March 2015)

[20] ibid.

[21] David, Z., Jianhua, B., China's Global Hunt for Energy. Foreign Affair 84, No 5, 2005.

EXTERNAL CONFLICTS AND MALAYSIA'S NATIONAL SECURITY: THE CASE OF DAESH

Ahmad El-Muhammady
Centre for Foundation Studies,
International Islamic University Malaysia
Email: elmuhammady@gmail.com

ABSTRACT

This paper attempts to explore the implications of conflicts emanated from the international, regional and the local settings to Malaysia's national security. The paper argues that the threats to Malaysia's security is not a new phenomenon. Threats to Malaysia's security has been a constant variable manifesting in various forms and degree of intensity since 1940s until today. However, the intensity of conflicts taking place in the Middle East and the threats of Islamic State (IS) group or Daesh compounded with the existence of several "hotspots" of conflicts is bound to make security environments in Southeast Asia more exposed and vulnerable to terrorism threats. In turn, it is bound to affect Malaysia's national security. The situation is increasingly alarming in Malaysia, as the national police, the Royal Malaysia Police (RMP) has detained more than 300 suspects since 2013, including government servant, security personnel and the youth of below forty years old. The region also witnesses the emergence of new threats landscape (NTL) posed by IS. It is characterized by the change in the nature of threats from state to non-state actor, single to multiple threats, group to lone wolf, social media to smartphone, social media as the mass recruiter, and etc. Given the nature of the threats, the paper argues Malaysia needs to take proactive measures to prevent terrorism threats from growing inside. Five recommendations are put forward to mitigate the threats namely, allocation of significant investment in military and security expenditure, crafting National Counterterrorism Strategy, creating Cyber Force unit attached to Ministry of Defence, countering extremist ideology initiatives and being more active as facilitator or mediator in regional conflicts.

Keywords: *Islamic State (IS), Daesh, triangle of conflicts, national security, non-state actors, new threats landscape (NTL), counter-terrorism strategy, cyber force, National Counterterrorism Strategy.*

INTRODUCTION

From geographical point of view, the Syrian civil war between the regime and the local insurgents is not a regional or local event. It is taking place outside the sphere of Southeast Asia, far off from the epicentre of conflict. Yet, it is intriguing to observe that many young people from all over the world are streaming into the war zone [1]. Jean-Paul Laborde, who leads the United Nations Counter-Terrorism Committee reported that there are approximately 30,000 foreign fighters in Syria and Iraq, mainly from neighboring states and European Union countries [2]. These also include people who are coming from this region. According to an estimate, there are approximately 1000 people from Southeast Asia, namely from Indonesia, Malaysia and Philippines. On the domestic front, Malaysian police have arrested more than 200 individuals suspected to have links to militant activities in Syria and Iraq [3]. Some of them were charged in court and sentenced

under various laws. In January 2016, Indonesian police reported that 2 people killed and 20 wounded in a daring attack staged by pro-IS group led by Bahrun Naim [4]. Few months after that, Movida nightclub in Puchong, Selangor was firebombed, and it has injured eight patrons. Both attacks have the link to Katibah Nusantara, based in Syria [5]. The central question that the paper attempts to explore is why and how this external conflict is capable of affecting people on other region and states; and how the external conflict in Syria and Iraq and the phenomenon of Daesh affect the existing conflicts or "hotspots" in the region, for example in Southern Thailand, and Southern Philippines.

Based on the foregoing scenario, clearly that the so-called local conflict has now became a global issue. What is going on at the global level become a local issue and vice versa. In the Syrian context, the interference of major powers and regional actors makes the conflict more complicated, primarily because of the presence of multiple actors with conflicting interests and numerous groups fighting for their own cause and by proxy on the grounds [6]. Undoubtedly, the state of global affairs has become more complex and very challenging to be managed. Perhaps, the observation made by General Martin Dempsey, former Chairman of Joint Chiefs of Staff under President Barack Obama administration, captured the reality on the global geopolitics. He said:

It's been the most dangerous period in my lifetime. In my 41 years of military experience, we often had the opportunity to focus on one security threat or another. First it was all about the Soviet Union, then it was peacekeeping, then it was terrorism. Now, we've got lots of things cropping up at the same time. We have multiple challenges competing for finite resources – and grotesque uncertainty with regard to the military budget… I would suggest that left unattended, they could become much bigger threats than we appreciate today. State actor like Russia and China are challenging our interests in Europe and in the Pacific. Neither is a peer competitor yet, but there are parts of their enterprises where they are approaching the status of peer competitors. And then you have non-state actors like the Islamic State (or ISIS). We are not in a position where we can ignore any of these issues [7].

General Dempsey's statement is clear, the world is facing more complex, dangerous and challenging issues as compared with geopolitical conditions during the Cold War period and afterwards. In that interview as well, he highlighted the threat of non-state actor particularly the threat of Daesh, obviously due to the magnitude of the threats and its implication to the world stability and security. In the subsequent discussion, the author is not going to use the term "Islamic state" because, there is nothing Islamic about what Daesh did. Daesh is manifestly a terrorist organization that hijacks Islam to achieve their political objectives while self-proclaimed that they are operating based on Islamic values and representing the Muslim ummah, whereas in actuality, their ideology and action stand in stark contradiction with Islamic values [8]. But their creativity in manipulating religious texts and the opinions of Muslim jurist as legitimizing tool and intellectual backing have deceived thousands of Muslims from 86 countries and has caused considerable damage to the image of Islam and Muslim ummah worldwide [9]

THREATS TO MALAYSIA'S NATIONAL SECURITY SINCE 1940s: AN OVERVIEW

Historical evidences show that the threats to Malaysia's national security is not a new phenomenon. Since 1940s, Malaya (later adopted the name Malaysia on 16 September 1963) has been facing the security threats of various forms and degree of intensity, ranging from insurgency to social and political extremism, religious deviance to terrorism [10]. One of the gravest threats that Malaysia had faced was obviously the threat of communist insurgency. Malaysia fought two phases of insurgencies, which is also known as Malayan Emergency. The first phase of Malayan Emergency was in 1948 until 1960 [7]. The effectiveness of the armed forces led by the British has successfully defeated the communist insurgents. However, after several years of regrouping, reindoctrination and streamlining among different communist factions on the Malaysian-Thailand borders, Chin Peng started another round of fights which led to the declaration of Second Malayan Emergency from 1960 until 1989. British's creative approach which combined hard approach, i.e. the use of kinetic force and soft approach in "winning hearts and minds" of the communist followers has undoubtedly led to ultimate victory for the Malaysian people and total defeat of the communist insurgent [11].

Despite Malaysia's success in tackling the communist threats, a new form of threat emerged on the horizon. Between 1967 until 2015, the Special Branch division of the Royal Malaysia Police (RMP) has identified at least 22 homegrown militant groups of various ideological orientations and motivations (TABLE 1.1), in addition to 12 regional-based groups and 6 internationally linked militant organizations operating in Malaysian soils [12].

The emergence of the above-mentioned groups is due to multivariate factors, namely external, internal, ideological, groups, and individual factors. The Afghanistan War (1979-1989) for example has attracted some Malaysians to join the fight. After the war is over, most of them returned home and created local-based militant groups such as Kumpulan Mujahiddin Malaysia (KMM). Some of them joined Jama'ah Islamiyyah (JI), a group established by Abu Bakar Ba'asyir and Abdullah Sungkar. Their perception towards ruling government as un-Islamic government for instance is one of the internally generated factors that gave rise to the emergence of militancy, besides the role of certain religious orientation such as salafi-jihadism, the existence of dedicated groups and tendency of certain individuals attempting to seek for salvation through self-sacrifice and the so-called jihad. But, they ended up joining militancy [13].

Created	Group
1967	Tentera Sabilullah
1968	Gerakan al-Arqam
1971	Golongan Rohaniah
1974	Koperasi Angkatan Revolusi Islam Malaysia
1977	Crypto
1980	Kumpulan Mohd Nasir Islam
1985	Revolusi Islam Ibrahim Libya
1987	Kumpulan Jundullah
1988	Kumpulan Mujahidin Kedah (KMK)
	Perjuangan Islam Perak (PIP)
1993	Jama'ah Islamiyyah (JI)
2000	Kumpulan al-Maunah
2001	Kumpulan Mujahidin Malaysia (KMM)
2005	Darul Islam (DI)
	Tanzim al-Qaeda Bahagian Asia Tenggara
2013	Tanzim al-Qaeda Malaysia
2014	Briged Khalid al-Walid
	Darul Islam Malizia (DIM)
	Briged Daulah Islamiah
	Arakan Daulah Islamiah
2015	Fisabilillah
	Daulah Islamiah Malaysia

Table 1.1. Shows the local extremist groups identified by the Malaysian police from 1967 until 2015
(Source: Ahmad El-Muhammady, Countering the Threats of Daesh: Malaysian Experience, 2016).

Even though Malaysian police has successfully dismantled the organization of militant groups by detaining their leaders and members under the Internal Security Act 1960, unfortunately, eradicating their ideology is hard to be accomplished. One JI member bluntly told the author "you can destroy our organization, but you can't kill our ideology" [14]. Now, it is proven that despite having successfully dismantled the militant groups operating in Malaysia such as KMM, JI and DI, they would resurface again under different names with similar ideological orientation. The group in question is the pro-IS groups in Malaysia that surfaced after the outbreak of Syrian civil war in 2011. Thus, since February 2013 Malaysian police have arrested more than 300 individuals suspected having links to Daesh groups in Syria and Iraq as well as al-Qaeda affiliate group such as Jabhah al-Nusra, a local group that later changed its name to Jabhah Fatah al-Sham. This number excludes those who are already in the conflict zones, which according to the official statistics up to 47 individuals [15].

THE SYRIAN CIVIL WAR AND THE THREAT OF ISLAMIC STATE (IS) GROUP

The Syrian civil war and the emergence of Daesh had attracted significant number of people to converge in Syria. According to Soufan Group, it is estimated that there are 27,000-30,000 people travelled to Syria since the conflict started [19]. Six thousands of them came from Europe including one thousand more from the Southeast Asia. We have never seen such an impact in which a conflict can attract thousands of people within short period of time. During Afghanistan War, there were 5,000-20,000 foreign fighters in Afghanistan between 1978 until 1992, meaning within 14-years period [20]. But in Syrian case, there are approximately 25,000-30,000 foreign fighters came in Syria within three to four-years period. Majority of them are young people, who did not have good grounding in religious knowledge, and active social media users.

Globalization and social media become an important catalyst for an upsurge of interest in the conflict. What is happening in Syrian villages and theatre of operation in Syria can be viewed worldwide by the millions in the real time. It is a phenomenon that we can call as "globalization of the local, and localization of the global." The ideas and images are travelling fast globally affecting other people in different continents. In Malaysia, the police investigation revealed that majority of the individuals detained are recruited via social media [21]. In one of the interviews with a Malaysian detainee, the author asked: "if he is given the chance to go back in time before he was arrested, what thing that he changes so that he did not end up being in prison?", without any hesitation, he said "I will never use social media. I will never open the Facebook account" [22]. His answer shows that social media plays a vital role in influencing young generation to militancy.

Successful recruitment and radicalization, at least in Malaysian context, did not happen as a result of social media or globalization alone. Social media is powerful tools to disseminate messages and propaganda. There is other variable too, such as effective recruiter, impactful messages and vulnerable targets. (TABLE 1.2). Effective recruiter possesses strong ability to convince others to join the group, usually by citing Qur'anic verses, Prophetic Tradition and weaved them together with current affairs in order to make his narratives more convincing. Equally, the narratives must be impactful to listeners. Daesh recruiters in Malaysia often employed the following narratives to attract followers: the struggle of Daesh is to bring back entire Muslim ummah to Islam through proper understanding of Tawhid, that is the belief in the Oneness of God; to establish Islamic state before proceeding with the creation of the caliphate for the entire world; in order to achieve this objective, it must be done by armed struggle or jihad, which also includes suicide bombings and urban warfare to undermine enemies; the enemies of Daesh are those who against the struggle of Daesh, which includes far enemies such as western countries and the near enemies which includes Muslim governments who fights against Daesh; those who fights against Daesh is considered apostate, taghut, tyrant, and enemies of God; Muslims are encouraged to perform migration or hijrah to Daesh-controlled territories to obey the instruction of the caliph, the leader of Daesh; finally, the struggle in Syria is the key battle that determines the destiny of Muslim ummah in this world and it is the sign of Judgment Day. These narratives are commonly found among the supporters of Daesh that author interviewed in Malaysia and Daesh literatures such as Dabiq, Rumiyah, al-Naba' and other sources.

Table 1.2 shows four elements of successful recruitment in Malaysia

SPILLOVER EFFECT: EASTWARD EXPANSION

We can say that this is a "spillover effect", in which a conflict taking place in one continent has "spilled over into" or affected another part of the world. Now, the influence and threat of Daesh has slowly but surely transcended the "epicenter of the conflict" that is Syria and Iraq. It spills over into "second ring" that is neighboring countries and the Middle Eastern region as the "third ring" (MAP 1.1). Riding the wave of globalization and superfast communication facility, the threat of Daesh has penetrated into Europe, North America, Canada, Australia, Africa as well as Southeast Asia. Until September 2016, Daesh-affiliated groups and individuals have targeted and attacked 29 countries outside Iraq and Syria with the total of 143 attacks worldwide [23]

Daesh has expanded its wings eastward to Southeast Asia [24]. The threats of Daesh manifested in the sudden emergence of Daesh-affiliated groups in the region. In Indonesia alone, it is reported that at the present time, there are 32 militant groups pledged their allegiance (bay'ah) to Abu Bakar al-Baghdadi, the self-proclaimed caliph of Daesh, followed by 16 and 6 groups from Philippines and Malaysia respectively. The nexus between Southeast Asia and Daesh is made possible by two factors:

a.   there are approximately more than one thousand people from this region travelling to Syria and Iraq: approximately 700 people from Indonesia, 150 people from Malaysia and 150 people from Philippines.

b.   the creation of Syrian-based Katibah Nusantara on September 2014 consisting of people from this region. Muhamad Wanndy, who is associated with Katibah Nusantara is actively recruiting young people in Malaysia and Indonesia. He has instructed his followers to carry out attacks on Malaysia and Indonesia soil. The Jakarta and Puchong attacks are the product of Katibah Nusantara's aggressive recruitment and operation in Southeast Asia [25].

MAP 1.1. The map shows the penetration of Daesh threats transcending the "epicentre of the conflict" in Syria and Iraq. It spills over into the "second ring" the neighboring countries; the "third ring" the Middle Eastern region; and the "fourth ring" the world and beyond.

Daesh's interest in this region is obvious. The Southeast Asian region hosts the largest Muslim populations and blessed with rich natural resources, located in a strategic location and excellent geography suitable to wage long term insurgency, if they need to. Since 2014, Daesh has produced at least three video clips containing the message of threats to the government in the Southeast Asia, particularly Indonesia, Malaysia, and the Philippines. The propaganda video intends to achieve two objectives: 1) as a recruitment tool; 2) to influence the local people to launch an attack against their government. Daesh employs "provocative method" to gain influence by provoking them into believing that they have been oppressed by the regime and the existing political system is built upon taghut-system which is anti-Islam and anti-tawhid, thus needed to be overthrown and replaced it with an "Islamic State" or "Daulah Islamiyyah" following the Daesh's version. They have two options: either to stay put and fight the government or migration ("hijrah") to Daesh-controlled territories. Unfortunately, there are some youths were influenced by the "mantra" mentioned earlier [26].

TRIANGLE OF CONFLICTS

Another worrying development in the region is the presence of "hotspots" and militant groups affiliated with Daesh across the region: Indonesia (32 groups), Philippines (16 groups), Malaysia (6 groups) including the existing hotspots in Southern Thailand and Myanmar [27]. Obviously, the said conflicts especially in Southern Thailand and Philippines can be considered low-intensity conflicts and it has been there since 1950s in the case of Southern Thailand and 1960s in the case of Southern Philippines. Yet, these

conflicts have the potential to escalate into more complex security threats as they interact with foreign elements such as local militant groups or entity such as Katibah Nusantara and returning foreign fighters (MAP 1.2)
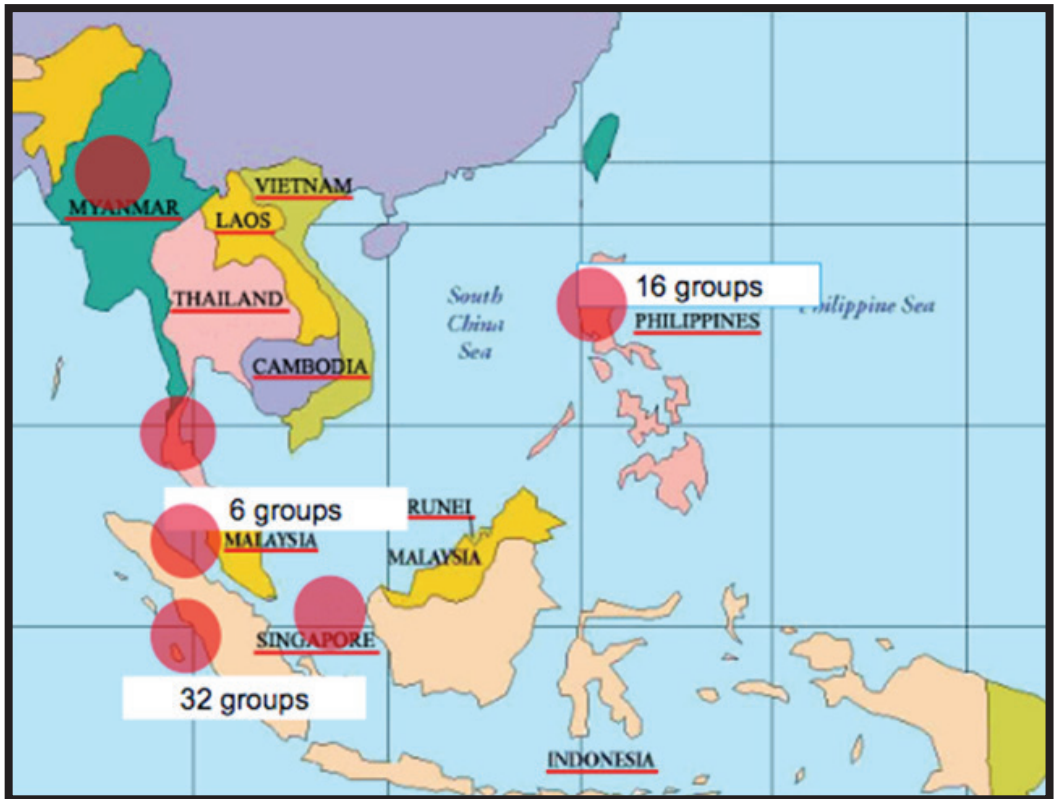
Map 1.2. Shows the presence of "hotspots" in Southeast Asia and the Daesh-affiliated groups identified in Malaysia, Indonesia and the Philippines.

From macro-perspective, these hotspots form a "triangle" shape in which Southern Thailand located on the North, Southern Philippines is located on South and Indonesia on the West side. Malaysia, Singapore, Brunei located exactly in the middle of it (MAP 1.3)

The interaction between local conflicts and threat in the region with the external elements such as Katibah Nusantara might escalate a "potential threats" into "actual/real threat" in near future. One may also argue, it has already turned to an "actual threat" after the Jakarta Attack on January 2016 and Puchong bombing in July 2016. In Malaysia, the police did not take the threat of Katibah Nusantara lightly, because they have evidence showing that Katibah Nusantara has invested and developed its capacity in 1) combat fighters; 2) sharp shooter; 3) heavy weaponry; 4) tactic and strategy; 5) and military management [23]. In addition to this, Katibah Nusantara group continues to recruit followers in this region. Thus, from security point of view, it is no longer about whether or not they have the capability of carrying the attack, it is about "when they got the chance of doing that". In other words, it is just a matter of time [28].
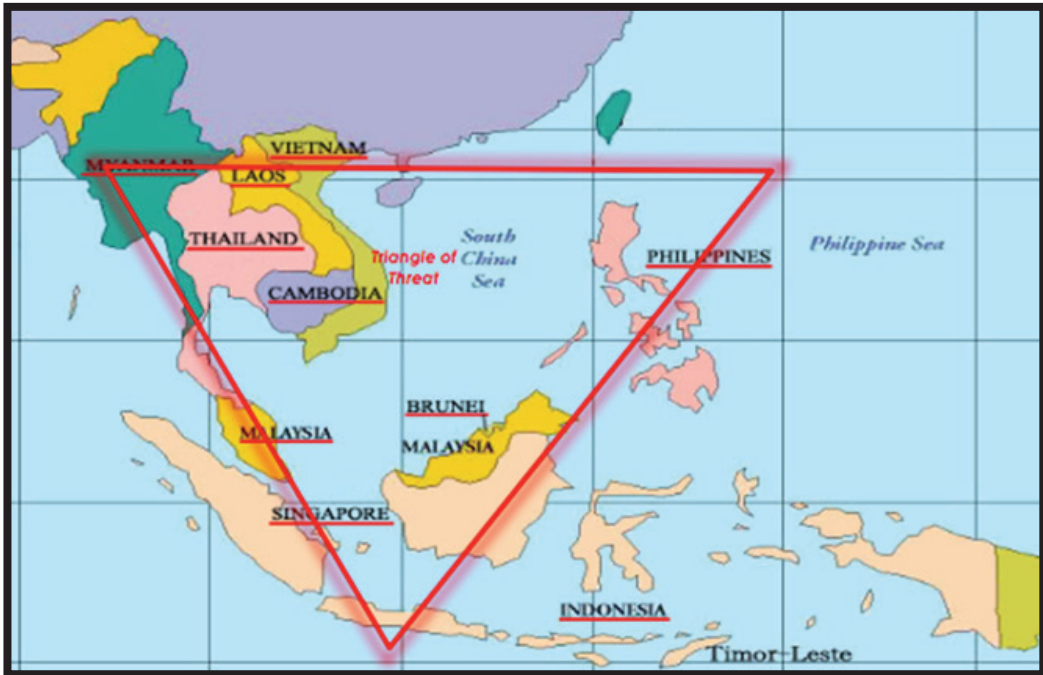
Map 1.3. shows the "hotspots" in Southeast Asia that forms the "triangle of conflicts" in which Malaysia, Singapore and Brunei are located squarely inside the triangle.

On the Philippines side, terrorist group such as Abu Sayyaf Group (ASG) has been the primary source of concern since 1990s. Now, the ASG and the like-minded militant groups ("old elements"), have merged together to form a new front in the region to support Daesh ("new element") [29]. They have pledged their allegiance (bay'ah) to the leadership of Abu Bakar al-Baghdadi and Daesh has explicitly recognized their allegiance in the recent announcement in al-Naba' and Dabiq [30]. In addition, President Duterte's declaration of "war against drugs" has drained the terrorist coffers. The most affected group was Abu Sayyaf Group which has started to launch its own operation to obtain source of income via "kidnappings business" targeting Sabah particularly, non-traditional area of operation for ASG. This activity has affected the security of people in Sabah and it is a blatant violation of Malaysia's territorial integrity and sovereignty [31]. Maute group is another formidable key players in Mindanao. Taking advantage of widespread discontent among certain section of Muslim community, Maute has made strong presence in Mindanoa culminated with its takeover of Marawi city in May 2017 and transformed it into the "Aleppo of the East". Incessant assaults by Phillipines army against Maute and its affiliates including ASG has ended with the death of its leader Abdullah Maute and ASG Chief Hasnilon Hapilon on October 2017.

In Southern Thailand, the situation is quite unique. Muslims in Patani basically seeks for self-determination i.e. to separate from Thailand and to create Patani Darussalam, an Islamic state of Patani, ruled by Muslim leaders based on Shari'ah law. People of Patani have no direct connection with conflict in Syria. Until now, there is no credible

report indicating the presence of Patani people fighting alongside militant groups in Syria [32]. However, interestingly, based on the author's survey on the ground they are interested with and inspired by the sudden emergence of the so-called "Daulah Islamiyyah" in Iraq and Syria. By that virtue, they have expressed their full support of Daesh's vision of Islamic state, even though they are not necessarily supportive of Daesh's brutalities. Admittedly, Patani issue is fueled by ethno-nationalism and compounded with religious elements. Still, it is important for us in Southeast Asia to monitor the situation in Patani to prevent the intrusion of foreign elements and thus change the security dynamic in the province. Malaysia's initiative to organize peace talk with the insurgent groups in Southern Thailand is very timely and should be continued to the completion.

The situation in Myanmar is also worrying, especially the condition of Muslims Rohingya under the Myanmar regime. Political oppression and religious conflict taking place in Myanmar now has the potential to be blooming into an actual threat. Since 2013, there has been voices inside jihadi community in Southeast Asia calling for opening up a new battle front in Myanmar. It is also possible that under this circumstance, militant groups could emerge and pose threat to the Myanmar's national security. In 2014, Abu Bakar Ba'asyir had issued a warning to the government of Myanmar to treat Muslims well unless if they expect retribution. Ba'asyir promised to send foreign fighters from Indonesia to Myanmar to protect Muslims from the brutalities of he regime and Buddhist followers [33].

The situation in Malaysia is frightening nonetheless. Until October 2016, the Royal Malaysia Police (RMP) - thanks to their persistence and effort - has detained more than 300 individuals suspected for having link to militant activities. In addition to this, 6 militant groups – Revolusi Islam, Kumpulan Briged Khalid al-Walid, Daulah Islamiah Malizia, Kumpulan Fisabilillah, Gunung Nuang group, and last one Gagak Hitam (Black Crow) group – were identified and effectively dismantled [34].

In addition to the local threats stated earlier, RMP has detected 8 Malaysian foreign fighters (MFF) that have already returned home. Some of them have created a cell, for instance Kumpulan Fisabilillah under the leadership of Murad Halimuddin and planned to launch attacks on Malaysian soils targeting the Prime Minister and number of Cabinet ministers, government administrative building in Putrajaya and entertainment districts as well as to kidnap of non-Muslim businessmen. However, RMP has detected the plan and arrested all suspected individuals from the group. The returning foreign fighters such as Murad and others are dangerous because from security point of view, they were exposed to four elements: 1) war experience; 2) skills and expertise; 3) ideology; 4) motivation to fight. We have seen similar trend in the past during the Afghanistan War (1979-1990s). Malaysian fighters returned home and created or involved in militant groups such as Kumpulan Mujahiddin Malaysia (KMM) and Jama'ah Islamiyyah (JI) [35].

THE FALL OF DAESH

The fall of Daesh is imminent as the Iraqi forces aided by foreign forces attacking to liberate the city of Mosul. The fall of Mosul would mean Daesh's reluctant withdrawal to its last stronghold in Raqqah, Syria. Based on the recent development, it is obvious that Daesh has sensed that its survival is in danger. This is indicated by the statement of

Abu Bakar al-Baghdadi issued in November 2016 who called Daesh fighters to continue fighting and never abandoned the call of jihad. Al-Naba' newspaper in its latest issue also reminded Daesh soldiers to stay true to the struggle until the end. Surrender is not an option for them [36].

Now, what will happen if Daesh fall? The organization of Daesh or Tanzim al-Daulah in the word of Abu Muhammad al-Maqdisi, might fall. But the idea remains. This means its vision survives over long period of time. In fact, we used to experience similar situation during Afghanistan war in 1980s until 1990s. The end of a conflict would mean the return of foreign fighters, and the possible creation of homegrown militant groups at the local level just like what we have seen in the post-Afghan war. Thus, besides talking about the threat of Daesh, we also need to address the post-Syrian conflicts and its implication to the state's security [37].

It is also important for Malaysian government to contemplate what should they do to Malaysian citizens who are living in Daesh-controlled territories, especially women and children, after the defeat of Daesh? Are we going to evacuate or let them stay there to face possible execution and detention by advancing forces? If they are evacuated and brought back to Malaysia, what should we do with them? Rehabilitation or charge them in court? These are some of the practical questions that we have to anticipate in facing the emerging realities in near future.

NEW THREAT LANDSCAPE (NTL)

There is no doubt that today we are facing the emerging new threat landscape (NTL) as alluded by General Dempsey earlier, which is much more complex and challenging than we ever confronted before. The following characteristics, inter alia, constitute the nature of NTL: from single to multiple threats that emerged simultaneously; from the threat of state to non-state actor; the use of hardware to software (cyberspace); the use of military power to the power of ideas; from operating as group to "lone wolf"; from the use social media to Smartphone Application (OTT); increased migration and its implication; the rise of extremism; the return of foreign terrorist fighters; the dramatic increase of Islamophobia globally; the role of social media as medium of "mass recruiter"; reemergence of terrorist organization across the world; and sophisticated form of terrorist attacks [38]. Thus, given the emerging of new threat landscape, we need to change our paradigm to understand the dynamics of the problem. We need to expect the unexpected; to anticipate the emerging challenges in order to craft effective policies. Five recommendations can be put forward:

Firstly, allocation of significant investment in military and security expenditure in facing more complex security challenges which is not only limited to terrorism alone, but it is compounded with dramatic shifts of balance of powers, the emergence of new players either state or non-state actors as pointed out by General Dempsey. This is absolutely necessary to safeguard Malaysia from future threats; military and non-military threats.

Secondly, Malaysia needs National Counterterrorism Strategy providing outlines of our strategy as a guide to all government agencies and civil societies in facing the NTL. Malaysia has already crafted its strategy, policies, and initiatives to counter the threat of terrorism. But, it is scattered and do not exist in one unified document. There are multiple

initiatives, actors, overlapping interests, and lack of coordination. These issues may affect Malaysia's effectiveness in countering the threat of extremism and terrorism. Thus, it is a high time for Malaysia to take one step further to unify all these documents to form one unified paper for reference and guidance.

Thirdly, creating Cyber Force as the fourth column in Malaysian Armed Forces, besides Army, Navy and Air Force. It is acknowledged that Malaysian army has established Cyber Defence Operation Centre (CDOC) in which each services has its own cyber unit many years ago. However, given the emerging realities of threats in cyberspace today such as cyber instrusion by foreign elements in the manner described by Edward Snowden, perhaps we need a special force which is solely dedicated to protect our cyberspace. Now, Germany and United Kingdom are developing this capacity to confront new era of challenge.

Fourthly, countering extremist ideology initiatives to stifle the rise of extremism, Islamophobia and misperception about Islam. Because Daesh threat is 3-dimensional; 1) physical threats; 2) ideological threats; 3) human threats.

Fifthly, Malaysia as facilitator or mediator in regional conflict. Malaysia needs to play more active role as facilitator or mediator in the region. We have achieved a great success in bringing together the stakeholder of peace in Mindanao, Philippines. Similar effort needs to be done in Southern Thailand (Patani issue) and Myanmar (Rohingya Muslim). Elimination of "hotspots" are vital for regional stability.

CONCLUSION

In closing, the emergence of the new threat landscape in the Southeast Asia is bound to change the nature of security threats in the region. The external factors such as Syrian civil war cannot be taken off the equation in designing security policy of a country in Southeast Asia. The interaction between external factors with regional and domestic factors will generate strong force that is capable of destabilizing the region and national stability. Thus, in facing the emerging triangle of conflicts in Southeast Asia, It is imperative for the government in the region to prepare holistic countermeasures in preventing the "potential threats" to be an "actual threats" that bound to destabilise the whole region. Most importantly, the time is of the essence.

ACKNOWLEDGEMENT

REFERENCES AND ENDNOTES

[1]   R. Gunaratna, "The Islamic State's Eastward Expansion" in Countering Daesh Extremism: European and Asia Responses, S. Rajaratnam School of International Studies & Konrad Adenauer Stiftung, p. 9, 2016.

[2]   Nearly 30,000 foreign terrorists in Syria and Iraq, Available online http://www.

straitstimes.com/world/europe/nearly-30000-foreign-terrorists-in-syria-iraq-un. (Accessed on 5 January 2016).

[3]   A. El-Muhammady, "Countering the Threats of Daesh in Malaysia", in Countering Daesh Extremism: European and Asia Responses, S. Rajaratnam School of International Studies & Konrad Adenauer Stiftung, p. 9, 2016.

[4]   Islamic State claims Jakarta attacks target Indonesia for the first time, Available online http://www.reuters.com/article/us-indonesia-blast-idUSKCN0US0BS20160114. (Acessed on 5 January 2016).

[5]   Islamic State claims Jakarta attacks target Indonesia for the first time, Available online http://www.reuters.com/article/us-indonesia-blast-idUSKCN0US0BS20160114. (Acessed on 5 January 2016).

[6]   Uri Friedman, Putin and Assad are about to achieve their biggest vicotyr in Syria, Available online https://www.theatlantic.com/international/archive/2016/12/aleppo-syria-putin-assad/509945/. (Accessed on 5 January 2016).

[7]   Notes from the Chairman, "A Conversation with Martin Dempsey", Foreign Affairs, September/October (2016): 2.

[8]   Open Letter to Dr. Ibrahim Awwad al-Badri, Alias 'Abu Bakar al-Baghdadi', and to the fighters and followers of the self-declared 'Islamic State', 19 September 2014. Available online lettertobaghdadi.com (Accessed on 5 January 2016).

[9]   Open Letter to Dr. Ibrahim Awwad al-Badri, Alias 'Abu Bakar al-Baghdadi', and to the fighters and followers of the self-declared 'Islamic State', 19 September 2014. Available online lettertobaghdadi.com (Accessed on 5 January 2016).

[10]   A. El-Muhammady, "Countering the Threats of Daesh in Malaysia", in Countering Daesh Extremism: European and Asia Responses, S. Rajaratnam School of International Studies & Konrad Adenauer Stiftung, p. 9, 2016.

[11]   C.C. Chin and K. Hack (eds), Dialogues with Chin Peng: New Light on the Malayan Communist Party. Singapore University Press, 2004.

[12]   K. Hack, Using and Abusing the Past: The Malayan Emergency as Counterinsurgency Paradigm, in British Approach to Counterinsurgency From Malaya and Northen Ireland to Iraq and Afghanistan, (P. Dixon). Palgrave Macmillan, pp. 205-210, 2012.

[13]   A. El-Muhammady, "Countering the Threats of Daesh in Malaysia", in Countering Daesh Extremism: European and Asia Responses, S. Rajaratnam School of International Studies & Konrad Adenauer Stiftung, p. 9, 2016.

[14]   A. El-Muhammady, "Countering the Threats of Daesh in Malaysia", in Countering Daesh Extremism: European and Asia Responses, S. Rajaratnam School of International Studies & Konrad Adenauer Stiftung, p. 9, 2016.

[15]   Excerpt of interview with counterterrorism official, Royal Malaysia Police Headquarter, Bukit Aman, Kuala Lumpur, 10 March 2015.

[16]   P. Cockburn, The Jihadis Return: ISIS and the New Sunni Uprising, OR Books,

2014, p. 50.

[17]   A.S. Shapiro, The Young man who started Syria's revolution, speaks about Daraa, where it all begin. Available online https://news.vice.com/article/the-young-men-who-started-syrias-revolution-speak-about-daraa-where-it-all-began.   (Accessed on 5 January 2016).

[18]   A.S. Shapiro, The Young man who started Syria's revolution, speaks about Daraa, where it all begin. Available online https://news.vice.com/article/the-young-men-who-started-syrias-revolution-speak-about-daraa-where-it-all-began.   (Accessed on 5 January 2016).

[19]   The Soufan Group, Foreign Fighters: An Updated Assessment of the Flow of Foreign Fighters into Syria and Iraq, Available from http://soufangroup.com/wp-content/uploads/2015/12/TSG_ForeignFightersUpdate3.pdf (Accessed on 20 November 2016).

[20]   D. Malet, Why Foreign Fighters? Historical Perspectives and Solutions, Orbis, Vol. 54, No. 1   pp. 97–114, (January 2010).

[21]   M.A.M. Sani, ISIS Recruitment of Malaysian Youth: Challenge and Responses, Middle East Institute, Available from http://www.mei.edu/content/map/isis-recruitment-malaysian-youth-challenge-and-response. (Accessed on 5 January 2016).

[22]   Excerpt of interview with the leader of Black Crow (Kumpulan Gagak Hitam), Penjara Simpang Renggam, Johor, 10 November 2016.

[23]   T. Lister et al. ISIS goes global: 143 attacks in 29 countries have killed 2,043, Available online http://edition.cnn.com/2015/12/17/world/mapping-isis-attacks-around-the-world/. (Accessed on   5 January 2016).

[24]   R. Gunaratna, "The Islamic State's Eastward Expansion" in Countering Daesh Extremism: European and Asia Responses, S. Rajaratnam School of International Studies & Konrad Adenauer Stiftung, p. 9, 2016.

[25]   Excerpt of interview with counterterrorism official, Royal Malaysia Police Headquarter, Bukit Aman, Kuala Lumpur, 10 March 2016.

[26]   Excerpt of interview with counterterrorism official, Royal Malaysia Police Headquarter, Bukit Aman, Kuala Lumpur, 10 March 2016.

[27]   Excerpt of interview with counterterrorism official, Royal Malaysia Police Headquarter, Bukit Aman, Kuala Lumpur, 10 March 2016.

[28]   Excerpt of interview with counterterrorism official, Royal Malaysia Police Headquarter, Bukit Aman, Kuala Lumpur, 10 March 2016.

[29]   Excerpt of interview with counterterrorism official, Royal Malaysia Police Headquarter, Bukit Aman, Kuala Lumpur, 10 March 2016

[30]   Al-Naba', issue 40, p. 11.12 Syawal, 1437H.

[31]   Abu Sayyaf Got RM30.65 million from kidnappings off Sabah, Available from http://www.borneotoday.net/apnewsbreak-abu-sayyaf-got-rm30-65-million-from-

kidnappings-off-sabah/ (Accessed on 5 January 2016).

[32] Excerpt of interview with high-ranking Barisan Revolusi Nasional (BRN) leader, Petaling Jaya, Selangor, 12 October 2016.

[33] Abu Bakar Ba'asyir Ancam Myanmar Soal Muslim Rohingya, Available from http://news.detik.com/internasional/d-1982658/abu-bakar-baasyir-ancam-myanmar-soal-muslim-rohingya. (Accessed on 5 January 2016).

[34] Excerpt of interview with counterterrorism official, Royal Malaysia Police Headquarter, Bukit Aman, Kuala Lumpur, 10 March 2016.

[35] Excerpt of interview with counterterrorism official, Royal Malaysia Police Headquarter, Bukit Aman, Kuala Lumpur, 10 March 2016.

[36] Al-Naba', issue 40, p. 2.12 Syawal, 1437H.

[37] Excerpt of interview with counterterrorism official, Royal Malaysia Police Headquarter, Bukit Aman, Kuala Lumpur, 10 March 2016.

[38] Excerpt of interview with counterterrorism official, Royal Malaysia Police Headquarter, Bukit Aman, Kuala Lumpur, 10 March 2016.

YOM KIPPUR WAR: THE ISRAELI INTELLIGENCE AND POLICY FAILURES AND THE EFFECTS OF THE WAR ON THE GLOBAL POLITICAL AND INTERNATIONAL RELATIONS SCENARIO

Hafez Shahril Hussin
Former Military Intelligence Officer, Malaysian Armed Forces
Email: suyufullah77@yahoo.com

ABSTRACT

The Yom Kippur War in 1973 was regarded as the main decisive moment in the Arab-Israeli conflict which changed the political and strategic environment in the Middle East, and the direction of current international relations. The focus of this study is to analyse the causes of intelligence and policy failures resulting in the Israeli strategic surprise during the war. This paper illuminates various intelligence pathologies which were pervasive among all levels of Israeli military and political leadership throughout the war. It also highlights various implications and effects of this war on the global political and international relations scenario. The paper also presents lessons learned from the implications and effects of the war in relation to political and international relations perspectives. It also offers some lessons that can be learned to prevent recurrence of intelligence failure and surprise in the future. Truly, intelligence and policy failures had caused Israeli strategic surprise in the war, which eventually shaped the changing direction in the world's politics and international relations, especially in the Middle East.

Keywords: *Yom Kippur War, Intelligence and Policy Failures, Arab-Israeli Conflict, International Relations, Strategic Surprise.*

INTRODUCTION

The Yom Kippur War or the 1973 Arab-Israeli War or the Ramadan War in October 1973 is a well-known example of "strategic surprise" [1] and a famous case study for intelligence failure and policymakers' terrible blunder throughout human history. It began on 6 October 1973 and continued for 18 days with tank encounters, air and sea fighting and intense artillery bombardments [2]. This war was regarded as a main decisive moment in the Arab-Israeli conflict because it altered the political and strategic environment in the Middle East and changed the direction of current international relations [3]. The aim of this paper is to analyse the causes of intelligence failure as well as policy failure which led to Israeli strategic surprise during the war. This paper also discusses various intelligence pathologies which permeated all levels of military and political leadership in Israel throughout the war. It also highlights various implications and effects of this war on the global political and international relations scenario. The paper also presents lessons learned from the implications and effects of the war in relation to political and international relations perspectives. Lastly, this paper gives some lights on various lessons that can be learned, especially by intelligence analysts, to prevent recurrence of intelligence failure and surprise in future wars or conflicts.

CAUSES OF INTELLIGENCE AND POLICY FAILURES

This paper analyses the causes of intelligence and policy failures which caused surprises to Israel's political and military leaders. The main cause of Israeli failure in the 1973 War was the prevalence of a sense of 'invulnerability' as a result of four previous successes over different alliances of Arab military forces [4]. The Israelis assumed that they could always be victorious over the Arabs in any war, which was reflected by the statement made by the Chief of Staff, Lieutenant General David Elazar that Egypt was totally unable to achieve military success against Israel [5]. Moreover, there was a widespread belief among the Israelis and the world that Egypt would not be able to do so and even unwilling to attack Israel [6]. The sense of invincibility and invulnerability would create "self-generated noise" which composed of perception and expectations of the surprised party and led to a sense of superiority and overconfidence [7].

Low perceptions and contemptible expectations towards the Arabs had been strengthened particularly after Israel's success in the 1967 Six Day War and the 'strategic depth' obtained after the occupation of Sinai Peninsula, West Bank and Golan Heights [8]. For example, Israel perceived that Suez Canal was invulnerable to invasion by the Arabs, which was also shared by the Egyptians who admired its sturdy fortification [9]. According to Major General (Reserve) Shlomo Gazit, the primary cause for the intelligence blunder in the Yom Kippur War was "excessive admiration" over past successes which negated the political and military capabilities of the Arabs [10]. It was, therefore, the main thrust of the Egyptian combat tactics to ensure "mental subjugation" of Israeli invulnerability and elimination of the Israeli misconception of "protected borders" [11]. This mental perception of superiority led to Israel's failure to consider changes in operations and strategies of the Arabs [12]. As stated by Gazit, the Israelis would have acted differently should the intelligence research team became open-minded and free from the sense of 'invincibility' and 'established assessments' [13].

Strict and "persistent" adherence to the "conception" ("ha-konseptziyah") was identified as another cause of intelligence failure as reported by the Agranat Commission [14]. The "conception" served as the "guiding principle" for Israel's military intelligence known as AMAN. AMAN's assessments maintained that Egypt would not attack Israel and highly sceptical as to the former's capability to attack in the absence of air capability to counter Israeli Air Force (IAF), and Syria would not wage a war against Israel without Egypt [15]. Israel was also convinced that the Arabs were not united. Thus, military cooperation on the Egyptian and Syrian borders would not take place [16].

AMAN's strict compliance with the concept created an "impregnable psychological barrier" in contravention of the intelligence analysis principles which encourage open-mindedness, flexibility and unbiased judgments on the adversary [17]. For example, there were reports made by a young intelligence officer in Israeli Defense Forces (IDF) Southern Command, Lt Siman-Tov, contending that the build-up opposite the canal was preparatory acts of war, but the reports were dismissed by his senior officer because they were contradictory to the headquarters' estimate and assessment [18]. In another occasion, the Israeli reconnaissance aircraft detected and photographed a considerable intensification in the number of Egyptian artillery, tanks and bridging equipment on the eastern banks of the canal, but was dismissed by the Israeli leadership as the only

deployment for exercise [19]. Also, the CIA had warned Israel about the "discrepancies in Egyptian preparations from previous exercises" but Israel had ignored it [20].

Similarly, the Israeli leadership had also dismissed signals intelligence showing important operational information communicated by Arab commanders, and they had disregarded a peculiar order made by the Egyptian high-level leadership to break the Ramadan fast [21]. According to Cohen and Gooch, Israeli "concept" and mental perception remained pervasive although the doubts about Arab intentions were made clear [22]. It was therefore obvious that the Israeli intelligence service had persistently convinced the political leaders throughout the war that the probability of the Arab states launching an attack was minimum and unlikely [23]. Rigid adherence and strict compliance to the preconception about Arab military incapability and inferiority had resulted in disastrous effects to Israel in the war.

The employment of military aggression by the Arabs against Israel in 1973 was intended as part of a "direct and total strategy" to alter the present political and military balance in the Middle East by challenging the basic concept of Israeli national security doctrine [24]. The main goal was to prove to Israel and the world that the Israeli military institution was not impregnable and they could not restore and execute peace, besides the susceptibility of their natural or man-made obstacles to penetration [25]. For example, the fact that Egypt did not have the bombers and Scud missiles did not hinder President Sadat's decision to proceed with the war due to the conviction that the Egyptian Army would be able to win the full-scale war against Israel under great protection by surface-to-air (SA) missiles [26].

The Israeli concept of air superiority by using bombers and Scud missiles was negated by the Egyptian use of ground-based air defence to undermine Israeli air invincibility [27]. The same applies to the Suez Canal because Egypt was able to physically overcome the canal by using bridging equipment [28]. The crossing was facilitated by air cover provided by the SAM batteries (air defence) along the Western banks of the canal [29]. By this, Egypt sought to negate the Israeli 'national security' theory based on the misconceptions of "secure borders", the preservation of initiative and the power of deterrence, and the importance of combating the Arabs one at a time with full support and assurance of the U.S [30].

Intelligence failure in the Yom Kippur War also occurred as a result of the deception plans by the Arabs which led to strategic, operational and tactical surprises among the Israelis. The aim of the deception plans was to create an atmosphere of uncertainty, especially in intelligence analysis due to ambivalent, deceptive or confusing information as pointed out by Timothy Laur [31]. Enemy deception and security measures may have obscured their true capabilities or intentions, and variance caused by uncertainty, poor weather, masking terrain and erroneous or ambiguous reports may have deceived the adversary [32].

Political deception was included in the overall deception plans to confuse and deceive the enemy, for example, the Egyptian Foreign Minister, Mohammed Zayat made a public statement regarding the nature of Egyptian annual military exercises which were only precautionary measures against possible Israeli attack [33]. In the fall of 1971, President

Sadat and the Minister of War made public statements that war was imminent with extensive military mobilisations but the war did not break out [34].Sadat's intention was to lure Israel to perceive massive deployments as routine in order to give a fake sense of security [35].

President Sadat's intention was clearly depicted in repeated pledges of the 'Year of Decision' which became "noises" for domestic and inter-Arab consumption [36]. These noises emerged as a result of the enemy's actions to hide the intentions and to mislead the 'party under surprise' [37]. More than that, the Egyptian deception was effected through the "No War, No Peace" slogan which focused on the compliance with Rogers Plan and public removal of Soviet's advisers to convey the impression that Sadat accepted Western reconciliation [38]. According to Rogers Plan, the U.S. would not compromise with the Israeli first attack which caused the latter's hesitation to take action despite the emergence of intelligence about imminent attacks by the Arabs [39].

Apart from that, public announcements were made to show the Egyptian naval forces' incapability and bad performance during exercises to deceive Israel that war would not occur until 1975 [40]. Sadat also had sent his national security advisor to numerous foreign capitals to gain support for his peace plan, although failed, but was successful to convey the message that Egypt wanted a peaceful solution [41]. All political deception plans were executed to conceal the true intentions and capabilities of the Arabs, and to strengthen the sense of invincibility and superiority among the Israelis resulting in the latter's complacency and inaction in response to he impending attack. The effectiveness of political deception in assisting the war efforts, particularly in complementing military deception plans, is of paramount importance to deal with a politically and militarily superior adversary like Israel, supported by the U.S.

There were also numerous military deception plans carried out by the Egyptian military forces, for example, a series of annual autumn military exercises that started in 1968 and ended with October 1973, purposely conducted in order to evaluate Israeli counter-measures, to tarnish Israel's popular support by forcing them into precautionary measures, and to desensitise Israeli vigilance to attacks by the Arabs [42]. Israeli vigilance had been reduced significantly because they had been acquainted with the conduct of Egyptian and Syrian defensive operations which resumed as normal and had been intensified since the Arabs knew that Israel anticipated this [43].

In December 1972 and spring 1973, the Egyptian military was repeatedly deployed and an invasion was reported as being imminent but the war did not break out [44]. Mobilisations were also made between January and October 1973 as many as nineteen times but war still did not happen [45]. In the fall of 1973, Egypt and Syria were absolutely seen as if they were making preparation to go to war which was complemented by the general situation in the Middle East at that time, whereby many countries were seen as preparing to go to war [46]. This had created "noise" resulting from international scenario which diverted Israel's attention from real threat and impeded its ability to perceive impending threat [47].

This military deception was made by the Arabs to render Israeli troops inattentive so that they would not be able to react to any threat. Moreover, repeated mobilisations

by the Israeli forces without any fruitful outcome would be very "expensive and disruptive" [48]. Military deception was also detected by AMAN which was conscious of the difference between radio traffic prior to the war and the traffic prior to routine exercises [49]. Deception was identified by AMAN in the current exercise that had never been noticed in the previous exercises, such as the advance of bridging equipment to the water line, taking away of minefields, and preparation of attacks to the Suez Canal [50]. Other than that, signals intelligence had recovered massive volume of Egyptian military communications intended to deceive the Israelis that war was not imminent, for instance, instructions for units to extend leaves and permissions for officers to perform pilgrimage to Mecca [51].

Tactical movements of the Arabs were perceived by the Israelis as routine exercises, and the latter was completely misled and surprised by these tactics [52]. There were also false reports of careless standard, flawed missile systems and difficulty of integrating Soviet equipment into Arab inventory, and the employment of the most disorganised company in the Egyptian Army one day before the outbreak of war to behave without complete discipline in order to fortify Israeli disrespect of Egyptian troops [53]. Apart from the political and military deception, economic deception was portrayed in communiqués and reports to show that Egypt had suffered from economic depression and severe financial crisis, thus was unable to pay for another war [54].

Israeli intelligence failure in the 1973 October War also occurred as a result of surprise. Throughout the period preceding the war, various signs of Arab invasion were collected by Israeli intelligence, which was unable to forewarn the decision makers of the impending attack due to fragmentary political assessments, miscalculation of assessments and deception, and external noises which eventually led to operational and strategic surprises [55]. According to Major Brian Keller, a senior American military intelligence officer, the surprise is the result of noise and inaccurate analysis, and not a lack of thorough and comprehensive intelligence [56]. The ability to collect, analyse and interpret information concerning the adversary's capabilities and intentions is the main task to prevent surprise [57].

Accurate analysis of the enemy's capabilities and intentions is of paramount importance as was evident in the case of Yom Kippur War when the Israeli senior leaders were surprised due to failure to assess and predict President Sadat's intention to initiate a war in order to achieve limited political objectives and the fact that the Israelis were preoccupied with the 'Concept' of Egypt's inability to conduct military offensive against Israel [58]. The same is applicable to simultaneous attacks by the Egyptian and Syrian forces which became a total surprise to Israel [59]. The Israeli overdependence on technology, i.e. on the employment of armour and air superiority led to a failure to anticipate the attack by the Arabs although in the presence of "complete situational picture" [60]. Strict concentration on advanced technologies in armaments or weaponry systems and total ignorance of the improvisation had eventually led to a surprise. The Israelis had ignored and overlooked other viable alternatives or options which could substitute the employment of air power and armour superiority in a war.

The Israelis were struck by "technical surprise" because they have knowledge about the enemy's possession of certain kind of equipment to perform certain tasks, such as

bridging equipment but they were doubtful about its effectiveness and confident with the Suez Canal as a natural obstacle [61]. They were also technically surprised by the use of surface-to-air missiles to cover the Egyptian land forces thus substituting their offensive air power [62]. Besides that, Israel was hit by "doctrinal surprise" because they had already known that the Egyptian troops have in their inventory 'Sagger Anti-tank Missile' but did not know the exact distribution and usage of it which had caused unexpected losses of Israeli armour [63].

Another aspect of surprise was the timing of the attack in which Israel was completely surprised. The Israelis were shocked because the war broke out during the Jewish holiest day, in which their level of alert would be lower and most of the soldiers were on leave [64]. Moreover, the month of October was selected due to the suitability of autumn climate for the invading force and the political situation in Israel in which election would be held in November [65]. This was also in conjunction with the holiest Arab holiday, the fasting month of Ramadan, in which Israel would assume that no Muslim country would prepare and initiate a war [66]. This surprise would not have happened if all aspects of assessment were taken into serious consideration, especially the things that were usually overlooked such as the timing of the attack. The Arabs, as a relatively weaker force, would utilise whatever advantages available to them to win the war, especially the unexpected tool - time. In general, the war shows that surprise among the Israelis occurred as a result of prejudice and miscalculation about the capability of the Arabs and the former's overconfidence in air superiority and armour.

Inability to accurately analyse a massive volume of warning signals was identified as one of the most severe intelligence failures during the 1973 October War. Before the outbreak of war, significant warning signals were collected despite the existence of various deceptive and confusing "noise" [67]. It was the misunderstanding of a massive volume of warnings made available to AMAN that had caused failure and not the outcome of inadequate information [68]. For example, when AMAN's head, Major General Eli Zeira was asked by Prime Minister Golda Meir about the information relayed by King Hussein of Jordan regarding the imminent Egyptian and Syrian attack, Zeira contended that Hussein's intention was to deceive Israel into a compromise to give back the Suez Canal [69]. Zeira was also warned by Mossad's HUMINT (Human Intelligence) source that the Egyptian exercise would finish in a real canal crossing but he did not inform his superiors, Elazar and Dayan until the next day and emphasised to them that his expert regarded the report as "without any basis" [70]. Preoccupation by the established conception had forced the Israeli top military intelligence officer to dismiss any current significant changes and developments which could have altered the result of the war to Israel's detriment.

The decision made by Israel half a day before the invasion that war was unavoidable was too late to enable sufficient time to effect full deployment, and the mobilisation of ready troops into blocking positions was not adequate [71]. According to Avi Shlaim, predictability can be limited in nature because a successful warning cannot be differentiated from failure [72]. Had the surprised party realised the warning, anticipated a war, and reacted in time with defensive preparations, the attacker would have abandoned the military action, thus making the prediction incorrect, for example, Sadat might have postponed his invasion if Israel had deployed in response to Arab mobilisation [73].

The task of giving warning is, therefore, a very difficult one due to the uncertainty of the situation. Luckily, total Israeli surprise in the 1973 war was prevented by warning furnished by Israel's most reliable HUMINT source, Dr. Ashraf Marwan soon before the attack [74].

Intelligence failure during the war could also be attributed to excessive dependence on AMAN, which collectively evaluated the findings of the IDF's military intelligence directorate, the Foreign Ministry's research department and the secret service – Mossad [75]. An over-emphasis on assessments made by AMAN had resulted in an incomplete view of Arab capabilities since political intelligence was not seriously considered and taken into deep account [76]. Appropriate actions were also not taken by high-level military and political leaders because of AMAN's overconfidence with its analysis regarding the improbability of the Arab invasion, which led to 'general complacency' in Israel at that time [77].

The key individual who was responsible for AMAN's shoddy work was its director, Major General Eli Zeira, who persistently confirmed that the probability of invasion was low [78]. It was argued by Bar-Joseph and Levy that both Zeira and AMAN's prominent estimator for Egyptian matters, Lieutenant Colonel Yona Bandman, were too decisive and had a totalitarian style which disapproved of open and extended discussions resulting in "premature cognitive closure" and intelligence failure [79]. If Zeira had acted in a different manner, Israeli policymakers could have predicted a high probability of attack and addressed it by a series of appropriate measures [80]. AMAN's failure, therefore, could be attributed to the "We Know Best" syndrome because Zeira possessed a very high level of self-confidence about the likelihood of invasion by the Arabs, which caused him to believe that he has better knowledge and understanding about Arab's course of action more than his superiors [81]. Zeira's attitude is best illustrated as a 'Deaf Captain Syndrome' since he had ignored and dismissed any ideas or opinions contrary to his best understanding and belief, especially from his subordinates.

It is a well-known fact that the 1973 War was indeed an intelligence failure. According to P. R. Kumaraswamy, the Agranat Commission - the commission of inquiry to investigate the issue of the Yom Kippur War's intelligence failure, did not examine the role of political leadership in the Israeli unpreparedness in the war [82]. This was argued by Uri Bar-Joseph that the 1973 Israeli intelligence failure was also the result of policy failure. The Israeli policymakers – Prime Minister Golda Meir, Defense Minister Moshe Dayan and Chief of Staff Lieutenant General David Elazar had received intelligence from Mossad's top source but failed to understand its importance [83]. Also, Meir had obtained information from King Hussein of Jordan regarding the Syrian military preparedness against Israel but she did not take any action [84].

The issue of 'politicisation' had also been highlighted by Major General (Reserve) Gazit because it was argued that there was a close relationship between intelligence analysts and decision makers which caused them to share their thoughts, consideration and strategic conception [85]. However, this issue has been rebutted by Uri Bar-Joseph and Jack Levy who said that relationship between intelligence analysts and policy-makers in Israel have been free from political interference, and the analysts have argued, without reservations, analyses which are contradictory to the policymakers' perceptions

or political inclinations [86]. Politicisation is therefore not the main cause of failure but, as stated by Michael Handel that Israeli intelligence failure is caused primarily by the collective belief system and strategic deception [87].

PREVALENCE OF INTELLIGENCE PATHOLOGIES

This paper discusses a number of intelligence pathologies which permeated all levels of military and political leadership in Israel throughout the war such as 'groupthink', 'mirror imaging', 'cognitive and cultural biases' and preconception. 'Groupthink' was recognised as one of the impediments that affect Israel's decision making and intelligence production process [88]. For example, the Minister of Defense Dayan had in one occasion, instructed the Chief of Staff Elazar to investigate the raw information obtained and produce his own assessment, but he eventually agreed with the assessment furnished by AMAN about the unlikelihood of invasion [89]. He also did not demand the deployment of the reserve army because he was unconvinced of the invasion without AMAN realising it [90]. This conviction was based on Elazar's acquaintance with special "eavesdropping devices planted in strategic military locations" in Egypt built by AMAN before the outbreak of war to obtain confirmed signs of Egypt's intention to attack [91].

This pathology was shared by AMAN's Egyptian desk officer who had assessed that there was no change in the Egyptian evaluation of power balance between them and the IDF, thus maintaining low likelihood of Egyptian attack [92]. Since 'groupthink' was pervasive among high-ranking leaders and experts, the pressure for consensus was so strong and became the majority opinions in Israel [93]. Janis Stein stressed the prevalence of 'groupthink' in the Israeli decision and intelligence making system and argued that the main cause of failure was the "lack of sophistication in Israel's perception" as to its capability to deter the Egyptian attack [94]. Israeli intelligence failure, in general, could be attributed to the 'groupthink' pathology or 'collective mindset' of high-level political, military and intelligence leaders, who were unable to modify their beliefs in response to a massive volume of information concerning the emerging threat by the Arabs [95].

The second pathology is 'mirror imaging' in which Israel had put greater emphasis on air superiority and assumed that the Arabs would do the same, which means that any major ground attack by Egypt and Syria against Israel must be preceded by the elimination of the Israeli Air Force first [96]. Israel estimated that 1975 would be the 'Year of Attack' because Egypt would obtain long-range Soviet fighter-bombers and aircraft on that year to achieve air superiority and thus they were succumbed to 'mirror imaging' [97].

The Israelis viewed that the Arabs would not risk "inevitable" defeat in war, thus avoiding it which was in line with the Israelis' way of thinking [98]. The Israelis did not perceive that the Egyptian determination to initiate a war was driven by a political cause through a limited war, and to break the sense of security in the Israeli national security doctrine [99]. It was this 'intangible' driver and motivation that was not clearly understood and appreciated by the Israeli civilian and military leaders throughout the war.

The Israelis made an assessment based on the balance of military forces and overlooked the balance of interest [100]. The IDF commanders also had been complacent about their past successes, for example in the Six Day War, and believed that only armour superiority

would ensure victory in the land warfare [101]. Thus, they were unsuccessful to build an integrated infantry-armour doctrine as what was done by the Egyptian Army [102]. Generally, Israel was susceptible to 'mirror imaging' because they had used "Western military logic" that war did not appear to be a good choice for Egypt and Syria, whereas otherwise would be the case because the Arabs can afford to be defeated physically if they could win the war politically [103]. It was his Arab's perception of willingness to accept the high risk to alter the political status quo that was not critically assessed by Israel [104].

'Cognitive and cultural biases' was another pathology which permeated through all levels of political, military and intelligence machinery in Israel. This is because they shared similar "delusions of invincibility" and "contemptuous view" toward the military capability of the Arabs [105]. Past success in the Six Day War strengthened Israel's overconfidence about Arab's inferiority [106]. The Israelis perceived that Egypt's determination to go to war as an unreasonable act and any Egyptian military success was almost unlikely [107]. The Israelis' cultural biases and preconceptions were based on two preconditions, firstly on the assumption that Egypt would invade only in the presence of at least local air superiority, and secondly, on the belief that Syria's invasion is dependent on Egypt's move [108].

This was clearly depicted in the 1973 War that despite clear indicators of an impending attack by the Arabs, the Israeli intelligence and high-ranking military and political decision-makers were of the opinion that Arab invasion was improbable [109]. Since the first condition of air strike capability was not fulfilled, the Israeli intelligence had assessed that war would be impossible in 1973 and they fell into "self-deception" and had construed massive deployments of Arab forces as an indicator of regular Egyptian military exercises and Syrian defensive manoeuvres [110]. An example of cultural biases was the Israeli intelligence's belief that the Arabs were unable to handle the newly-received Soviet equipment such as Sagger AT-4 anti-tank weapons and infra-red night fighting equipment, thus the quantity and quality of the equipment was not rigorously assessed and evaluated even though the equipment's nomenclature was known to them [111]. This kind of negligent misunderstanding and arrogant attitude towards Arab's inability proved calamitous to the Israeli forces and its national security.

IMPLICATIONS AND EFFECTS OF THE WAR

This paper highlights various implications and effects of this war and lessons that can be learned to prevent recurrence in the future. The most significant outcome of the October War in 1973 was the "psychological triumph" of the Arabs who were beleaguered before with a sense of disgrace and humiliation and has brought to an end the stalemate of the state of 'No Peace, No War [112]. It was argued that the Arabs were successful in the war because the political situation had changed significantly culminating in the 1979 Camp David Accords [113]. To Israel, the war had demonstrated that ownership of occupied territories could not guarantee safer Israel, thus encouraging leaders such as Menachem Begin, Moshe Dayan, and Eze Weizman to surrender back the Sinai Peninsula to Egypt in return for peace after Sadat's 1977 visit to Israel [114].

The Arab states also realised the importance of oil as a "political weapon" in which its use in the battle against Israel would lead to "decisive changes" in the bilateral relations between the oil-producing countries and the foreign exploiting countries [115]. As a result of the war, the Arab states had enforced an oil embargo which led to a situation of panic and disunity in Western Europe, for example, the delivery of Israeli arms purchases made in a number of European countries before the outbreak of war was delayed, and the NATO allies had declined to support the U.S. resupply effort [116]. Generally, the breakout of war had acted as a "catalyst" for the oil crisis, resulting in the improved economic strength and resilience for the Arab's oil-producing countries, in which they were ready to use oil as a weapon against Israel [117].

In terms of international relations, the war contributed to great changes that happened in Europe in relation to its connections with the Arab countries, the relations between various European countries and Europe's relations with the United States and Israel [118]. This is because the war had eliminated some of the impediments which hindered Europe's actual perception of the Arab world resulting in the positive elements in the creation of a European policy concerning the Arabs and an Arab's policy in relation to Europe [119]. From the organisational perspective, the shortcomings of intelligence organisations were appropriately dealt with by reorganising the Israeli intelligence system and giving responsibility to the Foreign Office, Mossad and the IDF's local commands [120].

The war has paved a way for mutual agreement between two superpowers, the United States and the Soviet Union, by executing the policy of "positive co-existence" between them and to exert their influence, with the Arabs and Israel to achieve resolution of the Arab-Israeli conflict [121]. Due to the intensity of the October War in which both superpowers had stakes, nuclear threats occurred and both had positioned their nuclear capabilities about the likelihood to survive the first assault and strike back with destructive effect against the attacker even though this happened only in paper planning [122]. The conflict took not more than 48 hours starting from 24 October 1973, and the policy-makers were already concerned with the current evolving situation, and then created ad hoc reactions to solve the problem [123].

On the other hand, the economic effect of the war was the heavy economic crisis to Israel which occurred until the 1980s and known as the "lost decade" resulting from the high cost of war and the extensive reconstruction of the IDF [124]. The high cost of war referred to the delivery of massive quantities of arms, ammunition, and equipment by the U.S. which imposed a heavy economic cost on Israel's external debt [125]. Besides that, the internal debt of the country had also increased significantly [126].

Importantly, the psychological effect of this war was the overwhelming great shock and vulnerability among the public [127]. Direct psychological effects were experienced by more than two thousand men and officers who had been struck down with symptoms known as "Combat Reactions" due to the nature of war as a total surprise, disorderly deployment of reserves, shattering blow of the "holy myths" in regard to IDF readiness, morale, and the quality of strategy, and the questionable professionalism of high-ranking and middle-rank commanders [128]. Successive opinion polls in the aftermath of war indicated a positive public support for the "territory for peace" strategy proposed by the United Nations [129].

LESSONS LEARNED FROM THE IMPLICATIONS AND EFFECTS OF THE WAR IN RELATION TO POLITICAL AND INTERNATIONAL RELATIONS

Politically, it can be understood by the warring parties that physical occupation of territories, for example, the occupation of Sinai Peninsula by Israel, does not guarantee peace and security against the adversary's attacks. This is due to the fact that the defeated force will strive very hard to regain possession of the lost lands and to achieve psychological success after past disgrace and humiliation. This situation will inevitably lead to disastrous wars and conflicts like the October 1973 War. It is therefore pertinent for the involved parties to achieve amicable solutions and be ready to lose something in return for something more precious, such as Israel's willingness to surrender back the Sinai Peninsula to Egypt in return for peace.

Besides, the use of a commodity, like oil by a party as a political weapon to exert pressure on the other party will not only prevent the latter from acting to the former's detriment, but also will improve bilateral relations between them because both will reap significant benefits, like economic prosperity arising from the relationship. For instance, oil producers among Arab countries had imposed oil embargoes which caused panic and disunity in Western Europe. Apart from that, post-war reorganisation of the government's institutions or system, especially the intelligence organisations will undoubtedly improve their effectiveness and accountability to the people and government. The existence of truly responsible and accountable intelligence organisations is absolutely important to inform the decision makers and forewarn any threat from the enemy whether real or perceived. Otherwise, the whole country will be plunged into a debacle and war like what had happened in Yom Kippur War as a result of AMAN's ineptitude.

From the international relations' viewpoint, the war reinforced the notion of 'peaceful and fruitful co-existence' among the involved parties, especially the Arab countries, Israel and Europe through improved perceptions amongst them and policies that support each other. It is necessary to ensure that mutual cooperation and cordial support in a non-violent environment are thoroughly practised to achieve peace. Also, the influence of two superpowers, the United States and the Soviet Union in ensuring peaceful resolution between the Arabs and Israelis acted as a catalyst to promote security and end the war.

The war caused grave economic effects on Israel due to its high cost. Heavy economic cost on Israel's external debt provides a grim example of how calamitous it would be if a war is not systematically executed. A war must be rigorously anticipated, planned, executed and won at any cost to avoid resulting financial ramifications. Similarly, the war had resulted in traumatic psychological effects and vulnerabilities among the citizens, and great distress to the servicemen due to sloppy war preparations and total surprise it inflicted. Even if a war is winnable, it must be avoided under any circumstances. If it cannot be evaded, a war should be made the last resort in any condition of strained relationships among the countries involved.

LESSONS LEARNED TO PREVENT RECURRENCE OF INTELLIGENCE FAILURE AND SURPRISE

There are many lessons that can be learned to prevent recurrence of intelligence failure and surprise in the future. Firstly, an intelligence analyst should be aware of any changes or progress made by the adversary including their intentions and capabilities, especially if the adversary has been repeatedly defeated or overwhelmed in the past, and he should not submit to the excessive sense of superiority and overconfidence. An analyst should have a good understanding of the adversary's ideology, cultural-identity and operational code in order to successfully evaluate their capabilities [130]. As pointed out by Colonel Moni Chorev of the Israeli Defense Forces, the Yom Kippur War shows the interdependent relationship between estimates of intentions and capabilities in which 'erroneous estimate' of enemy's intention may cause 'erroneous estimate' as to their capabilities [131].

Secondly, an analyst should become open-minded and critical so as to avoid certain mental perception, conception and 'established assessment' which can create "impregnable psychological barrier" that affect the quality of intelligence estimate and assessment. Thirdly, an analyst should be able to identify and acquaint himself with various psychological warfare, deception and concealment strategies, security measures and distracters or 'noises' usually employed by the adversary in order to prevent or at least, mitigate strategic and operational surprises. An analyst also should be able to detect any discrepancies or peculiarity of the adversary's course of action and can sift out any relevant warnings and indicators from a massive volume of information including the ability to recognise a number of feasible options or alternatives that may be resorted to by the enemy.

Fourthly, an intelligence analyst should not be susceptible to a variety of intelligence pathologies, most notably "groupthink", "mirror imaging" and "cognitive and cultural biases" by exercising good intelligence practices to ensure the accuracy and reliability of estimates and assessments. Fifthly, all analysts, especially senior intelligence analysts should exercise ethical behaviours and conduct such as encouraging open and extended discussions to generate new ideas and to bridge any gap in the assessment or estimate. Efforts can also be made by hiring private body of experts to give advice and ideas on strategic and national security issues which can also serve as a 'check and balance' to any assessment or estimate produced earlier on.

CONCLUSION

The 1973 Yom Kippur War, as the prominent case study of intelligence and policy failures, had serious ramifications which caused the Israeli strategic surprise in the war. The war changed the political and strategic environment in the Middle East and the global international relations scenario. The pervasiveness of a sense of invulnerability and superiority among the Israeli political and military leaders based on the AMAN-propagated "ha-konseptziyah" has been recognised as the leading cause of intelligence and policy blunders in the war. It was the mental perception of superiority which gradually led to established assessments that eventually caused Israel's failure to consider changes in operations and strategies of the Arabs. Also, the existence of a number of intelligence

pathologies had greatly hindered Israel's decision making and intelligence production process to their detriment. Besides, various kinds of deception plans, mainly political and military, had been employed by the Arabs to conceal their true intentions and capabilities prior to the war.

Surprises were inevitable in the war due to the inability of the Israeli intelligence machinery to forewarn the decision makers of the impending attack, like technical and doctrinal surprises, and also another unexpected aspect of surprise – timing of the attack. Generally, the Israelis were caught off-guard as a result of prejudice and miscalculation about the Arab's capabilities as reflected in the flawed AMAN's assessments, and overconfidence in air superiority and armour. With regard to the policy failure, it was not the main cause of debacle in the war, but it had, to some extent, aggravated the Israeli poor performance and ineffectiveness.

The 1973 October War was regarded as the turning point in rectifying the Arab's humiliation and loss of dignity in previous wars, primarily by changing the political situation in favour of the Arabs and by creating a positive European policy concerning the Arabs and vice versa. The war portrayed the importance of using a commodity as a political weapon to attain decisive changes in the bilateral relations between the involved countries and to improve the economic resilience of the Arab countries. Moreover, the war caused adverse economic and psychological effects on Israel for many years and was regarded as its 'lost decade'. Internationally, the war reinforced the notion of 'positive co-existence' of two superpowers, the United States of America and the Soviet Union.

REFERENCES AND ENDNOTES

[1]   Buckwalter, D. T., The 1973 Arab-Israeli War. In Case Studies in Policy Making and Process, 10th eds. Newport: Naval War College, 2007.

[2]   Baxter, S., Arab-Israeli War October 1973, Lessons Learned, Lessons Forgotten, Naval War College, Newport, RI, 1994.

[3]   Awad, T. A., The Ramadan War 1973, Research Report, Air War College, Air University, Alabama, 1986.

[4]   Boyne, W. J., The Two O'Clock War: The 1973 Yom Kippur Conflict and the Airlift that Saved Israel, New York: St. Martin's Press, 2002.

[5]   Yonay, E., No Margin for Error: The Making of the Israeli Air Force, New York: Pantheon Books, 1993.

[6]   Bennett, D. A. and Arnold, M. W., Anwar Sadat's National Security Strategy in the October War: From Vision to Victory, National War College, National Defense University, Washington, D.C, 2000.

[7]   Handel, M. I., Perception, Deception and Surprise: The Case of the Yom Kippur War, Jerusalem: Hebrew University, 1976.

[8]   Bennett, D. A. and Arnold, M. W., Anwar Sadat's National Security Strategy in the October War, p.13.

[9]   Keller, B. A., Avoiding Surprise: The Role of Intelligence Collection and Analysis at the Operational Level of War, School of Advanced Military Studies, United States Army Command and General Staff College, Fort Leavenworth, KA, 1992.

[10] Gazit, S., The Emperor's New Clothes, Intelligence and Terrorism Information Center, The Center for Special Studies, Tel Aviv, 2004.

[11] McDermott, M. L., Anwar Sadat and the 1973 Yom Kippur Force: Sadat's Ultimate Instrument of Statecraft, National War College, National Defense University, Washington, D.C, 2000.

[12] Baxter, S., Arab-Israeli War October 1973, Lessons Learned, Lessons Forgotten, p.ii.

[13] Gazit, S., The Emperor's New Clothes, p.25.

[14] Bar-Joseph, U. and Levy, J. S., Conscious Action and Intelligence Failure, Political Science Quarterly, 124(3): 461-487, 2009.

[15] Kahana, E., Early Warning versus Concept: the Case of the Yom Kippur War 1973, Intelligence and National Security, 17(2): 81-104, 2002.

[16] Baxter, S., Arab-Israeli War October 1973, Lessons Learned, Lessons Forgotten, p.10.

[17] Aboul-Enein, Y. H., The Yom Kippur War: Indications and Warnings, Military Review, January-February 2003: 52-54, 2003.

[18] Shlaim, A., Failures in National Intelligence Estimates: The Case of the Yom KippurzWar, World Politics, 28(3): 348-380, 1976.

[19] Black, I. and Morris, B., Israel's Secret Wars: A History of Israel's Intelligence Services, New York: Grove Press, 1991.

[20] Buckwalter, D. T., The 1973 Arab-Israeli War, p.123.

[21] Black, I. and Morris, B., Israel's Secret Wars: A History of Israel's Intelligence Services, p.309.

[22] Cohen, E. A. and Gooch, J., Military Misfortunes: The Anatomy of Failure in War, New York: Free Press, 1990.

[23] Kumaraswamy, P. R., Revisiting the Yom Kippur War: Introduction, Israel Affairs, 6(1): 1-10, 1999.

[24] Awad, T. A., The Ramadan War 1973, pp.9-10.

[25] ibid, p.10.

[26] Heikel, M., The Road to Ramadan, London: Collins, 1975.

[27] Niederhauser, G. A., Defeating Surprise, Research Paper, Naval War College, Newport, RI, 1994.

[28] Keller, B. A., Avoiding Surprise: The Role of Intelligence Collection and Analysis at the Operational Level of War, p.21.

[29] Kumaraswamy, P. R., Revisiting the Yom Kippur War: Introduction, p.7.

[30] Awad, T. A., The Ramadan War 1973, p.10.

[31] Laur, T. M., Principles of Warning Intelligence. In Gerald W. Hopple and Bruce W. Watson, eds., The Military Intelligence Community, Boulder, CO: Westview Press, 1986.

[32] Keller, B. A., Avoiding Surprise: The Role of Intelligence Collection and Analysis at the Operational Level of War, pp.4-5.

[33] ibid., p.24.

[34] Gladwell, M., Connecting the Dots: The Paradoxes of Intelligence Reform, The New Yorker, March 10: 83-89, 2003.

[35] Erdie, P. B., Network-Centric Strategic-Level Deception, Master's Thesis, Naval Postgraduate School, Monterey, CA, 2004.

[36] Kumaraswamy, P. R., Revisiting the Yom Kippur War: Introduction, p.7.

[37] Handel, M. I., Perception, Deception and Surprise: The Case of the Yom Kippur War, pp.7-8.

[38] Aboul-Enein, Y. H., The Yom Kippur War: Indications and Warnings, p.53.

[39] ibid.

[40] Erdie, P. B., Network-Centric Strategic-Level Deception, p.8.

[41] ibid., p.9.

[42] Keller, B. A., Avoiding Surprise: The Role of Intelligence Collection and Analysis at the Operational Level of War, pp.23-24.

[43] Aboul-Enein, Y. H., The Yom Kippur War: Indications and Warnings, p.53.

[44] Gladwell, M., Connecting the Dots: The Paradoxes of Intelligence Reform, p.83.

[45] ibid.

[46] ibid.

[47] Handel, M. I., Perception, Deception and Surprise: The Case of the Yom Kippur War, pp.7-8.

[48] Gladwell, M., Connecting the Dots: The Paradoxes of Intelligence Reform, p.83.

[49] Bar-Joseph, U. and Levy, J. S., Conscious Action and Intelligence Failure, p.483.

[50] ibid.

[51] Black, I. and Morris, B., Israel's Secret Wars: A History of Israel's Intelligence Services, p.297.

[52] Aboul-Enein, Y. H., The Yom Kippur War: Indications and Warnings, p.53.

[53] ibid.

[54] ibid.

[55] Keller, B. A., Avoiding Surprise: The Role of Intelligence Collection and Analysis

at the Operational Level of War, p.25.

[56] ibid., p.36.

[57] Niederhauser, G. A., Defeating Surprise, p.10.

[58] ibid., p.12.

[59] Bolia, R. S., Overreliance on Technology in Warfare: The Yom Kippur War as a Case Study, Ft. Belvoir: Defense Technical Information Center, 2004.

[60] ibid., p.49.

[61] Betts, R. K., Surprise Despite Warning: Why Sudden Attacks Succeed, Political Science Quarterly, 95(4): 551-572, 1981.

[62] ibid., pp.568-569.

[63] ibid., pp.568.

[64] Chorev, M., Surprise Attack: The Case of the Yom-Kippur War, Executive Research Project, The Industrial College of the Armed Forces, National Defense University, Fort McNair, Washington, D.C, 1996.

[65] ibid.

[66] Sadat, A., In Search of Identity, New York: Harper and Row, 1977.

[67] Ben-Zvi, A., The Study of Surprise Attacks, British Journal of International Studies, 5: 129-149, 1979.

[68] Bar-Joseph, U., Main Trends in the Historiography of the Yom Kippur War: A Thirty-Year Perspective, The Journal of Israeli History, 24(2): 251-266, 2005.

[69] Uzi Benziman, Yom Kippur, May 1998, Ha'aretz, 17 May 1998, Available from http://www3.haaretz.co.il/eng/scripts/show-katava.asp?id=19436 (Accessed 30 March 2017).

[70] Bar-Joseph, U., Israel's Intelligence Failure of 1973: New Evidence, a New Interpretation, and Theoretical Implications, Security Studies, 4(3): 584-609, 1995.

[71] Betts, R. K., Surprise Despite Warning: Why Sudden Attacks Succeed, pp. 554-555.

[72] Shlaim, A., Failures in National Intelligence Estimates: The Case of the Yom Kippur War, World Politics, 28(3): 348-380, 1976.

[73] Betts, R. K., Surprise Despite Warning: Why Sudden Attacks Succeed, pp. 557.

[74] Bar-Joseph, U., The 1973 Yom Kippur War, Jewish Virtual Library Publications, 2009, Available from http://www.jewishvirtuallibrary.org/jsource/isdf/text/barjoseph.html. (Accessed on 11 April 2017).

[75] Keller, B. A., Avoiding Surprise: The Role of Intelligence Collection and Analysis at the Operational Level of War, p.24.

[76] ibid., p.18.

[77] Gazit, S., The Emperor's New Clothes, p.25.

[78] Gladwell, M., Connecting the Dots: The Paradoxes of Intelligence Reform, p.83.

[79] Bar-Joseph, U. and Levy, J. S., Conscious Action and Intelligence Failure, p.469.

[80] ibid., p.482.

[81] ibid., pp.475, 486.

[82] Kumaraswamy, P. R., Revisiting the Yom Kippur War: Introduction, p.7.

[83] Bar-Joseph, U., Main Trends in the Historiography of the Yom Kippur War: A Thirty-Year Perspective, p.253.

[84] ibid.

[85] Gazit, S., The Emperor's New Clothes, p.26.

[86] Bar-Joseph, U. and Levy, J. S., Conscious Action and Intelligence Failure, p.482.

[87] Handel, M. I., Perception, Deception and Surprise: The Case of the Yom Kippur War, pp. 7-8.

[88] Stein, J. G., The 1973 Intelligence Failure: A Reconsideration, The Jerusalem Quarterly, 24(7): 41-54, 1982.

[89] Gazit, S., The Emperor's New Clothes, p.26.

[90] Bar-Joseph, U., The Watchman Fell Asleep: The Surprise of Yom Kippur and Its Sources, Albany: State University of New York Press, 2005.

[91] Honig, O., Surprise Attacks – Are They Inevitable? Moving Beyond the Orthodox-Revisionist Dichotomy, Security Studies, 17(1): 72-106, 2008.

[92] The Insight Team of the London Sunday Times, The Yom Kippur War, Garden City, NY: Doubleday, 1974.

[93] Irving, J. L., Victims of Groupthink, Boston: Houghton Mifflin, 1972.

[94] Stein, J. G., The 1973 Intelligence Failure: A Reconsideration, pp.41-46.

[95] Bar-Joseph, U. and Levy, J. S., Conscious Action and Intelligence Failure, p.483.

[96] Baxter, S., Arab-Israeli War October 1973, Lessons Learned, Lessons Forgotten, p.10.

[97] Aboul-Enein, Y. H., The Yom Kippur War: Indications and Warnings, p.54.

[98] Baxter, S., Arab-Israeli War October 1973, Lessons Learned, Lessons Forgotten, p.9.

[99] Awad, T. A., The Ramadan War 1973, p.50.

[100] Stein, J. G., The 1973 Intelligence Failure: A Reconsideration, pp.41-46.

[101] Bolia, R. S., Overreliance on Technology in Warfare: The Yom Kippur War as a Case Study, p.51.

[102] ibid.

[103] Chorev, M., Surprise Attack: The Case of the Yom-Kippur War, p.10.

[104] Ibid.

[105] Bolia, R. S., Overreliance on Technology in Warfare: The Yom Kippur War as a Case Study, p.50.

[106] Keller, B. A., Avoiding Surprise: The Role of Intelligence Collection and Analysis at the Operational Level of War, p.18.

[107] Buckwalter, D. T., The 1973 Arab-Israeli War, p.130.

[108] Keller, B. A., Avoiding Surprise: The Role of Intelligence Collection and Analysis at the Operational Level of War, p.19.

[109] ibid., p.18.

[110] Bar-Joseph, U. and Levy, J. S., Conscious Action and Intelligence Failure, p.466.

[111] Keller, B. A., Avoiding Surprise: The Role of Intelligence Collection and Analysis at the Operational Level of War, pp.20-22.

[112] Al-Bitar, S. A., The Implications of the October War for the Arab World, Journal of Palestine Studies, 3(2): 34-45, 1974.

[113] Buckwalter, D. T., The 1973 Arab-Israeli War, p.129.

[114] Bar-Joseph, U., The 1973 Yom Kippur War, Jewish Virtual Library Publications, 2009, Available from http://www.jewishvirtuallibrary.org/jsource/isdf/text/barjoseph.html. (Accessed on 11 April 2017).

[115] Al-Bitar, S. A., The Implications of the October War for the Arab World, p.39.

[116] Blechman, B. M. and Hart, D. M., The Political Utility of Nuclear Weapons: The 1973 Middle East Crisis, International Security, 7(1): 132-156, 1982.

[117] Rolef, S. H., The Domestic Fallout of the Yom Kippur War, Israel Affairs, 6(1): 177-194, 1999.

[118] Al-Bitar, S. A., The Implications of the October War for the Arab World, p.41.

[119] ibid., pp.41-42.

[120] Katz, S. M., Soldier Spies: Israel's Military Intelligence, Novato, CA: Presidio, 1992.

[121] Al-Bitar, S. A., The Implications of the October War for the Arab World, p.43.

[122] Blechman, B. M. and Hart, D. M., The Political Utility of Nuclear Weapons: The 1973 Middle East Crisis, p.133.

[123] ibid., p.134.

[124] Barkai, H. and Liviatan, N., The Bank of Israel: The Monetary History of Israel, New York: Oxford University Press, 2007.

[125] Liviatan, N. and Peterman, S., Accelerating Inflation and Balance of Payments Crises 1973-1984. In Yoram Ben-Porath, ed.: The Israeli Economy – Maturing Through Crises, Cambridge, MA: Harvard University Press, 1986.

[126] Rolef, S. H., The Domestic Fallout of the Yom Kippur War, p.190.

[127] Peri, Y., The Israeli Military and Israel's Palestinian Policy: From Oslo to the Al Aqsa Intifada, Washington, D.C.: U.S. Institute of Peace, 2002.

[128] Levav, I., Greefeld, H., and Baruch, E., Psychiatric Combat Reactions during the Yom Kippur War. American Journal of Psychiatry, 136(5): 637-641, 1979.

[129] Karsh, E., Cold War, post-Cold War: Does It Make a Difference for the Middle East?, Review of International Studies, 23: 271-291, 1997.

[130] McCormick, G. H., Surprise, Perceptions and Military Style, Orbis, 26(4): 833-839, 1983.

[131] Chorev, M., Surprise Attack: The Case of the Yom-Kippur War, p.9.

COASTAL STATES STRATEGIC CHALLENGES IN THE SOUTH CHINA SEA

Colonel Ramli H Nik (R)
Department of Strategic Studies, National Defence University Malaysia
Email: ramlinik@gmail.com

ABSTRACT

The paper analyses the coastal states' strategic challenges in the maritime domain of South China Sea which contributes in the growth of the international commerce. In order to ensure peace and sea-stability is prevailed especially in the general area of Spratlys, which is an overlapping claim among the five coastal states, as well as the sources of hydro-carbon, the coastal states formulated their military commitment for the maritime domain from three perspectives. Firstly, the coastal states have to increase their defence expenditure since the year 2000s, and followed by the acquisition of strategic maritime asset, like submarines to protect their exclusive economic zones. Secondly, to what extent the use of high seas for military activities including marine scientific research by other States in the coastal States' Economic Exclusive Zones, has been regarded as part of the exercise to freedom of navigation. Finally, maritime powers projection as pursued by China and the United States can contribute towards sea-stability in the Southeast Asia region.

Keywords: *Maritime domain, due regard, military activities, submarines and sea-stability*

INTRODUCTION

The South China Sea (SCS) is about 804,000 square nautical miles [1] providing shipping routes connecting Northeast Asia with Southeast Asia and the Middle East. It is the world's second busiest international sea lane and conveys about one-fourth of the global crude oil and other goods. The continued growth in international commerce has been accompanied by the increasing use in the projection of maritime power and, is further compounded with the overlapping claims by the coastal states. These states and the shipping industry are very concerned on the peace and security issues in this maritime domain.

In order to avoid the possible conflict in the general area of overlapping claims in the SCS, with spill-over effects on the ASEAN and the sea-lanes connecting between Indian Ocean and Pacific Ocean, a bold security cooperation has to be pursued. It should be a shift to promote from the culture of state security to a "cooperative security", with strong political will and enhanced economic cooperation, thereby reducing instability. At the same time, the United Nations Convention Law of the Sea of 1982 (UNCLOS) sets out the principles of freedom of navigation that obliges the user states to observe their rights, and at the same time respect the rights of coastal states' exclusive economic zones (EEZ).

Malaysia, equally shared the security challenges facing the coastal states to maintain regional peace and stability, the fact that, the existence of overlapping claims in the general area of Spratlys as shown in Figure 1, which stretched out to over 500 nautical miles from north to south, creates a differing practice of jurisdiction by coastal states of

the SCS. Therefore, securing and stabilizing SCS by encouraging cooperation is a critical dimension of the region's maritime security. Though, it can be noted that the coastal states have continued to strengthen their military capabilities.
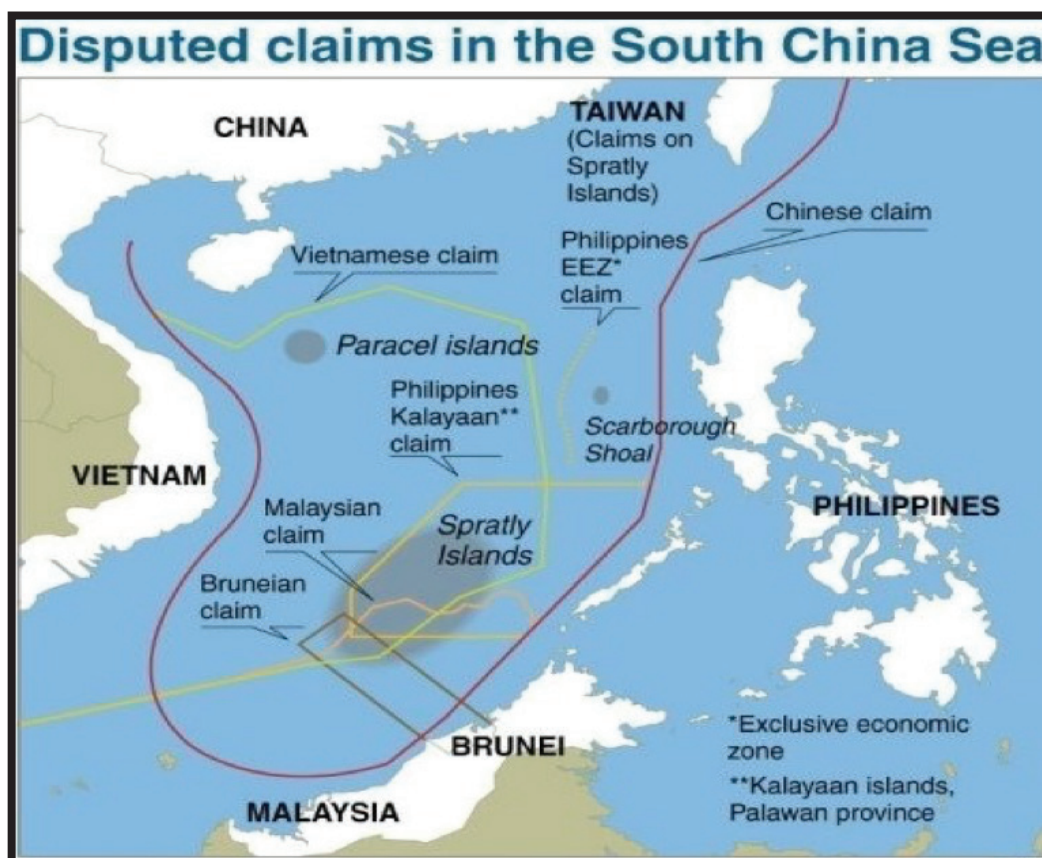
Figure 1: Disputed Territories in the South China Sea [2]

This paper examines the coastal states' security approach with respect to acquisition of strategic maritime assets such as submarines to protect their EEZ. Secondly, what are the roles of two maritime powers namely China and the United States powers in creating regional stability, and finally, the paper will impress upon that peace and stability has to prevail in the SCS domain with the commitment from the coastal states and major powers.

COASTAL STATES' CHALLENGES

Though fragile stability has prevailed in this maritime domain, but in reality three major factors in terms of overlapping claims, occupation of the islands/islets by the claimant states, and China's modernization programmed of PLA-Navy, are the sources of instability. Of immediate concern, is the overlapping claims in the SCS by the six claimants namely, Brunei, China, Malaysia, the Philippines, Vietnam and Taiwan in pursuance of the concept of the EEZ as stipulated in Article 55 of the UNCLOS 1982.

At present, four claimants namely China, Malaysia, the Philippines, and Vietnam have stationed their troops on the islands or reef in accordance with their claims within the Spratly group of islands. From a total of 53 islands/reefs or banks in the Spratlys, China has occupied - nine, Malaysia - five, the Philippines - ten, Vietnam – 26 and Taiwan - two.

Also, the importance of offshore oil or gas to most of the coastal states, is highlighted by almost all of Malaysia's oil, 85 percent of Brunei's and 45 percent of Indonesia's oil that come from the seabed of their EEZ in the SCS. There is fear of   shortage of oil in the coming decades in the region that could become a significant source of instability. In addition, fishing activities in this maritime domain is ranked fourth position of world's 19 fishing zones, and in terms of total catch of fisheries, China is leading with a total of 17.1 million tonnes of fisheries annually [3]. China has launched its annual fishing ban in the SCS since year 2000s - a unilateral act that comes amid unprecedented tensions in the disputed area and fresh fears that Beijing is using the moratorium to assert its sovereignty claims [4].

The need for strategic deterrence has contributed to the coastal states' acquisition of submarines to defend their EEZ, the fact that no single country in the Southeast Asia region has adequate resources of maritime forces to ensure the security of entire regional maritime domain in terms of capability and quality. As advocated by Alfred Thayer Mahan, a known maritime theorist over a century ago, that "control of the sea means access to the strategic assets of virtually the entire world" [5]. In reality, the naval build up in the early 2000s by the coastal states, is an effort to strengthen their maritime capabilities to protect their EEZ which largely contributed towards their economic development.

In this context, it is fair to categorise that the special round arms acquisition by the coastal states started from the year 2000 to 2020, with the allocation between 9 to 15 percent of their GDP on military expenditures. China has spent more than 15 percent of its GDP in maintaining strategic interest in the SCS especially the occupation/construction of some islands/reefs in the Spratlys, and maintaining surveillance approaches to the Straits of Malacca. Thus, the Chinese PLA Navy demands a build-up of its blue navy to control the vital sea lanes of communication and ensuring the security and safety of its transportation of oil and gas [6].

Accordingly, the coastal states have been increasing   their military expenditures between 10 percent to 23 percent of their GDP since 2005. The increase is driven by the three basics requirements: urgent need for modernization programmes of the Maritime Forces (MF), strong economic growth, and replacement of old or obsolete equipment acquired by the coastal states in 1980s [7]. However, basing on the unofficial report from the United States, the defence expenditure of China was actually USD70Bn in 2002 and has continued to increase remarkadly to USD122Bn in 2007 [8]. Thus in 2007, Beijing was second in defence spending after the United States. In reality, the special round of arms acquisition is very significant in catering for the PLA-Navy's expansion towards blue waters operations, in particular in the launching of its first carrier battle groups based at Hainan Island in 2010, to impress upon one of its critical objectives in controlling the SCS.

From the coastal states' perspective, it is of paramount importance to acquire military assets to meet the challenges in the maritime domain. This commitment or policy is in line with the theory of Julian Corbett of using MF as an element of national power. Indeed, the increase in maritime forces is an effort to acquire modern technology to attain the control of the sea, especially the acquisition of submarines is crucial in the maritime domain and is not interchangeable with any other asset [9]. It is very clear that the submarines can be tasked to perform: strategic deterrence, sea control and denial, battle space preparation, surveillance, intelligence gathering operations, and support for ground operation including land attack. Stealth is a primary ingredient to effective submarine operations in any maritime domain.

Thus, the acquisition of attack submarines by some of the coastal states of the SCS as shown in Figure 2, is very timely.   These coastal states have acquired submarines to enhance their defence postures in the maritime domain. By   the year 2020, there will be a substantial increase of submarines in the region with Indonesia, Thailand and Vietnam acquiring 12, 6 and 6 submarines respectively. The acquisition of submarines is the strategic commitment of the coastal states as envisaged from year 2010 to 2020, the fact that China's intentions to become a major maritime power with the increase of submarines to 70 by 2020. The coastal states have pursued seriously of the changes or shifting of balance in the maritime domain, and have responded with their buildups particularly in the submarines fleet.

Figure 2: Acquisition of Submarines by the Coastal States of the South China Sea[10]

PROJECTION OF MARITIME POWERS

Naval power projection as currently been pursued by some maritime powers like China and the United States in the SCS, could be argued as an effort or obligation to maintain the freedom of navigation. It is also to ensure that there is no disruption in the sea-borne transportation of strategic commodity such as oil and gas. The freedom of navigation in the high seas is set out in the UNCLOS of 1982 which came into force in November 1994.

China has affirmed its guaranteeing freedom of navigation for foreign ships and air routes through and over the international passage of the SCS according to the international law as stipulated in the Chinese White Paper of 2002. It has also emphasized the importance of pursuing peaceful external relations through multilateral and cooperative approaches. For China, as well as for Japan and South Korea, the access to oil is critical to their economic growth and political stability.

At the same time, the United States' military presence in the region is a force of stability through cooperation and engagement with the coastal states such as with the Philippines, Thailand and Singapore. Equally important is the Sino-United States security relations which is fundamental towards stability in the region [11], and contributed in attaining two important objectives: ensuring both regional and international peace and security, and promoting economic cooperation in the maritime domain. In essence, the United States has explicitly stated that the freedom of passage in the SCS must not be interrupted because of its strategic and economics interest in the Asia-Pacific region. This is also crucial for its military deployment from Pacific Area Command based in Honolulu, Hawaii. In realpolitik, the United States has to recognize China as a great power in Asia, as well as its current centrality to the regional economic order. It is clear that China is a preeminent power in Asia that actively could strengthen regional stability, security and prosperity. Similarly, China has acknowledged the United States' commitment and its strategic alliances in the region in addressing both traditional and non-traditional security threats.

From another perspective, it is critical the use of the high seas for military activities including marine scientific research (MSR) by other States in the coastal States' EEZ. Through Article 58 of the Convention [12], intelligence gathering activities have been regarded as part of the exercise to freedom of high seas, and therefore is lawful in the coastal States' EEZ as well. Thus far, maritime powers have been virtually conducting such activities without protest from coastal States, unless they are extremely provocative. Other states may also use the EEZ with "due regard" to the rights and duties of coastal states as stated in Article 58 (3) of the Convention. The same Article clearly states that in exercising their rights and performing their duties in the EEZ, "States shall have due regard to the rights and duties of the coastal State and shall comply with the laws and regulations adopted by the coastal State." However, under Article 56 (2), the coastal State is required to have due regard to the rights and duties of other States in exercising their rights and performing their duties in the EEZ. In essence, the Convention tries to maintain the balance of interests and rights of the coastal State and other States in the EEZ. In reality, the UNCLOS of 1982 does not clearly define "due regard" or what constitutes permissible military activity.

The United States also differed in interpretation of the UNCLOS 1982, in particular the Convention's provisions on the coastal states' right in their EEZ [13]. The United States has yet to ratify the UNCLOS, while China is a party to the Treaty. On the other hand, there is misinterpretation of the some Articles in the UNCLOS of 1982. The high seas are used for military activities including marine scientific research (MSR) by other States in the Coastal states' EEZ. Through Article 58 of the Convention, intelligence gathering activities are regarded as part of the exercise to freedom of high seas, and therefore is lawful in the coastal States' EEZ, as indicated by the U.S Navy deployment in Figure 3. In essence, the U.S is prepared to defend the freedom of navigation in meeting whatever eventuality in the SCS.

Accordingly, China has acknowledged the United States commitment and its strategic alliances in the region in addressing both traditional and non-traditional security threats. But, the most disturbing declaration by China in March 2010 is classifying the SCS as its "core interest." This assertion/declaration is a challenge to the claimant states and to the extra-regional powers. Further, it can be argued that China has fired a first shot towards the claimant states and this could lead to ultimate conflict between China and the front line coastal states.
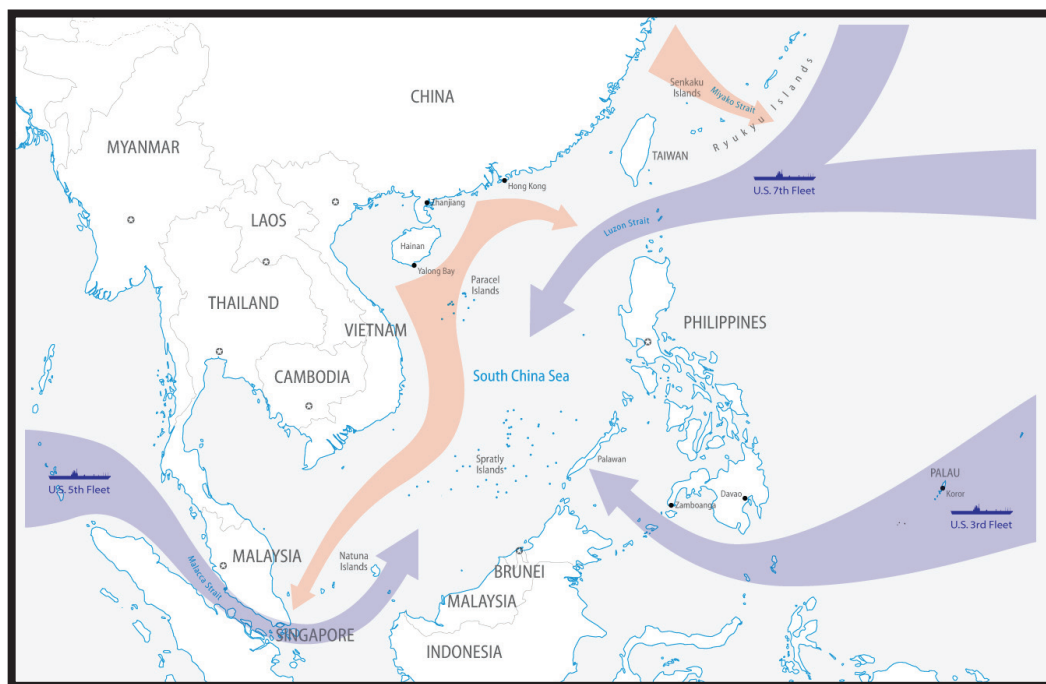
Figure 3: The deployment of the U.S naval fleets towards SCS [14]

The assertive action by Chinese has contravened the endorsement of peace declaration since 1990s by China and ASEAN for peaceful resolution of the islands in disputes as not to use any force or threat of force, to settle the disputes and not to obstruct to the free passage of naval and maritime traffic through SCS. It is clearly of China's deep commitment to enforcing its territorial claims through the use of military force. China's assertion of "core national interest" has placed this issue in the category of non-negotiable that China would use force if necessary against any nation infringing its sovereignty. This commitment is crystal clear as indicated in 2010 by the Chinese PLA-Navy adopting a provocative route in the SCS as shown in Figure 4.
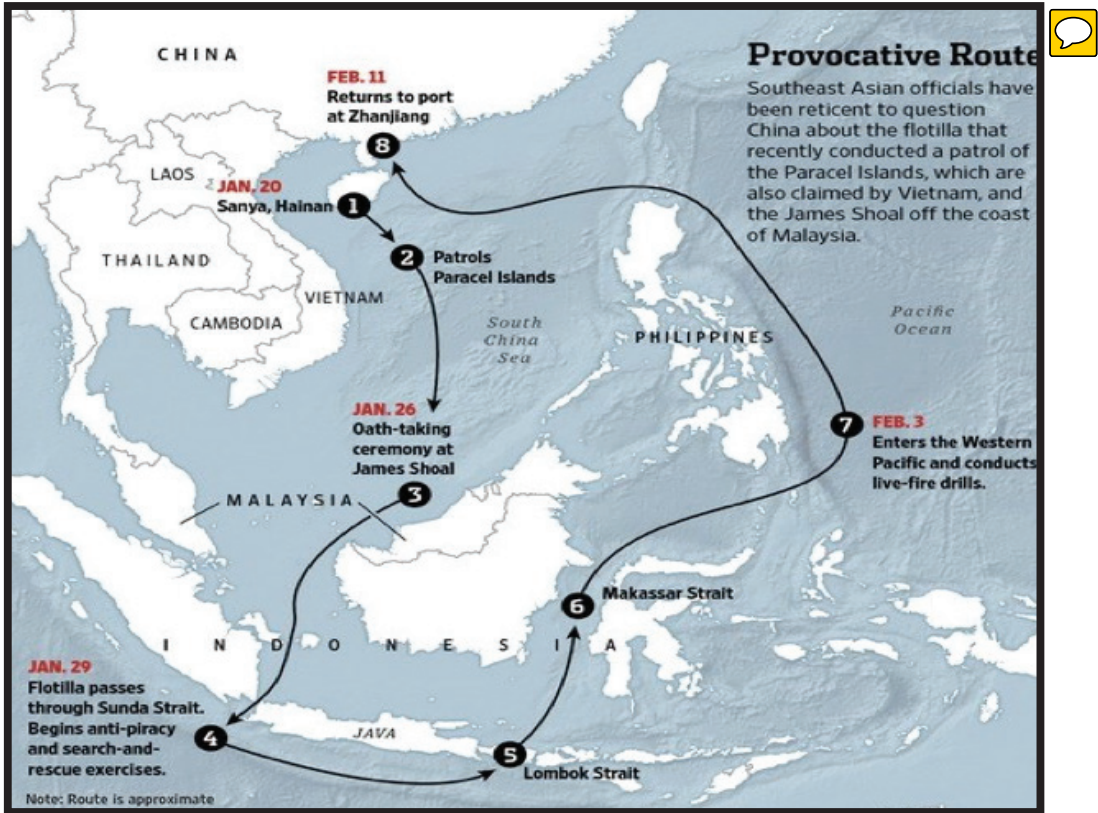
Figure 4: Chinese provocative route [15]

Finally, the coastal states are very concerned on the competing for maritime power superiority in the SCS. China and the United States are two contending powers. For example, the United States and its allies conducted military exercises in the SCS. China too, carried out military drills to test its naval operational procedures. In the case of China, its power projection in the region is based on three fleets namely, South China Sea Fleet based in Hainan Island, North Sea Fleet and East China Sea Fleet [16]. China is expected to defend its occupied islands in the Spratly and currently it has about 450 troops on the Spratlys, and in Paracels Island, it has established port facilities on Woody and Duncan islands with a small airport [17]. In short, China has pursued its military strategy to sustain the claimed areas by the following actions; firstly, establishing diplomatic legitimacy in constant pronouncements on sovereignty over claimed territories, secondly gradual and creeping occupation, thirdly steadily build-up PLA Navy capability to secure claims and finally pursuance of maritime diplomacy and cooperation, keeping aside disputes and carrying out joint development and followed by engagement in bilateral and multilateral agreement towards confidence-building and code of conduct.

CONCLUSION

Driven by China's ascending role in Asian security and the United States' desires to maintain its status of regional preponderance, the security architecture in the SCS is indeed a challenge to the coastal states maritime security. The coastal states then acquired strategic maritime assets such as submarines, in protecting their EEZ, the fact that the two major maritime powers are the sources of instability in the SCS. As recognized by Alfred Thayer Mahan, the geopolitical significance of sea lanes communication and chokepoints is for one's own benefit and preparing to deny them to adversaries are relevant to strategists today as they were a century ago.

From ASEAN's perspectives, it calls for political and economic development, good governance, rule of law and respect to coastal states territorial sovereignty in the SCS. It also required tools or mechanism to recognize and detect problems in the making of the credible agreement and to understand the deep-rooted causes which underpin conflict [18]. To enhance stability in the SCS, there is a need to address the following general principles, namely political will, committed effort, transparency, commonality of interest, no hidden agenda, and suitable operating procedures/protocols

REFERENCES AND ENDNOTES

[1]   Victor Prescott, "The South China Sea: Limits of National Claims" in MIMA Paper of 1996.

[2]   Australia's Finely Balanced Role In The South China Sea Dispute, Huffpost, Available from http://www.huffingtonpost.com.au/2016/03/14/south-china-sea_n_9423470.html (Accessed on 15 July 2016).

[3]   The Status of World Fisheries and Aquaculture 2008 by Food and Aquaculture Organisation of the UN, Rome 2009, Available form www.foa.org/docrep/011/1025oe/htm. (Accessed on 22 Jun 2010).

[4]   Mahan A Thayer, "The Influence of Sea Power Upon History, 1660-1783 (1957 ed.) the United States Naval Academy, Annapolis, Maryland.

[5] Yoshihara, J. R. (2008, Summer Vol.61.No.3). China and the United States in the Indian Ocean, Naval War College Review , p. 44.

[6] Yoshihara, J. R. (2008, Summer Vol.61.No.3). China and the United States in the Indian Ocean. Naval War College Review , p. 44.

[7] SIPRI Papers 2012.

[8] ibid.

[9] Ramli H Nik, Personal Communication with Admiral Anuwar Mohd Nor (Former CDF of Malaysia) at Armed Forces Corporation Building on 11May 2010.

[10] www.heritage foundation.org and discussion between Colonel Keith ward (Canadian Defence Adviser) /Colonel Ramli H Nik on 29 Apr 2010 in Jakarta.

[11] Eric A McVadon, "The Reckless and the Resolute: Confrontation in the South China Sea." In China Security, Vol 5 No 2 Spring 2009.

[12] The Law of the Sea: United Nations Convention on the Law of the Sea, United Nations New York   1997.

[13] Ji Guoxing, "The Legality of the Impeccable Incident" in China Security Vol 5 No.2 Spring 2009.

[14] Peter Dutton, "Charting a Course: US-China Cooperation at Sea" China Security Vol 5 No 1 Winter World Security Institute, 2009.

[15] China to start building on Scarborough Shoal this year (Report), Pressreader, Available   from   https://www.pressreader.com/malaysia/the-borneo-post-Sabah/20160426/282342564027968 (Accessed on 26 April 2016).

[16] Kenji Minemura, "China's Scenario to Seize Isles in South China Sea" in ASAHI Weekly. Available from http://www.asahi.com/english/TKY201012300112.html. (Accessed on 3 Jan 2010).

[17] Clive Schofield and Ian Storey, The South China Sea Dispute: Increasing Stakes and Rising Tension   by in Jamestown Foundation November 2009.

[18] Report of the Secretary General on Prevention of Armed Conflict (A/55/985-S/2001/574).

THE SUCCESSES AND FAILURES OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Lt Col Ir. Suthan Venkatachalam

Malaysian Institute of Defence and Security, Ministry of Defence Malaysia
Email: majorsud@yahoo.com

'Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples.'

Treaty on the Non-Proliferation of Nuclear Weapons [1]

ABSTRACT

This paper has discussed the successes and failures of the 1968 NPT in terms of its three main pillars: non-proliferation, disarmament and the right to use nuclear technology peacefully. In terms of non-proliferation, the NPT had limited success in reducing the nuclear stockpiles of the five nuclear nations who signed the treaty. For four of the five nations nuclear stockpiles continued to grow after the treaty was signed and the weakness in the treaty was that there were no repercussions or sanctions for major powers. There was, however, some success in using the NPT against rouge states such as Iran. While total disarmament remains far from being achieved, there were successes in the treaty that brought the nuclear powers to discuss reductions and there were some successes after the Cold War in significantly reducing stockpiles. It also appears likely that the increase in the number of nuclear nations was halted by the treaty. Much of the success from the treaty has come from the propagation of peaceful nuclear technology to non-nuclear signatories of the NPT. There have been widespread developments in the fields of medicine, energy and industry although it is possible that peaceful use can mask military development.

Keywords: *Treaty on the Non-Proliferation of Nuclear Weapons (NPT), International Atomic Energy Agency (IATA), disarmament, non-proliferation and the right to use nuclear technology peacefully*

INTRODUCTION

The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) was signed in 1968; when the world's five main nuclear powers, USA, USSR, China, UK and France, were engaged in a nuclear arms race. Nuclear war was a constant threat and five years prior the world had come close to nuclear war as a result of the Cuban Missile Crisis and there was an international fear that mankind could be wiped by nuclear weapons as a result of the ideological battle between East and West. Nuclear technology had advanced quickly after the end of World War 2 for both military and peaceful uses and the five nuclear powers had stockpiled huge nuclear arsenals. The NPT, signed under the auspice of the United Nations (UN) in 1968, was recognition by all five nuclear powers that the arms race had run too far and action needed to be taken.

Upon the release of the treaty 68 nations signed the NPT. 47 years later and the treaty is now almost universal [2]. In 1995 the parties of the treaty decided that the treaty should continue in force indefinitely. Although the treaty has had many successes and achieved its primary aim of preventing a nuclear war; it has not been a perfect arrangement. In its history spanning almost five decades there have been aspects of the treaty that have failed.

The aim of this paper is to discuss the successes and failures of the NPT. This paper is divided into three sections which align to the three main 'pillars' [3] of the treaty. Those pillars are: Non-proliferation, disarmament and the right to use nuclear technology peacefully. Each of the three pillars is discussed in this paper in terms of their objectives, strengths and weaknesses. This paper concludes with a summary and an opinion on the success of the treaty.

PILLAR 1 – NON-PROLIFERATION

Non-Proliferation Agreement

The first pillar of the NPT refers specifically to non-proliferation. Non-proliferation in the context of the treaty means the cessation in growth of the world's nuclear weapon stockpiles. It also infers that no new countries will adopt nuclear weapons. Figure 1 in Annex A shows the Nuclear Weapons Stockpiles by country from 1945 – 1968. In this table the exponential rise in weapons held by the five nuclear powers is obvious; particularly with the US and USSR. The NPT signatories aimed to halt this rise as the five nuclear powers believed 'that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war' [4]. The NPT agreed that they would intend 'to achieve at the earliest possible date the cessation of the nuclear arms race' [5]. While there was no set date to achieve the goal of this cessation in growth; it would be reasonable to expect the quantities of stockpiles to roughly level out after the treaty came into force in 1970. There are, however, aspects of non-proliferation that are more than just weapon stockpile numbers.

Non-proliferation also refers to limiting the amount of states that have access to nuclear weapons. Articles I and II of the treaty discuss the transfer of nuclear weapons and nuclear technology between states. Article I target nuclear nations and prohibits the transfer, or provision of assistance to develop, nuclear weapons to other nations either directly or indirectly [6]. Article II targets non-nuclear nations and prohibits them to receive, acquire or manufacture nuclear weapons [7]. The aim of both Articles I and II is to limit the spread of nuclear weapons amongst states which the signatories saw a threat to the nuclear balance of power and an increased risk of nuclear war. The signatories also saw diplomacy as another avenue of decreasing that risk.

The NPT encourages states to engage in diplomacy to encourage non-proliferation between nuclear powers. The treaty calls for the furthering of 'easing of international tension and the strengthening of trust between states in order to facilitate the cessation of the manufacture of nuclear weapons' [8]. The end objective here is clear, albeit without a clear timeframe, that the manufacturing of nuclear weapons should cease. Perhaps more importantly at that time, the treaty was a commitment that the nuclear powers

would engage in diplomacy to reduce tensions. Halting the increase in nuclear weapon stockpiles, limiting transfer and receipt of nuclear technology and diplomacy were the three key aspects of non-proliferation in the treaty. The success of non-proliferation has, however, been mixed.

Non-Proliferation Successes

There are many failures of the NPT that are presented throughout this paper. There is, however, one key success being that in the past 47 years since the treaty's signing there has not been a nuclear war and no nuclear weapons have been used in any conflict. The treaty cannot claim sole credit for this, in fact there has been a series of measures over that time, but the treaty was the first of many diplomatic mechanisms where the world's nuclear and non-nuclear powers agreed that avoiding nuclear war was in the interests of all mankind. The NPT has facilitated cooperation amongst its signatories, and institutionalised the norms of non-proliferation and disarmament. It achieved its goal of easing international tension and strengthening of trust. It also succeeded in limiting the world's nuclear nations and risking the nuclear balance of power.

The other success that the NPT achieved in terms of disarmament is that it is likely to have contributed to containment of the number of nations that have nuclear weapons. In 1963, US President John F. Kennedy predicted that 15 – 20 states would have nuclear weapons by the 1970s [9]. It is likely that this commitment in the NPT in Articles I and II contributed to the containment of nuclear weapons. Also, as an additional assurance, the nuclear weapon states promised that they would not employ their nuclear weapons, either military or diplomatically, against non-weapon states [10]. Thus, it did not mean that superpower countries have the advantages over the non-nuclear power countries.

Non-Proliferation Failures

The major failure in non-proliferation was that four of the five nuclear nations who signed the treaty did not halt the increase in nuclear weapons. Figure 2 in Annex A shows a continuation of the nuclear weapons stockpiles by country for the five nuclear powers who were signatories to the treaty in 1968. It can be seen in this table that the US, while slightly increasing their weapons stockpiles from 1969 levels between 1972 and 1975, it is fair to say that the US did achieve the non-proliferation that they had agreed to in the NPT. Examination of the USSR, China, UK and France nuclear stockpile figures shows that their nuclear stockpiles continued to increase steadily. In the case of the USSR, the stockholding had increased yearly until 1987 when it reached its peak. With the exception of the US, all four other nuclear signatories of the treaty essentially 'thumbed their nose' at the commitment they made in the treaty to reduce or cease manufacturing weapons. This raises the second issue of the NPT which is enforcement.

The NPT struggled to maintain a mechanism whereby the commitments in the treaty could be enforced. The treaty is a non-binding agreement between signatories and it is merely a signal of intention and states retain their sovereignty. While the UN has some coercive tools available under chapter VII of the UN charter [11], and the International Atomic Energy Agency (IATA) is assigned to monitor the NPT, it received many criticisms as an 'exceptionally weak monitoring and variation authority' [12]. Also in

more recent times, the UN and international community have 'failed to sanction seriously either North Korea or Iran for their violations of the nuclear non-proliferation regime. Emboldened by their own impunity, North Korea and Iran have pressed ahead with their nuclear weapons programs' [13]. Without a credible, serious and powerful enforcement regime that creates deterrence for non-adherence to the NPT it is easy, particularly for large powers, to exercise their sovereignty and ignore their commitments in the treaty. State sovereignty also means that there is no body who can influence who does, and does not, sign the treaty.

The second failure of the treaty in terms of non-proliferation is that it is unable to bind all states and non-signatories are free to develop their own weapons. Participation in the treaty is voluntary and any state 'has the right to withdraw from the treaty [14]. Three countries that did not sign the treaty; Israel, India and Pakistan now have nuclear weapons capabilities and North Korea withdrew from the treaty in 2003 before announcing their nuclear capability. Without a treaty that binds all states, nations are free to either not sign the treaty or withdraw from the treaty and obtain nuclear weapons.

PILLAR 2 – DISARMAMENT

Disarmament Agreement

Reduction and eventual disarmament of nuclear weapons is the second pillar of the treaty. In the preamble the NPT calls for 'effective measures in the direction of nuclear disarmament' and 'liquidation of all their existing stockpiles' [15]. But in Article VI of the NPT the wording is less directive on disarmament and the wording is vague. Article VI states: 'Each of the Parties to the Treaty undertakes to pursue negotiation in good faith on effective measures relation to a treaty on general and complete disarmament under strict and effective international control' [16]. From that verbiage the relevant article only requires states to pursue negotiation in good faith. There is no actual commitment to actually negotiate let alone achieve any level of disarmament. Despite that there have been some successes in this area.

Disarmament Successes

The deliberate vague wording confirms that the intent of the NPT was never about total disarmament but was about intent to disarm. In diplomatic terms this intent shows a commitment away from nuclear tension. Disarmament in good faith did occur. After the NPT was signed in 1968 the US and USSR held the first round of Strategic Arms Limitation Talks (SALT) between 1969 and 1972. SALT 1 limited some of the delivery systems and sites for nuclear weapons. The second round of talks, SALT 2, between the US and USSR were held between 1972 and 1979 in which an agreement was reached on strategic launchers. At the time of the signing disarmament was unlikely to have been a short-term goal.

Although there was no significant disarmament during the Cold War, in 2002, the US and Russia signed a historic nuclear disarmament agreement. This treaty moved towards creating a new era in relations between the two countries in the post-Cold War era. The Strategic Violence Reduction Treaty (SVRT) requires the US and Russia to reduce their

nuclear weapons by two-thirds. Additionally, the presidents of both nations signed a joint statement regarding counter-terrorism cooperation, particularly with regard to the control of weapons of mass destruction. While this agreement came 34 years after the NPT, it is a significant move towards reducing nuclear weapon stockpiles. There have also been other disarmament successes in recent years.

The NPT was used effectively as an enforcement tool against recent nuclear developments by Iran. Despite to the weak enforcement process described previously, Iran is a party to the treaty and was found to have violated the NPT in relation to the development of nuclear weapons capability. Severe economic sanctions were imposed by major powers on Iran as a result of this. In July 2015, the major powers and Iran reached an historic agreement to ensure Iran ceases any nuclear weapons development in exchange for cancellation of the sanctions. The agreement is expected to limit any nuclear development in Iran to peaceful uses only and allow ongoing inspections by the UN.

Disarmament Failures

The obvious failure is that any disarmament has been slow to come, and that aspect of the treaty had little impact when it mattered the most during the Cold War. The non-binding nature of the agreement had an impact in disarmament also. While there have been disarmament talks and some agreements since the NPT, Figures 1 and 2 in Annex A show that none of the five nations made a significant effort to disarm their weapons as a result of the NPT. The provision for states not to choose to sign the treaty or the ability to leave at any time has also seen the rise of other nuclear nations outside the five original signatories.

The NPT has also not been able to stop states such as Pakistan, India, Israel and North Korea from developing nuclear weapons. It has been proposed that this is a task too ambitious to persuade nations to agree to disarmament [17]. It is, however, possible to achieve disarmament and the disarmament of biological weapons as a result of the Biological Weapons Convention of 1972 is an example of a successful disarmament. As a result of the treaty stocks of germs warfare weapons have been reduced to levels at which they do not represent a major military threat. There remains the technology and materials to produce these weapons however the biological weapons treaty is legally binding. 47 years after the signing of the NPT disarmament of nuclear weapons is still a distant goal.

PILLAR 3 – THE RIGHT TO USE NUCLEAR TECHNOLOGY PEACEFULLY

The Right to Use Nuclear Technology Peacefully – Agreement

Much of the NPT speaks about the third pillar: the right to use nuclear technology peacefully. The guiding principle in the NPT is 'the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty' [18]. Articles III, IV and V describe how IATA will monitor safe use and technologies gained through weapons development should be exchanged and shared amongst states for peaceful use. It is here

that the NPT has seen some very positive developments.

The Right to Use Nuclear Technology Peacefully – Successes

The NPT has allowed for the propagation of peaceful nuclear technology to all signatories both nuclear and non-nuclear. The NPT emerged from a bargaining process in which the non-weapon states gained benefits and concessions that made it worthwhile to tolerate the two-tiered nuclear order codified by treaty. Without the provisions in the NPT there would be few incentives for non-nuclear nations to sign the treaty. By non-nuclear nations signing the treaty they gained access to much of the peaceful research and development that the world's nuclear powers were conducting. This would have saved significant amounts of money in their own research and development and allowed faster economic and social development.

The possession and development of nuclear weapons technology also leads to a number of peaceful benefits to humanity in the fields of energy, medicine and industry. Nuclear power is a clean source of energy and nuclear power production has reduced the world's reliance on the burning of fossil fuels and reduced the process of global warming. In the medical field nuclear medicine contributes to diagnosis of illness, it is a critical component of Medical Resonance Imaging (MRI) and is a component of cancer treatment. Brain tumours are also treated with nuclear medicine and it can be used for sterilisation of medical equipment. In the industrial sector nuclear technology can be used in leak detection in pipes, advanced communications tools, manufacturing and testing of products. All of these benefits are bi-products of weapons research and development and have provided benefits to mankind particularly in the developing world.

The Right to Use Nuclear Technology Peacefully – Failures

The failure of the peaceful application of nuclear technology is that rouge states can use the guise of peaceful research and development to mask military weapon development. Iran was suspected of producing a nuclear latent or nuclear hedging program. Nuclear latency refers to the situation where a state has established, under an apparently peaceful nuclear program with military and civilian purposes [19]. Nuclear hedging refers to deliberate national strategy of establishing the option of relatively rapid acquisition of nuclear weapons, based on an indigenous technical capacity to produce them within a relatively short time frame and from this it could result in virtual arms races [20]. The NPT does not specifically define what peaceful uses of nuclear technology are. The lack of a clear definition leaves a grey area with respect to nuclear latency, problems which were neither adequately foreseen nor appropriately addressed at the time the NPT was negotiated [21]. When discussing the International Atomic Energy Agency (IAEA) and UN Security Council resolutions for a suspension of the Iranian enrichment and heavy-water programme, Iran questioned the very legitimacy of such resolution, as they would collide with the inalienable rights of all NPT parties to pursue peaceful uses of nuclear energy [22]. It is this grey area that can lead to states using a peaceful technology justification to develop weapons without violating the NPT. If they are not in violation, then sanctions cannot legitimately be imposed.

CONCLUSION

Overall, while the NPT has not achieved all of its objectives and has been violated a number of times, the NPT remains 'the most widely adhered to arms control treaty in history [and] has on the whole succeeded in substantially reducing the threat of proliferation' [23]. Its success can also be highlighted by its almost universal adoption across the nations of the world and decision in 1995 'that the treaty should continue in force indefinitely' [24]. It has also achieved its main objective in preventing a nuclear war and no nuclear weapons have been used in conflict since it was signed. The treaty has been a significant component in the world's 'need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples' [25].

Annex:
A.   Nuclear Weapon Stockpile Data.

ANNEX A – NUCLEAR WEAPON STOCKPILE DATA

End Year	US	USSR	UK	FRANCE	CHINA	Total
1945	6	--	--	--	--	6
1946	11	--	--	--	--	11
1947	32	--	--	--	--	32
1948	110	--	--	--	--	110
1949	235	1	--	--	--	236
1950	369	5	--	--	--	374
1951	640	25	--	--	--	665
1952	1,005	50	--	--	--	1,055
1953	1,436	120	1	--	--	1,557
1954	2,063	150	5	--	--	2,218
1955	3,057	200	10	--	--	3,267
1956	4,618	426	15	--	--	5,059
1957	6,444	660	20	--	--	7,124
1958	9,822	869	22	--	--	10,713
1959	15,468	1,060	25	--	--	16,553
1960	20,434	1,605	30	--	--	22,069
1961	24,111	2,471	50	--	--	26,632
1962	27,297	3,322	205	--	--	30,823
1963	29,249	4,238	280	--	--	33,767
1964	30,751	5,221	310	4	1	36,287
1965	31,642	6,129	310	32	5	38,118
1966	31,700	7,089	270	36	20	39,105
1967	30,893	8,339	270	36	25	39,563
1968	28,884	9,399	280	36	35	38,633

Figure 1 – Nuclear Weapons Stockpiles by Country – 1945 – 1968 [26]

End Year	US	USSR	UK	FRANCE	CHINA	Total
1969	26,910	10,538	308	36	50	37,841
1970	26,119	11,643	280	36	75	38,153
1971	26,365	13,092	220	45	100	39,822
1972	27,296	14,478	220	70	130	42,193
1973	28,335	15,915	275	116	150	44,791
1974	28,170	17,385	325	145	170	46,195
1975	27,052	19,055	350	188	185	46,830
1976	25,956	21,205	350	212	190	47,913
1977	25,099	23,044	350	228	200	48,920
1978	24,243	25,393	350	235	220	50,441
1979	24,107	27,935	350	235	235	52,862
1980	23,764	30,062	350	250	280	54,706
1981	23,031	32,049	350	275	330	56,035
1982	22,937	33,952	335	275	360	57,859
1983	23,154	35,804	320	280	380	59,938
1984	23,228	37,431	270	280	415	61,623
1985	23,135	39,197	300	360	425	63,416
1986	23,254	40,723	300	355	425	65,056
1987	23,490	38,859	300	420	415	63,484

Figure 2 – Nuclear Weapons Stockpiles by Country – 1969 – 1987 [27]

REFERENCES AND ENDNOTES

[1] United Nations Office for Disarmament Affairs, Treaty on the Non-Proliferation of Nuclear Weapons', Available from http://www.un.org/disarmament/WMD/Nuclear/NPT.shtml, (Accessed on 22 Mar 17).

[2] Gottemoeller, R., The Nuclear Non-Proliferation Treaty at 45: Rose Gottemoeller Reviews the Cornerstone of International Arms Control and Non-proliferation Efforts, New Zealand International Review, Vol. 40, No. 5, 2015, p6.

[3] ibid.

[4] ibid.

[5] ibid.

[6] ibid, Article I.

[7] ibid, Article II.

[8] United Nations Office for Disarmament Affairs, Loc. Cit.

[9] DeFrancia, C., Enforcing The Nuclear Non-proliferation Regime: The Legality of Preventative Measures, Vanderbilt Journal of Transnational Law, Vol. 45, No. 3, 2012, p705.

[10] Morten Bremer Maerli and Sverre Lodgaard, Nuclear Proliferation and International Security, Routledge, 2007, p.50

[11] De Francia, C., Loc. Cit.

[12] American Society of International Law, 'How Can the Nuclear Nonproliferation Regime Be Repaired? What If It Can't?,' Proceedings of the Annual Meeting-American Society of International Law, 2007.

[13] ibid.

[14] United Nations Office for Disarmament Affairs, Op. Cit., Article X.

[15] ibid.

[16] ibid, Article VI.

[17] Stephenson, M., and Hearn, R., The Nuclear Case Book, Frederick Muller Limited, 1983, p8.

[18] United Nations Office for Disarmament Affairs, Op. Cit.,

[19] Evans, G., Ogilvie-White, T., and Thakur, T., Nuclear Weapons: The State of Play 2015, Centre for Nuclear Non-Proliferation and Disarmament, Australian National University, p208.

[20] ibid.

[21] ibid, p. 199

[22] Giorgio Franceschini, The NPT Review Process and Strengthening the Treaty:

Peaceful Uses,EU Non-Proliferation Consortium: Non-Proliferation Papers, Vol. 11, Feb 2012, p5.

[23]   Schieman, L., Potter, W., The Nuclear Conundrum: Reconciling Nuclear Energy and Non-proliferation, Harvard International Review, Vol. 26, No. 4, 2005, p24.

[24]   United Nations Office for Disarmament Affairs, Loc. Cit.

[25]   ibid.

[26]   Natural Resources Defence Council (US), Table of Global Nuclear Weapons Stockpiles 1945 – 2002, Available from http://www.nrdc.org/nuclear/nudb/datab19.asp, (Accessed on 26 Mar 17).

[27]   Natural Resources Defence Council (US), Table of Global Nuclear Weapons Stockpiles 1945 – 2002, http://www.nrdc.org/nuclear/nudb/datab19.asp, (Accessed on 26 Mar 17).

THE JOURNAL OF DEFENCE AND SECURITY

CONTENTS

MiDAS
MALAYSIAN INSTITUTE OF DEFENCE AND SECURITY

THE JOURNAL
OF DEFENCE
AND SECURITY

CONTENTS

THE JOURNAL OF DEFENCE AND SECURITY

CONTENTS

THE JOURNAL OF DEFENCE AND SECURITY

CONTENTS

THE JOURNAL OF DEFENCE AND SECURITY

CONTENTS

THE JOURNAL OF DEFENCE AND SECURITY

CONTENTS

THE JOURNAL OF DEFENCE AND SECURITY

CONTENTS

MiDAS
MALAYSIAN INSTITUTE OF DEFENCE AND SECURITY

THE JOURNAL OF DEFENCE AND SECURITY

CONTENTS

THE JOURNAL OF DEFENCE AND SECURITY

CONTENTS

THE JOURNAL OF DEFENCE AND SECURITY

CONTENTS

MiDAS
MALAYSIAN INSTITUTE OF DEFENCE AND SECURITY

The Journal
of Defence
and Security

Volume 6 Number 1 / 2015

CONTENTS

CONTENTS