Norm Subsidiarity and Regional Orders: Sovereignty, Regionalism, and Rule-Making in the Third World

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This paper proposes a new conceptual tool to study norm dynamics in world politics. Termed norm subsidiarity, it concerns the process whereby local actors create rules with a view to preserve their autonomy from dominance, neglect, violation, or abuse by more powerful central actors. After a theoretical discussion of the definition, motivations, and effects of norm subsidiarity, the paper offers a case study of normative action against Cold War alliances (especially South East Asia Treaty Organization) by a group of Third World leaders led by India’s Jawaharlal Nehru at the Bandung Asia-Africa Conference in 1955. It then offers examples from Latin America, the Middle East, and Africa to highlight the practice of norm subsidiarity. The paper contributes to the literature of international relations in three main ways. First, it reminds constructivist international relation scholars of the importance of understanding norm creation as a bottom-up process, marked by significant contestations and feedback. Second, it highlights the normative behaviors of Third World countries and their regional institutions, a neglected aspect of the literature on norm dynamics. Finally, the theory and practice of norm subsidiarity shed more light on the agency role of Third World countries in world politics.

The study of norms occupies an important place in the recent literature on international relations. While norm scholars have highlighted a variety of actors, processes, and outcomes concerning norm creation and diffusion in world politics, the latter has not received adequate attention in the literature on the international relations of the Third World. Constructivism, the principal theoretical perspective on norms, initially paid little attention to variations between global

1 I thank Peter Katzenstein, Barry Buzan, Michael Barnett, Jorge Dominguez, Jeffery Herbst, Andrew Hurrell, Elizabeth Kier, Steve Walt, Jack Snyder, Sumit Ganguly, T.V. Paul, Iain Johnston, Andrew Kydd, Hiro Katsumata, and three anonymous reviewers for ISQ for comments on earlier drafts of the manuscript, and Shanshan Mei, a doctoral student at American University, for editorial assistance.

2 Recent examples of study of norm dynamics focusing on Europe and Asia include Checkel (2005) and Acharya (2009), respectively.

3 By “Third World,” I mean states in Asia, Africa, Latin American, and Caribbean, and other regions which were either full colonies or semicolonies (e.g. Thailand) of Western powers (Bull and Watson 1984a; Jackson 1990; Kessler and Weiss 1991; Job 1992; Ayoob 1995; Acharya 1997; Neuman 1998; Fawcett and Sayigh 1999). As independent states, these countries shared a set of conditions, namely a similar security predicament (where domestic and regime security concerns are more salient than external ‘national’ security concerns (Ayoob 1995), anticlonal foreign policy outlook, relative economic underdevelopment, and membership in the Non-Aligned Movement and

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and regional norms, and especially to the “ideational role of non-Western regional institutions” (Checkel 1999, 2001; Acharya 2004, 2009:24). While there are now a growing number of country- and region-specific studies (especially of Western Europe) of norms (Checkel 2005; Diez 2005; Dimitrova and Rhinard 2005; Santa-Cruz 2005; Subotie 2005; Manners 2006; Bloodgood 2007; Busby 2007; Grugel 2007; Kornprobst 2007; Pace 2007; Williams 2007), few offer a general comparative framework for studying the normative behavior of Third World states and regions. As a result, the dynamics of rule-making and normative action by Third World states remains under theorized.

In this essay, I develop and test a theory of norm creation and diffusion to explain why and how Third World states and regions engage in rule-making and normative action to regulate relationships among them and with the outside world. Termed norm subsidiarity, it concerns the process whereby local actors develop new rules, offer new understandings of global rules or reaffirm global rules in the regional context. After a theoretical discussion of the definition, motivations, and effects of norm subsidiarity, I offer a case study of normative action against a Cold War alliance, the South East Asia Treaty Organization (SEATO), by a group of Third World leaders led by India’s Jawaharlal Nehru at the Bandung Asia-Africa Conference in 1955. The fate of SEATO as an American and British-sponsored collective defense organization is certainly of interest to students of Asian security. But it also offers important insights into international norm dynamics. It opens the door not only to an investigation of why variations occur in norm diffusion, but also to an understanding of the response of Third World states to existing global norms, and their role in the creation and diffusion of new norms. I then offer examples from Latin America, the Middle East, and Africa to highlight the practice of norm subsidiarity.

The paper seeks to make three main contributions to the literature of international relations. First, it stresses the need for constructivist scholars to view norm creation and diffusion as a bottom-up process, in which weak local actors can challenge and influence global normative processes, rather than a largely top-down one. Second, it addresses a general neglect of the normative behavior of Third World countries and their regional institutions in the growing literature on norm dynamics. Finally, by underscoring the normative agency of Third World countries in world politics, it helps to move the theoretical understanding of international order-building beyond its hitherto biased framing as a fundamentally Western enterprise.

the G-77 economic grouping. These features continue to have an important bearing on their foreign policy and security behavior despite the end of the Cold War and growing economic and political development. The utility of the term Third World has been criticized on the ground that there is too much cultural, economic, and political diversity among its members, and that with the end of the Cold War, the ideological justification for this term had ended. In this essay, I use the concept as a historical construct as well on the grounds of analytic convenience to denote the agency role of non-Western states and societies. I use Third World interchangeably with “Global South,” “developing world,” or “postcolonial states,” bearing in mind, as Neuman observes, that while “Some analysts consider the term Third World inaccurate, ...none other has gained general recognition or acceptance” (Neuman 1998:18). Ayoob argues that while “there is much diversity as well as a host of intramural conflicts among this category of states... The Third World is in important ways a perceptual category, albeit one that is sufficiently well-grounded in political, economic, and social realities to make it a useful analytical tool in explaining state behavior.” In fact these common realities and perceptions provide important foundations for the concept of norm subsidiarity (Ayoob 1995:18).

While the motivations behind norm subsidiarity has something to do with the specific political, economic and psychological conditions of Third World states, much of it can also apply to weak states in general, although more work is need to test this broader applicability.
Theorizing Norm Subsidiarity

Definition

I define norm subsidiarity as a process whereby local actors create rules with a view to preserve their autonomy from dominance, neglect, violation, or abuse by more powerful central actors. The concept derives from the general notion of subsidiarity which refers to “a principle of locating governance at the lowest possible level – that closest to the individuals and groups affected by the rules and decisions adopted and enforced” (Slaughter 2004). At its essence, subsidiarity “encourages and authorizes (local) autonomy.” The origins of the concept can be traced to Pius XI’s papal encyclicals of 1931. In international relations, the principle, if not the concept per se, featured in the debate between universalism and regionalism at the time of the drafting of the United Nations Charter at San Francisco in 1945 (Padelford 1954; Haas 1956; Etzioni 1970; Nye 1971). Subsidiarity is also a principle of the European Union (Búrca 1998; Moravcsik 1998:455; Swaine 2000; Pager 2003). With the dramatic expansion, US peace operations in the post-Cold War period, subsidiarity has been invoked as a principle around which a division of labor can be constructed between an overstretched UN Security Council and regional organizations (Knight 1996; Peou 1998; O’Brien 2000; Peck 2001).

Slaughter proposes subsidiarity and proportionality as the “vertical norms” of contemporary world order, “dictated by considerations of practicability rather than a predefined distribution of power,” alongside the “horizontal norms of global deliberative equality, legitimate difference, and positive comity” (Slaughter 2004). Others see subsidiarity as a fundamentally normative obligation (rather than of matter of practicality alone); for example as an element of “panarchy,” i.e. “rule of all by all for all” (Sewell and Salter 1995; Knight 1996). The concept of norm subsidiarity is very different from “norm localization.” The latter may usefully serve as a point of reference for identifying and distinguishing the essential aspects of the former. Localization is “active construction (through discourse, framing, grafting, and cultural selection) of foreign ideas by local actors, which results in the latter developing significant congruence with local beliefs and practices” (Acharya 2004:245). Although both concepts stress the primacy of local agency, there are five key differences:

• Localization is inward-looking. It involves making foreign ideas and norms consistent with a local cognitive prior (Wolters 1999; Acharya 2009:21). Subsidiarity is outward-looking. Its main focus is on relations...

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5 I use norm to mean “standard of appropriate behavior for actors with a given identity” (Finnemore and Sikkink 1998:251).
6 Steering Committee on Local and Regional Authorities in Europe, “Definition and Limits of the Principle of Subsidiarity.” Draft study, Strasbourg: Council of Europe, November 9, 1993, p. 11.
7 “Definition and Limits of the Principle of Subsidiarity,” pp.10–11.
10 Here, cognitive prior is defined as an “existing set of ideas, belief systems, and norms, which determine and condition an individual or social group’s receptivity to new norms.” For the notion of cognitive prior in Europe, see Checkel (2003).
between local actors and external powers, in terms of the former’s fear of domination by the latter.¹¹

- In localization, local actors are *always* norm-takers. In contrast, in subsidiarity, local actors can be norm rejecters and/or norm makers.
- In localization, foreign norms are *imported for local usage only* (Acharya 2004; 252).¹² In subsidiarity, local actors may *export* or “universalize” locally constructed norms (Kirsch 1977).¹³ (Compare Figures 1 and 2.) This may involve using locally constructed norms to support or amplify existing global norms against the parochial ideas of powerful actors.
- In localization, local agents redefine foreign norms which they take as generally *good and desirable*, but not fully consistent with their existing cognitive prior (hence the need for their redefinition). In subsidiarity, local agents *reject* outside ideas (of powerful central actors, but not universal principles) which they do not view as worthy of selection, borrowing, and adoption in any form.
- Hence, localization is generic to all actors, big or small, powerful or weak. Subsidiarity is specific to peripheral (smaller and/or weaker) actors, because by definition, it’s their autonomy which is more likely to be challenged. “Norm localization, or the process of adapting global norms to local ideas, identities, and practices... occurs any time a global norm intersects with local/regional ideas/identities/practices; it happens in almost all instances where global norms need to be justified to domestic audiences.”¹⁴ It does not require either a sense of

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¹¹ Hiro Katsumata suggested this distinction.
¹² “[L]ocalization reshapes both existing beliefs and practices and foreign ideas in their local context.” (my emphasis).
¹³ This difference between localization and subsidiarity roughly corresponds to Thomas Kirsch’s idea of “parochialization” and “universalization.” Analyzing the evolution of Thai religion, Kirsch suggests that the advent of Indian Buddhism did not lead the Thais to abandon their traditional worshipping of local spirits. Instead, Buddhist deities are placed alongside local spirits. This transformed the status of both religions, simultaneously giving a local frame to Indian Buddhism (“parochialization”) and a universal frame to Thai animism (“universalization”).
¹⁴ I am grateful to an anonymous reviewer for ISQ for suggesting this distinction between localization and subsidiarity.
exclusion or a perception of big power hypocrisy, or perception of dominance, neglect, violation, or abuse. The latter are the triggers of norm subsidiarity, and they are more likely to be found among smaller, weaker, and peripheral actors.  

**Fig. 2. Subsidiarity**

(Notice. The lower and middle layers do not necessarily comprise a single or coherent set of norms, but rather distinctive, similar, overlapping and mutually reinforcing subsidiary norms developed by different regions. Subsidiary norms may be seen as mediating/intervening between global and local norms.)

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**Actors and Motivations**

This leads to a crucial question: which actors engage in norm subsidiarity, and why do they do it? I begin with the observation, following Hedley Bull and other “English School” scholars, that the postwar international system is essentially the European states system writ large (Bull and Watson 1984a). It is the global extension of an European order that once specified rules of inclusion and exclusion on the basis of a “standards of civilizations” criteria, whereby only states which would meet certain conditions, e.g., ability to provide domestic law and order, administrative integrity, protection of rights of foreign citizens, and the fulfillment of contracts, could be regarded as members of international society and therefore worthy of enjoying its norms such as nonintervention and equality of states (Bull and Watson 1984b:427). Only a handful of the non-Western societies, notably Japan, were accorded a place in the system; all colonies were excluded. Hence, it is not surprising that after gaining independence, and sometimes before it, Third World states and their leaders would question, and wherever possible reject, the norms of an international order that harked back to the era of European dominance and seek to replace or modify them with ones which consistent with their interests and identities. In this sense, Third World states extended what Bull termed as their “revolt against the west” to the normative domain (Bull 1984). Ayoob has introduced an important variation to this argument by contending that Third World countries suffer from an “acute schizophrenia”; they have simultaneously rebelled against and adapted to the norms...
But even in their adaptive role, there is a tendency among Third World societies to question existing international norms and develop new ones, including what I call subsidiary norms that redefine the meaning and scope of the preexisting European-derived global norms to reflect Third World conditions. Opposition to great power-sponsored collective defense pacts was part of the normative predisposition of Third World states. As Rupert Emerson noted, “a widespread sentiment” among societies in Asia and Africa that associated membership in collective defense pacts with “return...to colonial rule” (Emerson 1962:395; Gupta 1964; Miller 1973) Cecil Crab notes that for Third World states, the offer of “protection” by superpower-led collective defense pacts was akin to “a condition of colonialism or dependency” (Crabb 1967:67).

Against this backdrop, Third World states developed subsidiary norms for two main reasons. The first was to challenge their exclusion or marginalization from global norm-making processes. Institutions dominated by great powers do not always reflect the ideas, interests, and identities of weaker states. In such cases, norm subsidiarity is a response by the latter to the “tyranny” of higher level institutions (formal or informal, including multilateral organizations or great power security management regimes) in global governance. During the drafting of the UN’s charter, newly independent states argued against investing the sole authority for handling peace and security issues in the UN Security Council and demanded regional solution to regional problems (Claude 1964). The latter was justified because regional actors were better informed about local problems and hence would be better able to devise solutions to them than distant global bodies (Nye 1971). Subsequently, new nations like Ceylon looked to regionalism because their UN membership was yet to be assured. Norm subsidiarity was thus a means toward regional autonomy, a condition in which intraregional “actions and responses predominate over external

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![Alternative Explanations](Note: There could be two other possible alternative explanations of why South East Asia Treaty Organization (SEATO) failed: (i) anticipated opposition from domestic audiences and (ii) whether the conclusion of US–Japan alliance might have rendered SEATO unnecessary. But both can be discounted. To be sure, domestic opposition was a factor in the decision of Ceylon and Indonesia not to join SEATO. It was less important in the case of India and Burma. But even then, why should normative behavior be seen as alternative to domestic explanations? There is plenty of constructivist work that suggests that states/governments borrow international norms to legitimize themselves before domestic audiences and that domestic considerations often motivate normative behavior and norm compliance. (Cortell and Davis 1996:451–478) Moreover, domestic politics explanations can be indeterminate: the leaders of the three Asian countries which did join SEATO, namely Pakistan, the Philippines, and Thailand, also might have faced domestic opposition to their alignment with the United States, but they still went ahead and did so. The other alternative explanation is also easily dismissed: the conclusion of the US–Japan defense treaty did not prevent Dulles’ passionate advocacy toward both preventing Japanese remilitarization and deterring an overt Soviet communist military threat to Japan, its utility in deterring a Chinese Communist challenge through indirect subversion would be hardly apparent or demonstrated to render SEATO unnecessary.)

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influences” (Zartman 1973:386) and which allows regional groups to “keep outsiders from defining the issues that constitute the local agenda” (Thornton 1980:25).

Second, Third World states resorted to norm subsidiary when confronted with great power hypocrisy. This occurred when they see the violation of their cherished global norms by powerful actors and when higher level institutions tasked with their defense seem unwilling or incapable of preventing their violation. A key principle here is nonintervention in the international affairs of states. As Krasner’s “organized hypocrisy” formulation holds, this and related norms of sovereignty are frequently violated, even as they remain formally at the core of the Westphalian international order (Krasner 1999). Such hypocrisy is often a trigger for subsidiary norms in the Third World. These subsidiary norms would limit the scope for great power caprice or unilateralism, at least in the regional context. Again, however, “…when confronted with big power violations of global norms, all smaller, less powerful actors may perceive hypocrisy, post-colonial actors might be especially sensitive to norms that are selectively applied/implemented.”

During the Cold War, the global superpower competition and interventionism and the consequent paralysis of the UN created a demand for the subsidiary norms of nonintervention in different regions. While such regional norms did not always turn out to be effective, they at least enjoyed a greater legitimacy in the Third World than the managerial rules of great powers (like those of the Monroe Doctrine or the Brezhnev Doctrine).

The Third World countries had reasons to be worried about great power hypocrisy because they felt more marginalized from global rule-making by having entered an international system that was European created and dominated. While things may be changing now, this was the case in the formative years of post-World War II international order, which is the historical and empirical focus of this essay. Countries like Nehru’s India, Sukarno’s Indonesia, Nasser’s Egypt, and Mao’s China were largely dissatisfied with the system status quo. Hence, they had a greater imperative for developing subsidiary norms, in keeping with the motivations of norm subsidiarity I have outlined. In other words, system-dissatisfied weak states/powers tend to be more prone to norm subsidiarity than system-satisfied weak states/powers. While Western weak countries or Middle Powers may develop norms of their own, these norms are not motivated by an acute sense of marginalization or a security predicament where internal security concerns trump external ones.

Effects

A final point concerns the effects of subsidiary norms. Subsidiary norms constitute an ideational structure that determines the legitimacy of a “higher level” authority, including ideas and institutions propagated and controlled by hegemonic or great powers, such as collective defense systems that offer protection to weaker states. Keohane draws attention to the importance of analyzing the “legitimacy of hegemonic regimes” (Keohane 1984:39). Chayes and Chayes maintain that international institutions derive their legitimacy from “the degree of international consensus” and “participation” (Chayes and Chayes 1995:41, 128). And Ikenberry and Kupchan argue that the legitimacy of great power-led international institutions depends on the “common acceptance of a consensual normative order that binds ruler and ruled” (Ikenberry and Kupchan 1990:289; Ikenberry 2001). As great powers are normally expected to possess the resources to offer sufficient material incentives (including security protection and

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16 The quoted words are taken from the written comments of an anonymous reviewer for ISQ on an earlier draft of this essay.
economic aid) to lure weak states into their ambit, their failure to attract the desired level of weak state representation in institutions created by them would indicate nonmaterial variables at work, including normative forces. Constructivists have pointed to the effects of norms in legitimation and delegitimation of specific types of behavior, including power politics (Finnemore and Sikkink 1998:263). Subsidiary norms developed by regional actors could thus determine whether a "consensual normative order" binding the ruler and the ruled within hegemonic or great power-led institutions would be possible. A good indicator of normative consensus in hegemonic or great power-led institutions would be the willing participation of the "ruled" in the "ruler's" scheme. When the latter fail to obtain such participation, despite their expressed wishes, the outcome is a legitimacy deficit capable of crippling its institutional framework. Hence, the legitimacy deficit of great power-led institutions is a function of regional or sub-systemic legitimating structures, which may be put in place through the creation of subsidiary norms.

Against this backdrop, this paper identifies two main effects of norm subsidiarity (Figure 2). The first may be called the challenging/resisting effect. Through subsidiary norms, local actors offer normative resistance to central actors, including great powers and institutions controlled by them. At the same time, local actors claim the right to formulate rules and deal with their own issues without intervention by any higher authority. The latter are entitled to perform "only those tasks which cannot be performed at a more immediate or local level" (Barnes 1998:34). The second effect of norm subsidiarity is supported by local actors for existing common global norms (consistent with "rules of all by all for all") which are vital to preserving their autonomy. Some of these common global rules of the contemporary international system that are invoked and supported by weaker states include sovereignty, territorial integrity, independence and self-determination, equality of states, racial equality, nonintervention, and (after the 1945 San Francisco Conference) the principle of regional autonomy or "regional solutions to regional problems." This may be called the supportive/strengthening effect of subsidiarity. Here, local agents create norms by invoking and supporting a global normative prior to secure their autonomy and resist powerful actors. The two effects of norm subsidiarity may proceed simultaneously, with local actors offering resistance to great power-controlled ideas and institutions while invoking existing global norms.

In the following section, I trace a subsidiary norm dynamic in postwar Southeast Asia which crippled SEATO.

The Fate of Collective Defense in PostWar Asia

Why SEATO?

Why study SEATO and the period of the mid-1950s? SEATO was not the first collective defense pact to be created after World War II. That distinction belonged to NATO established in 1949. But SEATO, created by an agreement among the United States, UK, Australia, New Zealand, Pakistan, Philippines, and Thailand in Manila on September 8, 1955, arguably constituted the most important postwar US effort to organize a multilateral collective defense organization in the entire Third World.

SEATO had a greater importance than the contemporaneous Baghdad Pact, or what eventually became as Central Treaty Organization (CENTO). The Baghdad Pact was signed on February 24, 1955, five and half months after the Manila Pact. It was originally a bilateral affair, between Turkey and Iraq, to which the

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17 "Definition and limits of the principle of subsidiarity."

18 For a comprehensive discussion of these norms, see: Bull and Watson (1984a). On the emergence of the global norm of regional autonomy, see: Falk and Mendlovitz (1973).
UK and Pakistan acceded later. By contrast, SEATO was multilateral from the outset and therefore of greater significance as a test of collective defense. Moreover, the United States did not join CENTO, even though it clearly lent strong support to it. SEATO was explicitly American in conception and ownership. During the mid-1950s, the United States considered Asia (including Southeast Asia) to be a more important strategic theater than the Middle East. As Dulles (1952:187) put it, it was in “Asia that Russian imperialism finds its most powerful expression.” At the time of SEATO’s creation, Asia had already become the theater of the first major outright war of the post-Second World War period: the Korean War, which was also the first hot war between the United States and communist forces. Moreover, Southeast Asia itself (the regional definition of which at the time included India) presented as a highly unstable subregion, especially with the French defeat in Indochina, which greatly alarmed the United States. The Middle East was yet to be that crucial; the formation of SEATO occurred well before the 1967 Arab-Israeli War or the 1973 Arab oil embargo, which will render the Middle East a theater of greater strategic significance to the United States.

SEATO’s main purpose was to counter communist advance, whether a direct attack or subversion, and to prevent what the Eisenhower administration would describe as the ‘domino effect’ of the fall of South Vietnam to communists. SEATO did not have NATO’s integrated military command nor did it enjoy a US security commitment that would be invoked automatically in punishing aggression against any member state. On the other hand, SEATO was a unique alliance in the sense that it offered to guarantee the security of not just its members, but also of the states which were not part formally of it, namely South Vietnam, Cambodia, and Laos.

The period of the mid-1950s was also a crucial period for the foreign policy development of Third World states. Earlier on, in the late 1940s and early 50s, Asian states like India and Indonesia were more concerned with advancing decolonization than developing rules of conduct in international affairs, including norms concerning the legitimacy of alliances and power politics. Hence, the first major conference of postwar Asia, the Asian Relations Conference organized by India and attended by Nationalist China, did not discuss issues like nonintervention a key Westphalian norm. But by the time of Bandung conference, issues of intervention and nonintervention were salient. This was thanks to the escalation of superpower rivalry with the Korean War and the onset of what would be the long Vietnam War. Whereas some opposition to superpower-led collective defense pacts in Asia predated SEATO, as by product of anti-colonial sentiments, the association and invocation of the nonintervention norm by Third World states to delegitimize collective defense was more evident in the mid-1950s, partly because of the emergence of pacts like SEATO and CENTO. Finally, opposition to earlier American ideas about collective defense in Asia was muted because those proposals were just that: proposals. This was clearly not the case with SEATO.

The Bandung Conference held April 18–24, 1955, also makes the mid-1950s a significant period in the development of Third World international relations. It was the first international gathering of the newly independent countries of Asia and Africa. It was the first international meeting in which Communist China participated without the presence of the Soviet Union. It was the first appearance on the world stage of Egypt’s newly anointed leader, Gamel Abdel Nasser, who left the conference, a changed man. And it crucially influenced the foreign pol-

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19 "Southeast Asia" then included India, Pakistan, and Sri Lanka (now considered to be part of South Asia). They, along with Indonesia and Burma, were members of The Conference of South-East Asian Prime Ministers, otherwise known as the Colombo Powers.
icy of Ghana’s pan-Africanist leader, Kwame Nkrumah. Bandung was also the
decisive normative beginning of the Non-Aligned Movement. The organization
of the conference reflected powerful forces at work: decolonization, the outbreak
of the Cold War, the escalation of the Indochina conflict, and the leadership
ambitions of new states such as India, Indonesia, Egypt, and Communist China.
In essence then, Bandung captured many of the basic forces and divisions that
shaped the postwar international order.

**Origins**

The proposal for SEATO, a brainchild of US Secretary of State John Foster Dul-
les, constituted a reversal of previous US policy in Asia. For example, a State
Department Policy Planning Staff paper in March 1949 had argued that the Uni-
ted States should avoid setting up an “area organization” in the Pacific and
focus on “joint or parallel action” until there was “a pragmatic and desirable
basis for intimate association” for a “formal organization.” In the meantime,
the United States “should encourage the Indians, Filipinos, and other Asian
states to take the public lead in political matters,” while its own “role should be
the offering of discreet support and guidance” (cited in Mahapatra 1990:48).
Later, when the Truman administration was presented with the idea of a collec-
tive defense system for the Pacific, proposed by Elpidio Quirino of Philippines,
and backed by its other Cold War allies such as Syngman Rhee of South Korea
and Chiang Kai-shek of Republic of China, it rejected this idea, a wise move
given the controversial standing of these Asian leaders both within their own
countries and regionally. The Truman administration subsequently did consider
a multilateral security arrangement to accompany the US–Japan defense treaty,
but this idea was opposed by Dulles himself (who was appointed by Truman to
oversee the negotiations on the US–Japan treaty) and abandoned once the treaty
was successfully concluded.

Yet, the Eisenhower administration, spurred by Chinese revolution and the
Korean War, and its own understanding of and approach to world affairs, took
the opposite course, insisting on a formal collective defense organization for
Southeast Asia. Influenced by the Korean War and then the gains made by North
Vietnamese communists, Dulles changed his position on collective defense
(Franklin 2006). Now installed as Secretary of State, he saw collective defense as
a means of preventing a possible Chinese takeover of the region. In a discussion
with Congressional leaders in May 1954, he contended that “if the communists
 gained Indochina and nothing was done about it, it was only a question of time
until all of Southeast Asia fall along with Indonesia, thus imperiling our Western
island of defense.”

A month and half later, he was even more apocalyptic in
discussing Indochina with Eisenhower: “I expressed the thought that it might
well be that the situation in Indochina itself would soon have deteriorated to a
point where nothing effectual can be done to stop the tide of Chinese commu-
nists over-running Southeast Asia except perhaps diversionary activities along the
China coast, which would be conducted primarily by the Nationalist forces, but
would require sea and air support from the United States.”

Initial planning for a collective defense system for Southeast Asia began with
the French defeat at Dien Bien Phu in January 1954. Following the event, the
United States significantly escalated its support for French forces in Indochina.
At the same time, a US National Security Council decision memo, NSC-5405,

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20 Memorandum for the Secretary’s File, Subject: Conference with Congressional Leaders Concerning the Crisis in Southeast Asia, Saturday, April 3, 1954, (April 5 1954, Dulles Papers, the Library of Congress).
dated January 16, 1954, contained a reference to a coordinated regional defense system to counter any further communist expansion without directly committing American forces.\textsuperscript{22} The United States move toward a collective defense pact gathered pace during and immediately after the Geneva Conference on Indochina held between May 8 and July 21, 1954.\textsuperscript{23} On July 24, 1954, the NSC met and argued that such a pact would give the president discretion to attack China before a war declaration and get international support. By mid-August, NSC had developed NSC 5429, which viewed the Geneva accords as a victory for the communists, and believed that the United States needed to create a Southeast Asian pact to offset the damage to Western interests. It presented two plans: Alternative A called for immediate retaliation against China in the case of any aggression in “Free” Southeast Asia, while Alternative B asked for a commitment from each member to act to meet the common danger according to their own constitutional requirements. But in either case, NSC 5429 stipulated that the United States would retain “its freedom to attack its enemies as it chose, including, if necessary, with the use of nuclear weapons” (Franklin 2006:129–130).

Although Britain differed from the United States regarding the organization and membership of SEATO, it too had come to accept the need for SEATO. Its view was that “…the danger of a third world war is most grave when there is a situation of weakness, not when there is one of strength. In Europe, the existence of N.A.T.O. has created a clearly defined line that the communists have respected because it is strongly defended. It is in the absence of any such line in Asia which creates the risk of war, as exemplified in Indochina.”\textsuperscript{24}

Resistance

As the plan for collective defense in Southeast Asia intensified, the prime ministers of five Asian countries, India, Pakistan, Burma, Indonesia, and Ceylon, met in Colombo in April 1954 under the informal banner of Colombo Powers (after the convener of this group, Ceylon).\textsuperscript{25} As the first countries in Asia (along with the Philippines) to emerge from colonial rule, theirs was an important voice expressing emerging regionalist ideas in Asia. These ideas in turn were heavily inspired by nationalism and anti-colonialism. It entailed a desire for enhancing Asian representation in global councils and securing autonomy from great power meddling in regional affairs. Faced with the Cold War-induced paralysis of the UN and the growing United States, Soviet and Chinese involvement in Indochina, one of the first demands of the Colombo Powers, was to call for “a solemn agreement of nonintervention” by all the great powers “to refrain from giving aid to the combatants or intervening in Indochina with troops or war material.”\textsuperscript{26} The powers also became the focal point for contestation over the issue of regional collective defense.

This contestation was evident during the Geneva Conference. The fact that American planning for SEATO had proceeded while talks were still going on in Geneva was a sore point for the Colombo Powers. Although the United States would not sign the final Geneva declaration which divided Vietnam at the 17th parallel, so as not to recognize the legitimacy of PRC, it issued a separate protocol accepting agreements and undertaking not to violate them. One provision of the Geneva Accords on Indochina was that neither section of Vietnam could


\textsuperscript{24} U.K. Foreign Office Southeast Asia Department Minutes, 17 August 1954, D1074/452, PRO-FO, 371-111881.

\textsuperscript{25} The group was convened by Ceylon’s then Prime Minister, Sir John Kotelawala.

\textsuperscript{26} Southeast Asian Prime Ministers’ Conference: Minutes of Meetings and Documents of the Conference, Colombo, April 1954. Hereafter cited as The Colombo Conference Minutes.
“constitute part of any military alliance.” The accord also stipulated that that Cambodia and Laos could not “join in any agreement with other states if this agreement includes the obligation to participate in a military alliance not in conformity with the principles of the charter of the United Nations.”

Although the Indochinese countries would not be formally included in SEATO and the latter was considered by the United States to be fully consistent with the UN Charter, the Colombo Powers (with the exception of Pakistan, which joined SEATO) thought the very idea of a regional collective defense pact under the United States violated the spirit if not the letter of the language of Geneva Agreement. As Nehru would remark later, SEATO represented “quite a new conception,” because unlike NATO, “members of this organization are not only responsible for their own defense but also for that of areas they may designate outside of it if they so agree, this would mean creating a new form of spheres of influence.” Nehru contrasted collective defense with the Geneva Agreement which he had endorsed “because of its clause that no outside interference will be allowed in Indochina.”

The Indonesian response was similar. Conveyed by its Prime Minister Ali Sastroamidjojo, it argued that SEATO’s offer of protection even to non-members “contravened the principle of international law forbidding armed interference by foreign powers in the internal affairs of a nation” and “brought the Cold War to the South East Asian region” (Sastroamidjojo 1979:271).

At this point, the British government as well as some senior US officials recognized the importance of securing the participation of the Colombo Powers as a prerequisite for the proposed alliance’s success. Eden told Dulles that he “should avoid taking any action which might lead the Governments represented at Colombo to come out publicly against our security proposals” (Eden 1960:99). In his view, without such countries, “the pact would simply be a white man’s pact imposed from the outside and robbed of popular support.” He urged the United States that “strong efforts to secure the participation of the Colombo Powers in the collective security arrangement or at least their acquiescence in its formation should be made prior to the negotiation of the treaty.”

There were similar voices within the United States. Defense Secretary Charles Wilson believed that “without the Colombo Powers we wouldn’t have much in Southeast Asia.” A State Department official urged giving “real consideration to the British position – that is, that we should go slowly in forming such an organization [SEATO] to give ourselves time to persuade Burma, Pakistan, Ceylon, Indonesia, and India to join in or, at least, to look with favor upon it.” Even Dulles and Eisenhower recognized the need for Indian participation, despite Dulles’ personal dislike for Nehru. The US ambassador to India, George V. Allen, was summoned to the White House in May 1954 to be told of “the extreme importance they attached to carrying Indian and Asian opinion” on the matter of SEATO (this language is from a British memo based on conversation with Allen). Dulles would even maintain that “nothing will suit the Americans

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28 The Bogor Conference Minutes, 2nd Session, 6.
better than that the Indians should not only share but actually take the initiative. Could they not organize a scheme of collective defense among South East Asian countries with the United States and United Kingdom standing behind in support?"\(^32\) This shows that the United States keenly wished for Indian (as well as the other Colombo Powers) participation in the SEATO, rather than simply not caring about it. The fact that it failed to do get their participation attests to the role normative opposition to collective defense from Nehru and the Colombo Powers (save Pakistan) played in delegitimizing SEATO.

At American urging, Britain took the lead in persuading the Colombo Powers to join the proposed collective defense organization, whose treaty was planned to be signed at a Conference in Manila in September 1954. On July 30, 1954, British Foreign Secretary Anthony Eden wrote to Nehru (as well as other Colombo Powers) asking them whether they would “find an invitation to be represented at the proposed meeting (Manila Conference) … acceptable.”\(^33\) Dulles had asked the British not to formally invite the Colombo Powers to the Manila Conference unless they had indicated prior willingness to accept the invitation.\(^34\) Nehru’s reply was unambiguous; to him, the proposed organization would be an organic military arrangement the participants in which are some states in the area and a larger number outside [the] area who seek to align themselves with one another for the avowed purpose of safeguarding peace and promoting the stability of the participating countries or of the area as a whole against other countries and peoples in the area...It is therefore far from being a collective peace system; it is rather a military alliance. This may possibly result in the formation of a counter-military alliance...You have referred to the role of the Asian powers in the defence of South East Asia and mentioned its vital importance. Yet the majority of Asian countries [and the] overwhelming majority of Asian peoples will not be participants in the organization. Some it may be anticipated would even be strongly opposed to it, thus rendering South East Asia a potentially explosive theater of the Cold War.\(^35\)

Nehru played a central role in organizing resistance to SEATO. A key figure behind early Asian regionalism, he played a central role in postwar Asian regional conferences, including the Asian Relations Conference, New Delhi, 1947, the Conference on Indonesia, New Delhi, 1949, and later the Bandung Asia-Africa Conference, 1955. Even before becoming India’s Prime Minister in 1947, Nehru had criticized collective defense pacts under great powers as “a continuation of power politics on a vaster scale” (Nehru 2005:539). His opposition to collective defense invoked the principles of sovereignty, particularly the equality of states and nonintervention. It was also shaped by his involvement in India’s nationalist struggle and the influence of Gandhian doctrine of nonviolence. Hence, it was of “little surprise that he reacted viscerally to geopoliticians” like Dulles (Karnad 1994:32).

But Nehru was not alone. Burma turned down the invitation to attend the Manila conference out of concerns about compromising its sovereignty and inviting great power intervention. As the Burmese Prime Minister U Nu put it, “an alliance with a big power immediately means domination by that power. It means the loss of independence.”\(^36\) The Indonesian government argued that a

\(^{32}\) Inward Telegram to Commonwealth Relations Office, From UK High Commissioner in India, 27 May 1954, FO-371-118863, UK National Archives.

\(^{33}\) FO-371-118875.

\(^{34}\) FO-371-118875.

\(^{35}\) UK Foreign Office, Inward Telegram to Commonwealth Relations Office, August 2, 1954, FO 371-11875. TNA-UK.

collective defense arrangement in the region would undermine its “independent foreign policy.”37 The Ceylonese Prime Minister John Kotelawala did not want his country to give the “appearance of being committed to either side” in the Cold War.38 His opposition to SEATO reflected “the general feeling that...a united voice of Asia (should be)... heard in the councils of a world whose destinies had hitherto tended to be controlled almost entirely from another direction” (Kotelawala 1956:118). As such, “What was wrong about SEATO was that the opinion of Free Asia had not been sought in regard to the troubles in Vietnam and Korea... The Colombo Conference (of April–May 1954) was going to demonstrate to the world that the people of Asia knew what was good for them.”39

In summary, exclusion from decisions about forming such a pact, and the perceived hypocrisy of SEATO’s great power proponents who while professing the principle of nonintervention were using the pact as a tool of their intervention in the region (specifically in the Indochina conflict), and the consequent loss of autonomy of regional actors, shaped the rejection of SEATO by the four Colombo Powers.

Effects

Although the Southeast Asia Collective Defense Treaty was formally signed on September 8, 1954, normative opposition from the four Colombo Powers would not disappear. In fact, it might have intensified, especially at the Bandung Conference in April 1955.40 Aside from highlighting great power hypocrisy and the limitations of the UN, the Bandung Conference became an arena for contesting the legitimacy of collective defense as represented by SEATO and CENTO (Johnston 2001:487–516).

At Bandung, Nehru portrayed NATO as “one of the most powerful protectors of colonialism”41 (presumably because Portugal was seeking support from NATO colleagues to hold on to Goa). He presented collective defense pacts as a threat to the sovereignty and dignity of postcolonial states, finding it “intolerable...that the great countries of Asia and Africa should come out of bondage into freedom only to degrade themselves or humiliate themselves” by joining such pacts.42

On the other side, supporters of collective defense, notably Pakistan, Turkey, and the Philippines, argued that SEATO, the first pact to be geared to subversion (rather than just overt military attack), was necessary against the threat of communism, the main security challenge facing them. Philippines’ lead delegate Carlos Romulo pointed out that the communists were routinely violating their own professed doctrine of nonintervention (Romulo 1956:91) Pakistan’s Prime Minister, Mohammed Ali, took Nehru’s attack on collective defense pacts as an affront to Pakistan’s own sovereignty.

New archival evidence suggests that the United States, in close coordination with the UK, tried to influence the Bandung conference through their allies represented there, including SEATO members Pakistan, Philippines, and Thailand,

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38 UK High Commissioner in Ceylon to FO, 9 August 1954, D 1074/367, FO 371/111878. TNA-UK.
40 Twenty-nine countries participated in the Bandung Conference held between April 18 and 24, 1955: Burma, Ceylon (Sri Lanka), India, Indonesia, Pakistan, Afghanistan, Cambodia, China, Egypt, Ethiopia, the Gold Coast (Ghana), Iran, Iraq, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Nepal, the Philippines, Saudi Arabia, Sudan, Syria, Thailand, Turkey, the Vietnam Democratic Republic, South Vietnam (later reunited with the Democratic Republic of Vietnam), and Yemen (Republic of Yemen).
41 Proceedings of the Political Committee of the Asian-African Conference, April 20–23, 1955. Hereafter cited as Bandung Political Committee Proceedings. These Proceedings were the verbatim records of the Political Committee of the Conference, where all the heads of delegations met, and were circulated on an extremely limited basis.
42 Nehru’s Speech on April 23, 1955, Bandung Political Committee Proceedings.
and the leading CENTO member Turkey. Although Dulles publicly took the position that the US attitude toward the Bandung Conference should be one of “benevolent indifference,” the administration’s position was anything but indifferent. After the British abandoned their initial idea of encouraging a boycott of the Conference by their allies and friends in favor of encouraging them to send “strong” delegations to argue in support of SEATO, the United States too did likewise, encouraging its friends to “send the strongest possible delegations.”

The US State Department issued a guidance to its diplomatic missions in friendly countries advising them

to avoid an open show of interest. They should however seek to put friendly and neutral delegations on their guard against Communist misrepresentations, and against Communist attempts to put down for discussion subjects which could be used to discredit the West.

The British, too, carried out an extensive effort consisting of supplying “guidance” papers, on subjects ranging from communist colonialism to nuclear disarmament, to pro-Western delegations going to Bandung.

After much debate, the final communiqué issued by the Bandung Conference adopted ten principles as a normative charter for the newly independent states of Asia and Africa. One of the principles recognized the right of every nation to collective defense, but another stipulated the “abstention from the use of arrangements of collective defense to serve the particular interests of any of the big powers.” This formulation would underpin the normative de-legitimation of collective defense in postwar Asia.

Although US allies claimed victory for SEATO immediately after Bandung, SEATO failed to attract a single new member, as Britain and the United States might have hoped for. Why? It was because the logic of norm subsidiarity would influence them. Subsidiarity is triggered by the exclusion of regional actors from global rule-making and the perceived hypocrisy of great powers in defending agreed principles. At Bandung, both the motivating forces were clearly at work. The sense of exclusion from global norm-making processes was especially felt. At the San Francisco Conference that drafted in the UN Charter, Asia had been barely represented; the only countries being India (still a British colony) and the Republic of China. Western dominance of the UN became a sore point with Asian nationalists especially after the Netherlands tried to enlist the UN’s help to support its return to Indonesia. Even by 1955, more than half of the participants in the Bandung Conference, including sponsor Ceylon, were not even members of the UN as yet.

Moreover, Bandung participants also perceived hypocrisy on the part of great powers in upholding the nonintervention norm and saw the UN as being incapable of preventing its violation by the great powers. The UN was seen as being ineffective in dealing with superpower interventionism in Indochina. The UN’s

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failure to deal with West Iran was resolutely criticized at Bandung. As Ceylon’s Prime Minister John Kotelawala lamented:

It is not the United Nations which has preserved the uneasy peace of the last decade. In all the major issues of world politics, such as the Korean and Indo-Chinese disputes, negotiations for settlement had to be carried on outside the framework of the United Nations...what we of Asia and Africa can appropriately demand, is that the United Nations Organization should be so reconstituted as to become a fully representative organ of the people’s of the world, in which all nations can meet in free and equal terms.\(^{40}\)

As noted, the effect of norm subsidiarity may be judged from the extent to which it resists and erodes the legitimacy enjoyed by norms and institutions created by great powers. And this legitimacy rested not just on the material variables, like military or economic aid to allies, but more crucially on issues of representation and participation. The Bandung Conference not only put paid to any US and British hopes for drawing new members to SEATO, it also aggravated anti-SEATO sentiments in two key Southeast Asian members: Thailand and the Philippines. Despite having embraced SEATO membership, these two countries had already “resented not being taken into the confidence of their Western partners” – the United States, the UK, France, Australia, and New Zealand – especially when the latter began discussions on a regional collective defense pact in 1954 (Modelski 1962:155–156). This sense of exclusion was aggravated by the growing perception of the “un-Asianness” of SEATO created at Bandung. In the Philippines, it strengthened domestic elements which advocated an Asian identity for the country by moving away from too close a security relationship with the United States. Emanuel Palaez, a Philippine Senator and member of its delegation to Bandung, felt a “sense of pride” after listening to Indonesian President Sukarno’s opening speech. Sukarno to him was a “fellow Asian...a voice of Asia, to which we Filipinos belong.”\(^{50}\) After Bandung, Thailand signaled a more accommodating attitude toward China, which led a US State Department memo to remark that Bangkok seemed to be “reverting to their historic policy of having at least a toe in either camp.”\(^{51}\)

Later, a former Thai Secretary-General of SEATO echoed Nehru’s normative argument against SEATO. He noted: “When membership is disparate and composed of great and small nations, the latter having to rely heavily on the former, the organization is bound to be at the mercy of the whip and whim of the larger nations.” As regards the reason for SEATO’s demise, he would stress its failure “to gather new members,” and the “ironical” fact that “it was Thailand and the Philippines whose security SEATO was principally conceived to ensure, who asked...for its gradual phasing out...”\(^{52}\)

In short, the exclusion of Philippines and Thailand from earlier Anglo-American deliberations over collective defense, the subsequent failure of Western powers to secure wider Asian participation in the alliance, and the evident conflict between the sense of Asian identity fostered by Bandung and the nature of SEATO as an outsiders’ project weakened the alliance from its very inception, and strengthened its alternative: a subsidiary norm against collective defense pacts.

\(^{40}\) See Text of Kotelawala’s speech to the opening session of the Bandung Conference, in Asia Africa Speaks from Bandung (Jakarta: Department of Foreign Affairs), p.40.


\(^{51}\) “Letter from the Acting Officer in Charge of Thai and Malayan Affairs (Foster) to Ambassador in Thailand (Peurifoy.),” FRUS Vol. XXII, Southeast Asia: 826.

\(^{52}\) Konthi Suphamongkon, “From SEATO to ASEAN,” undated paper (Singapore: Institute of Southeast Asian Studies), pp. 32-35.
Against this normative explanation of why SEATO failed, let me offer three alternative explanations, one each from functionalist, realist, and constructivist (a different one from mine) perspectives. Functionalists have argued that America’s “half-hearted commitment” was what really doomed SEATO (Liska 1968:121; Buszynski 1983:221). The US commitment to SEATO was based not on the NATO formula of automatic and immediate collective action against aggression, but mimicked the Monroe Doctrine which only asked for consultations among the allies. Any collective action would be subject to the constitutional processes of each member. But Dulles insisted that the SEATO formula was “as effective as that we used in” NATO. This type of formula was necessary to preclude Congressional objections which suggested that the NATO formula allowed the President too much power over war-making at the expense of the Congress (such objections had almost wrecked Senate ratification of NATO, which Dulles did not want to see repeated).  

And while SEATO did not have a permanent military command, neither did ANZUS (Australia, New Zealand, and the United States), a far more successful military alliance than SEATO, suggesting that a unified command is not a prerequisite for the political success of an alliance. Moreover, as described earlier, under the SEATO formula, the United States retained the option of a direct attack on China, including limited nuclear strikes, which would be more credible than defending against such an attack militarily.

A realist explanation of why Asia did not develop a viable postwar multilateral security organization attributes it to the United States’ “extreme hegemony,” or the huge power gap between the United States and its Asian allies. Because the potential Asian partners had too little to offer either individually or collectively to a multilateral security grouping, Washington saw no point in a regional security organization (Crone 1993). A constructivist explanation blames identity dissonance. The United States recognized a greater sense of a transatlantic community than a transpacific one; hence, Europe rather than Asia was seen as a more desirable arena for multilateral engagement (Hemmer and Katzenstein 2002; Katzenstein 2005). But both these perspectives are top down. They stress why the United States did not want a multilateral defense organization in Asia, rather than why Asian actors did not themselves want it. They give no consideration to the norms developed by Asians themselves. I have shown that the US and allies did seek a multilateral defense organization in Asia, rather than why Asian actors did not themselves want it. They give no consideration to the norms developed by Asians themselves. I have shown that the US and allies did seek a multilateral defense organization, but simply could not get what they wanted due to strong normative opposition from within Asia, which limited Asian participation and representation in SEATO, undercutting its legitimacy and viability.

Another alternative explanation for SEATO’s failure is intraregional rivalry such as that between India and Pakistan. But this does not explain why three other Colombo Powers, namely Indonesia, Ceylon, and Burma, refused to join SEATO, even though they had no conflicts with the three who did, namely Thailand, the Philippines, and Pakistan. Multilateral alliances between a hegemonic power and weaker states are possible despite quarrels among the latter because a hegemonic power usually possesses the resources to goad quarrelling partners into a system of collective defense, as the United States was able to do in relation to Greece and Turkey in NATO.

In considering normative versus rationalist/materialist explanations of why SEATO failed, I should stress that my essay deals with what might be considered, following Katzenstein (1996:11), a “hard case” for normative explanations.

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Explanations of the failure of alliances usually favor established realist and functional perspectives on national security. But I have demonstrated that a normative explanation of why SEATO failed is possible, and this should encourage generalizations about norm subsidiarity that are applicable to other Third World regions.

**Long-Term Consequences**

The norm against regional collective defense shaped Asian regionalism after the Bandung Conference. Indeed, what was originally an injunction against “the use of arrangements of collective defense to serve the particular interests of any of the big powers” expanded into a more general norm against regional collective defense, even when not sponsored by the great powers, because of the fear that such defense arrangements might be seen as a SEATO through the backdoor. Thus, the founding documents of ASEAN, created in 1967, avoided any mention on collective defense so as not to “lend credence to charges that [ASEAN] was a substitute for the ill-fated South-East Asia Treaty Organization in the making” (Leifer 1989:28; see also Acharya 1990). ASEAN members consistently rejected any defense role for the grouping despite the Vietnamese invasion of Cambodia and the Soviet naval expansion in the Pacific in the 1980s. And ASEAN would become the driver of subsequent regional institutions in Asia, especially the ASEAN Regional Forum (ARF), created in 1994. The ARF, the first Asia-wide regional organization devoted to security issues, has purposely avoided any collective defense role. The agenda of ARF consists of three stages: confidence-building, preventive diplomacy, and conflict-resolution. Its primary goal is to induce defense transparency among its member states, not collective defense against common threats Acharya ([2001] 2009). Some recent media reports suggest the possibility of an Asian NATO, but this seems highly unlikely.

To conclude the implications of the above for Asian security regionalism, the concept of norm subsidiarity offers a better explanation of the absence of a collective defense organization in Asia than rationalist or other constructivist explanations. Why did Asian actors engage in such norm subsidiarity? The generic factor, deriving from the norm localization perspective, was the desire of local actors to fit the more abstractly defined universal norms to local context and beliefs. But more relevant were the specific factors, applicable mainly to Third World states, including their exclusion from global norm-making processes and their resistance to the hypocrisy of powerful actors in selectively applying global rules of sovereignty. During the postwar period, many Asian nationalist leaders with little say or representation in the global decision-making bodies perceived the two superpowers as violating the norm of nonintervention, especially through their rivalry over Indochina. Yet, the UN seemed to be too paralyzed by the Cold War to address their security concerns. Hence, developing a local norm against collective defense pacts was seen as a necessary way not only of countering superpower interventionism but also for compensating for the deficiencies of the UN. Moreover, while nonintervention was supposedly a “universal” norm, in reality, its European application had not been unexceptional, allowing intervention to maintain the balance of power. Yet, in postwar Asia, local conditions, especially the new-found interdependence of Asian states which had to be safeguarded, and the ideas of nationalist leaders such as Nehru or Aung San reject-

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ing great power spheres of influence, provided the basis for reformulating the
norm of nonintervention with a view to delegitimize great power-led military
pacts.

Norm Subsidiarity in the Third World

The concept of norm subsidiarity can be used to study norm creation and diffu-
sion in other regions. Here, I am not so much interested in causal inferences
about norm subsidiarity, but in making a bounded generalization that is applica-
table to other cases under similar conditions. This means that under similar
circumstances, norm subsidiarity will develop in other parts of the world.\(^{55}\) In
this section, I show examples of norm subsidiarity in regions which share similar
historical (colonial/semi-colonial status), political (weak socio-political cohesion
and regime insecurity), and strategic (marginalization through great power dom-
inance and hypocrisy) conditions. Thus, Latin America, the Middle East, and
Africa developed subsidiary norms, whereby they have sought to develop local
rules to challenge great powers dominance and hypocrisy and secure regional
autonomy. In so doing, they also supported existing global norms such as territo-
rial integrity, self-determination, nonintervention, racial equality, and regional
autonomy.

Latin American countries, the first to obtain independence from colonial
rule, have been “international rule innovators” (Dominguez 2007:126-127) A
key source of regional norms, Bolivarianism, was explicitly geared toward region-
al autonomy; it “derived from the external threat posed by Europe’s power’s
to the nascent South American states” (Kacowitz 2005:50) Although Bolivar’s
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dream of a Latin American political union never materialized, Latin American
regional interactions became the springboard of “ideas that rejected imperial-
ism,.. defended sovereignty, self-determination, and nonintervention, and
couraged Latin American coordination and cooperation” (Kacowitz
2005:50).

One of the most prominent Latin American subsidiary norms being the doc-
trine of uti possidetis juris, or honoring inherited boundaries, after the break-up
of the Spanish empire. This norm, which respected the Spanish empire’s admin-
istrative boundaries, became “a framework of domestic and international legiti-
macy in the otherwise bloody passage from the empire to its successor American
states” (Dominguez 2007:90). This norm clearly supported and contributed to
the global territorial integrity norm, or what Brownlie calls the “creation and

\(^{55}\) This is an entirely defensible approach, even to the critics of the case study method. Indeed, specifying scope
conditions under which certain independent variables will produce similar outcomes is the essence of the “social-
scientific” study of IR. Moreover, it is useful to bear in mind that while IR scholars disagree over generalizations
from single cases, generalizations from in-depth study of single cases or events, such as the collapse of the Soviet
Union, and NATO expansion, are commonplace in IR literature (Maoz 2002:161). As Flyvbjerg (2006:228) asserts,
“One can often generalize on the basis of a single case and the case study may be central to scientific develop-
ment via generalization as supplement or alternative to other methods.”

The literature on case studies also holds that generalizations from single cases are best done with the help of pro-
cess-tracing method and alternative explanations, both of which feature in this essay. Moreover, single cases are
especially useful for rejecting established theories which claim to specify necessary and sufficient conditions
(George and Bennett 2005:33) In this essay, I have used the case study of SEATO to refute the thesis that norm cre-
ation requires the initiative of central or powerful actors, or that power is a necessary or sufficient condition for
norm creation, a bias in both rationalist and constructivist literature.

Finally, there are plenty of examples in the IR literature of generalizations from single cases that have been used to
challenge an existing theory or build a new one. Liddle’s (1991) study of Indonesia’s development strategy refuses
the earlier dependency theory literature regarding the lack of autonomy of Third World states. Wallander (2000)
develops the concept of “asset specificity” to explain why NATO persists after the end of the Cold War. The Cuban
Missile Crisis (a single event) and the end of the Cold War (both as a single event and as a complex set of events)
have spawned a great number of theoretical generalizations about decision-making and role of ideas in interna-
tional relations, respectively.
transfer of territorial sovereignty (Brownlie 1998:132). Another subsidiary norm of Latin America is “absolute nonintervention in the hemispheric community,” both as an abstract principle and as a means to challenge US hegemony in the region (embodied in the “Monroe Doctrine”). Developed under the banner of pan-Americanism, this norm responded to the perceived hypocrisy of a superpower in dealing with its southern neighbors (Castle 2000:56; Leonard 2000:96).

Thus, the Calvo Doctrine (after Argentine jurist Carlos Calvo) rejected the right of intervention claimed by foreign powers (European and US), to protect their citizens resident in Latin America. Another rule, the Drago Doctrine, named after Argentine Foreign Minister Luis Drago, challenged the US and European position that they had a right to intervene to force states to honor their sovereign debts (Dominguez 2007:92). Over US opposition, Latin American congresses recognized revolutionary governments as de jure. Both Calvo and Drago doctrines constituted subsidiary norms of state sovereignty in Latin America’s regional order. The Latin American advocacy led the United States to abandon the Monroe Doctrine in 1933 and accept nonintervention as a basic principle in its relations with the region.

Advocacy of “regional arrangements” is yet another example of norm subsidiarity by Latin American states. Expressed during the debate over the postwar global security architecture, this was clearly in response to the potential “tyranny” of a higher level institution, the UN. Faced with the Roosevelt administration’s clear preference for a universal organization, Latin American states argued that placing the whole responsibility for international peace and security in the hands of the UN Security Council would compromise the autonomy of regional institutions such as their own inter-American system (the Organization of American States). Regional arrangements, of which the Inter-American system was the oldest and most elaborate example, not only had a better understanding of local challenges to peace and security, they might also be in a better position to provide assistance and mediation in regional conflicts than a distant UN Security Council (Wilcox 1965; Etzioni 1970). Hence, to quote a Latin American delegate to the San Francisco Conference which drafted the UN Charter, “inserting the inter-American system into the [UN] Charter…was a question of safeguarding a whole tradition which was dear to our continent…and a very active one” and would “contribute…to world peace and security.” Thanks to Latin American advocacy, supported by Arab League member states, the Charter formally recognized the role of regional organizations as instruments of conflict control, and member states were asked to “make every effort to achieve peaceful settlement of local disputes through such regional arrangements” (Article 33/1, Chapter VI and Article 52/2, Chapter VIII). This outcome, as US Senator Arthur Vandenberg put it, “infinitely strengthened the world Organization” by incorporating “these regional king-links into the global chain.” In other words, subsidiary norms embodied in regional conflict-control arrangements constituted “a sub-systemic structure underpinning the framework of global norms” embodied in the UN, as per Figure 1.

In the Middle East, norm subsidiary could be discerned from what Barnett calls the “norms of Arabism” (Barnett 1998:56, 106; Lynch 1999:34; Hinnebusch 2003:64), which includes the “quest for independence, the cause of Palestine, and the search for [Arab] unity” and nonalignment. (Barnett 1998:56, 106) These norms were both challenging/resisting of great power ideas and policies and supportive/strengthening of existing global norms. The initial pan-Arabist

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56 On the high level of compliance with the global territorial integrity norm, see Zacher (2001).
58 UNCIO Documents, Vol. VI, p.5
norms, especially those associated with Egypt’s Nasser, resisted the Baghdad Pact sponsored by the United States. Nasser led the opposition to the Baghdad Pact as an instrument of US and British hegemony which subverted regional aspirations and arrangements for peace and security. As noted earlier, the Pact was signed in February 1955 on the same pretext of fighting communism as had been the case with SEATO. Prior to its signing, Nasser had been judged by the US State Department to be “friendly to West, especially to the United States.” But the Department also pointed out that Nasser had become more “reserved” toward West since the signing of the Baghdad Pact, which he “believes will damage Egypt’s position of leadership among the Arab states.” Nehru himself had warned before the Bandung Conference that the Baghdad Pact would make an otherwise friendly Egyptian government wary of US intentions and radicalize the Middle East, while undermining indigenous efforts at regional cooperation (Nehru 2000:310). Among other things, Nasser viewed the Baghdad Pact as severely undermining the scheme for an indigenous Arab Collective Security System, which had been mooted by Egypt. The Bandung Conference’s “spirited rhetoric of anticolonialism, independence, and rejection of alliances with the West had a major influence on Nasser” (Podeh 1995; Barnett 1998:299). Within months of the Bandung Conference, Nasser would sign an arms deal with Czechoslovakia and nationalize the Suez Canal, thereby setting the path for a major confrontation with the United States and the West in 1956.

In rejecting the Baghdad Pact, the Arab subsidiary norms were also supporting/strengthening of the existing global norms of nationalism, self-determination, nonintervention, and regional autonomy. Indeed, the Nasserite ideal of creating a single Arab nation out of existing postcolonial states gradually faded. But this only illustrates the working of the other subsidiary norms of the region and their supporting/strengthening effect on the existing universal norms of national sovereignty (Barnett 1995). Moreover, the cause of Palestine and the quest for regional autonomy, cooperation, and nonalignment continued to define the normative order of the Arab Middle East long after Nasser.

Finally, in Africa, Kwame Nkrumah of Ghana, the first sub-Saharan African country to gain independence, led the formulation of the subsidiary norms of an African regional order which would stress nonintervention by outside powers in African affairs, and the abstention of Africans in superpower-led collective defense pacts. As in the Middle East, these African norms supported the common global norms of territorial sovereignty, racial equality, liberation from colonial rule and regional cooperation. Nkrumah had been prevented by the British (Ghana was still under British dominion status) from attending the Bandung Conference, despite his keen desire to do so. But he too deeply influenced by the Conference. In April 1958, Nkrumah hosted the first Conference of Independent African States. Like the Bandung meeting, the African Conference was geared not only to discussing ways to secure independence from colonial rule but also to developing norms of foreign policy conduct aimed at addressing

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60 The ultimate defeat of Nasserism could be seen as an example of challenging/resisting effects of norm subsidiarity (against a regional hegemon).


“the central problem of how to secure peace” (similar to the Bandung agenda of World Peace and Cooperation). Among the principles agreed to at the African conference was Bandung’s: “abstention from the use of arrangements of collective defense to serve the particular interests of any of the great powers” (Woronoff 1970:39). As Nkrumah saw it, the conference was the first time that “Free Africans were actually meeting together, in Africa, to examine and consider African affairs.” Moreover, the normative result of the Conference was “a signal departure from established custom, a jar to the arrogant assumption of non-African nations that Africa affairs were solely the concern of states outside our continent” (Nkrumah 1963:136).

This marked the beginning of the African subsidiary norms of regional self-reliance in regional security and economic development. Even after Nkrumah’s eclipse, the African normative order would continue to reject superpower intervention, espouse regional autonomy, and develop regional institutions geared to achieving African cooperation if not outright political unity (Jackson and Roseberg 1982; Herbst 2007).

Africa scholars have pointed to a range of interrelated African norms, including noninterference, territorial integrity, and African solutions to African problems (Foltz 1991:352), self-determination, and territorial integrity (which Young terms as the “norm of inter-state boundary harmony in Africa”) (Young 1991:326, 328).

As noted, norm subsidiarity may involve transregional extensions of locally developed rules. Asian norm subsidiarity clearly had a discernable effect on other Third World regions. The Non-Aligned Movement, which attracted considerable membership in Latin America, Africa and the Middle East, was a direct offshoot of the Bandung Conference (Jansen 1966; Singham and Hune 1986). A meeting of Foreign Ministers in 1961 limited membership in NAM to states that were not members of “a multilateral alliance concluded in the context of Great Power conflicts” (Ayoob 1995:104) This remained a core principle of NAM.

It might be asked whether the subsidiary norms of Latin America, the Arab Middle East, and Africa (or more broadly nonintervention in the Third World) can be really regarded as norms because they have not always been upheld in practice. One might also ask whether those subsidiary norms could not be explained in terms of more straightforward instrumental political reasons such as political expediency. But just because norms are violated from time to time by some actors does not disqualify their claim to be norms (Bull 1977: 55–56; Nyhamar 2000). What makes norms norms is that they develop “stickiness,” backed by a “logic of appropriateness” to replace an initial “logic of consequences.” The uti possidetis norm might have been initially motivated by “convenience and expediency” on the part of the newly independent Latin American states (Cukwurah 1967:112–13). But while the norm “did not preclude the emergence of boundary disputes among the Latin American states,” it was frequently applied to territorial disputes and “by recognizing the same norm...the parties at least managed to resolve their border disputes, in most cases, peacefully” (Kacowitz 2005:60). Asia has had no single instance of a collective defense pact since SEATO. The boundary maintenance regime in Africa has been remarkably resilient and successful. While some Africa scholars find norms secondary to power (Young 1991), others point to the role of norms in reducing conflicts in Africa (Foltz 1991). Zartman argues that despite power disparity among African states, and the attendant temptation for intervention by powerful African states in the affairs of their weaker neighbors, the fundamental norms of

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63 Nyhamar (2000), interpreting Bull (1977:55–56), holds that the test of normative behavior is not whether norms are complied with at the end, but whether they were a factor in the calculation of actors before acting.
the African system “have in no instance been clearly and decisively reversed” (Zartman 1984:29).

The quest for regional autonomy has been a persistent feature of all Third World regions, as seen from the policy and actions of their regional organizations. (Acharya and Johnston 2007) While nonintervention (or the Latin American, Arab, and African norms discussed above) has been selectively complied with, and that there are double standards in norm compliance in both the West and the Third World, this does not invalidate their claim to be norms. Moreover, constructivists have long accepted that norm creation and compliance need not be inconsistent with self-interested (instrumental) motivations, expediency, and behavior. As Finnemore and Sikkink put it, “frequently heard arguments about whether behavior is norm-based or interest-based miss the point that norm conformance can often be self-interested, depending on how one specifies interests and the nature of the norm” (Finnemore and Sikkink 1998:912). Moreover, the tendency to juxtapose starkly interest-based explanations and normative explanations of behavior has been increasingly challenged by constructivists themselves. The “rationalist-constructivist synthesis” in the international relations theory points to the possibility of both normative and instrumental calculations in norm compliance. As Zurn and Checkel points out, most behavior can be subject to a “double interpretation,” one from a rationalist/instrumental perspective, the other from a constructivist/normative (logic of appropriateness) perspective (Zurn and Checkel 2005:1057) This is true of all the aforesaid norms.

Finally, although subsidiary norms may travel from one region to another through snowballing, learning, and emulation, and thereby retain a certain basic meaning across regions, the process of diffusion can also cause new variations in their understanding and application. African states resisting Western colonialism were moved to channel their normative resistance not only against the Apartheid regime in South Africa but also to other regions, including the Arab struggle against Israel over Palestine, a process consistent with the idea of “universalization” in norm subsidiarity (Young 1991:325). But the process of interregional diffusion can cause important variations. The norm of honoring postcolonial boundaries, originally developed in Latin America, was adopted in Africa and to some extent in Asia. But its application in Latin America was much more legalized than in the other regions. Thus, to say that norm subsidiarity is a general feature of Third World regions does not mean that these norms would have exactly the same meaning in different regions. Region specificity is a hallmark of norm subsidiarity. The Latin Americans doctrine of nonintervention was a more absolute doctrine than that in European practice, where intervention could still be justified for the sake of maintaining balance of power. Asians too zealously adopted nonintervention, but introduced another significant local variation: abstention from superpower-led military pacts. Hence, while all Third World regions, including Latin America, Asia, the Middle East, and Africa, developed subsidiary norms linked to nonintervention, this took different forms. In Asia, as the SEATO experience suggests, it produced a total opposition to collective security or defense pacts, but Latin Americans used it as a precondition for participating in a regional collective security system with the United States as long as Washington pledged not to interfere in their internal affairs. The Arabs and Africans rejected superpower-led defense pacts much like

64 Krasner (1999, back cover) notes the “presence of long-standing norms that are frequently violated.” These norms include nonintervention (note that Krasner calls nonintervention a “norm”) and human rights. But the catalog of violations he compiles does not negate the fact that human rights remains a norm, arguably ever more important. The selective adherence of nonintervention by both the North and South (West and the non-West) does not invalidate its historical status as a norm, because it endures (it’s “long-standing”).
the Asians, but they were prepared at least to try indigenous schemes for collective security and defense cooperation to an extent not found in Asia. Regional context, need, and discourses determine how subsidiary norms develop in different regions.

Conclusion

The concept of subsidiarity is yet to receive the attention it deserves in the theoretical literature on international relations. In this essay, I have explored the concept’s rich potential to propose and conceptualize a process of norm creation and diffusion in the Third World. In the conclusion, I outline three main contributions of the norm subsidiarity concept for international relations scholars.

The first concerns constructivism. Constructivism has been more interested in studying the diffusion of moral principles, such as norms against apartheid, chemical weapons, or for the protection of whales, than the diffusion of norms whose moral claim is contested, such as the nonintervention norm, which has lost appeal in the West (especially in the European Union) but remains important in most parts of the Third World. By the time constructivism came into vogue, nonintervention was no longer regarded in the West as a moral principle; in fact just the opposite was the case. For some Western constructivists, as state sovereignty (and hence nonintervention) can be “neither resilient nor moral,” acknowledging its “constructed” nature is important in highlighting its decadence and obsolescence (Biersteker and Weber 1996). Hence, the constructivist literature has been more concerned with studying the diffusion of norms against nonintervention, for example humanitarian intervention, than of the original norm itself (Finnemore 2003). Yet, it should not be forgotten that although nonintervention has been discredited owing to its association with human rights abuses, it was once deemed to be a moral norm and espoused by such nationalist and democratic leaders as Jawaharlal Nehru of India as a bulwark against neocolonialism and superpower intervention. The idea of norm subsidiarity helps an understanding, from a bottom-up perspective, of the complexities and contestations that goes with norm creation in world politics.

Second, studies of the normative behavior of Third World states and their regional institutions remain scarce, especially compared with Western actors and European regional institutions. To be sure, there is much work on the foreign policy behavior of Third World states (Moon 1983:315-340; Hey 1995). But they rarely deal with normative or ideational variables. While studies of norm development by individual Third World states or regions are beginning to appear (as discussed in the previous section), thanks mainly to the work of different area specialists, what we do not have until now is an overarching framework that explains the dynamics of norm diffusion, that is applicable across regions in the Third World. This essay offers one such framework, which has comparative potential. Along with the idea of norm localization, norm subsidiarity opens the door to a systematic attempt to develop a theory of norm creation and diffusion

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65 While nonintervention is now under attack (I should stress that my focus on nonintervention was for the early post-World War II period), as is the whole idea of absolute sovereignty, both sovereignty and nonintervention remain very popular in the non-Western world. For example, neither India nor China has accepted the idea of “responsibility to protect” (R2P), or the humanitarian intervention principle, which stands as the most serious contemporary challenge to the doctrine of nonintervention. At the recent UN debate over R2P, Egypt on behalf of the Non-Aligned Movement noted that “mixed feelings and thoughts on implementing R2P still persist. There are concerns about the possible abuse of R2P by expanding its application to situations that fall beyond the four areas defined in the 2005 World Summit Document, misusing it to legitimize unilateral coercive measures or intervention in the internal affairs of States.” (H.E. Ambassador Maged A. Abdelaziz, The Permanent Representative on behalf of the Non-Aligned Movement, “Statement.” Available at: http://www.responsibilitytoprotect.org/NAM_Egypt_ENG.pdf.)
in the Third World, thereby countering the Westerncentrism in the literature on the international relations of the Third World.

The final contribution of norm subsidiarity concerns the *agency role* of Third World states. Most early accounts of the role of the Third World in world politics focused on its “revolt against the West” (Bull 1984) and the North–South “structural conflict” (Krasner 1985). As latecomers with scant material resources, and with a rebellious disposition, the Third World was cast as a spoiler of, rather than a contributor to, international order. Missing from the picture is the agency role of Third World states in constituting the world polity and managing international order. The essay highlights a special type of agency namely, the ideational and normative agency of Third World states in world politics. As Puchala notes, for “Third World countries, ideas and ideologies are far more important” than power or wealth. This is because whereas “powerlessness” and “unequal distribution of the world’s wealth” are “constants,” ideas can be empowering (Puchala 2000:151).

I share Ayoob’s perspective on the “schizophrenia” of Third World states that have simultaneously challenged and adapted to the “system of states” (Ayoob 1989:67–79). But this essay also highlights the constitutive role of the Third World in global order in the normative domain. Moreover, while like Ayoob I deal with the “subaltern” strata of the world polity (without using the term), the idea of norm subsidiarity speaks to a “subaltern” constructivism, rather than Ayoob’s “subaltern realism” (Ayoob 2002; Barnett 2002; Cicek 2004). Unlike Ayoob and to a much greater extent than the English School, I stress the role of ideational forces as “weapons of the weak” available to and employed by Third World actors as constitutive instruments of the world polity.

Lacking in structural and material power, Third World states resort to ideas and norms to construct world politics. The concept and practice of norm subsidiarity provides an important starting point for understanding this role. It deserves due attention side by side with the contribution of Western nations and the norms and institutions created and controlled by them.

References


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