Research Article

Indonesia's Contested Norms, Selective Humanitarianism and ASEAN Refugee Governance

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Abstract

This article reinterprets Indonesia's refugee governance and ASEAN's regional approach as sites of norm contestation rather than mere institutional or capacity gaps. While the 1951 Refugee Convention promotes universal protection, Southeast Asia largely avoids fully integrating these norms. Indonesia exemplifies this paradox: it champions humanitarian diplomacy in forums like the Bali Process. It offers ad-hoc aid during crises, such as the 2015 Rohingya influx, yet it simultaneously upholds a restrictive asylum policy and remains outside key international refugee agreements. ASEAN, similarly, resists formalizing refugee protection, adhering to its core tenets of non-interference, informal regionalism, and consensus. Drawing on regionalism, securitization, and postcolonial theories, the article argues these are not failures, but deliberate political choices driven by concerns of sovereignty, security, and normative pluralism. It reveals how Southeast Asian refugee governance stems from conflicting regional identities and historical legacies, fostering a fragmented landscape where humanitarianism becomes a selective political tool. This analysis enriches critical discussions on refugee protection in the Global South and highlights the limitations of liberal humanitarian norms in diverse postcolonial contexts.

Keywords: ASEAN, Norm Contestation, Postcolonial Governance, Refugee Governance, Selective Humanitarianism

INTRODUCTION

As international order becomes more fragmented and contested, refugee protection has emerged as a crucial site for contestation between global norms, state sovereignty, regional identity, and competing political imaginaries. The post–World War II international refugee framework, embodied in the 1951 Refugee Convention and its 1967 Protocol, embodies liberal principles about human rights, humanitarianism, and the universal obligation of transnational protection as a moral imperative (UNHCR, 2025). However, the universality of these norms has long been challenged, particularly in parts of the Global South, where distinct histories, identities, and governance traditions have generated alternative ways of thinking about accommodating and protecting refugees (Janmyr, 2019).

Southeast Asia exemplifies this tension. Despite repeated instances of forced migration, from the Indochinese refugee flows of the 1970s and 1980s to the Rohingya crisis of the 2010s, ASEAN has never established a coherent or binding

refugee protection mechanism (Petcharamesree & Capaldi, 2023). Refugee governance in the region remains fragmented, characterised by ad hoc, state-centred responses and a steadfast adherence to the principle of non-interference (Hasan et al., 2025).

In this framework, Indonesia plays a significant role. On the one hand, it has cultivated a diplomatic image as a humanitarian leader by co-chairing the Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crime alongside Australia during the 2013–2015 cycle and by hosting Rohingya refugees temporarily while regional solutions were sought (The Bali Process, 2024). On the other hand, Indonesia remains outside the core international legal framework, as it has not ratified the Refugee Convention or Protocol and lacks a comprehensive national asylum framework (Jani et al., 2024). Its refugee policy is one of deterrence: refugees and asylum seekers live in protracted limbo without integration prospects or access to formal employment, reliant on international organizations and local civil society for survival (Opono & Ahimbisibwe, 2024).

This dualism is not unique to Indonesia but reflects a broader regional trend where states balance humanitarian discourse with national interests, prioritizing sovereignty, immigration control, and political order. The Rohingya crisis illustrates this dynamic: in 2015, Indonesia, Malaysia, and Thailand allowed the temporary landing of boat people fleeing persecution in Myanmar, but none have willingly assumed long-term responsibility for refugee protection or resettlement. ASEAN, as a regional organization, has similarly avoided robust engagement with the crisis in Myanmar's Rakhine State, choosing not to confront its root causes (Gunawan, 2024).

This paper argues that ASEAN's splintered approach and Indonesia's ambivalence should not be perceived as institutional failure or a lack of capacity but rather as manifestations of a more profound regional political logic. They are underpinned by historical memories of colonization and decolonization, Southeast Asian pluralism, ASEAN's principle of non-intervention, and the securitization of irregular migration and displacement (Gunawan, 2024). Refugee governance in the region is not merely an administrative or technical issue but a contested and dynamic process through which Southeast Asian states engage with, resist, negotiate, and revise global humanitarian norms.

Indonesia embodies these tensions as a diplomatic leader that has not ratified key refugee instruments. Its foreign policy doctrine of free and active (*bebas aktif*) has positioned it as a significant player in regional migration governance, including a leading role in the Bali Process. Yet this leadership has served less to institutionalize refugee protection standards and more to reinforce regional norms of sovereignty, consensus, and informal dialogue (The Bali Process, 2024). Indonesia's approach can thus be characterized as selective humanitarianism: it engages in humanitarian leadership to bolster international credibility while maintaining domestic restrictions that prioritize sovereignty (R. R. A. Rahman & Iswara, 2024).

Existing scholarship on refugee governance in Southeast Asia has mapped this landscape through several distinct, yet often fragmented, lenses. One stream of

research focuses on ASEAN's regional architecture, highlighting its informal, flexible "soft regionalism" (Velasco, 2023) and the resulting limitations on collective, binding action (Caballero-Anthony, 2022). Within this context, some scholars like McMillan & Petcharamesree (2021) argue that this informal, sovereignty-bound model may form a future regional nucleus, while others critique ASEAN's failure to robustly engage with the root causes of crises, such as in Myanmar (Gunawan, 2024).

A second stream focuses on state-level policy, particularly in non-signatory countries like Indonesia. These studies demonstrate how Indonesia protects decentralized, non-statist means (Prabandari & Adiputera, 2019) and analyze domestic policies like Presidential Regulation 125 not as a humanitarian commitment but as a "recalibrated sovereignty" to bolster international reputation (Kuncoro & Prabandari, 2024). Other literature in this theme also highlights Indonesia's deterrence-based policies, which leave refugees in protracted limbo (Opono & Ahimbisibwe, 2024), and its lack of a comprehensive national asylum framework (Jani et al., 2024).

However, despite these contributions, the existing literature exhibits significant analytical voids and often fails to evaluate the underlying political logics critically. This fragmented approach limits a comprehensive understanding of the region's dynamics. First, ASEAN's governance fragmentation and Indonesia's strategic ambiguity are frequently dismissed as mere institutional deficiencies or a lack of capacity (as implied in studies like Hasan et al., 2025). This perspective overlooks the critical possibility that these are not failures but rather deliberate political choices, a "contestation of norms"—calibrated to protect sovereignty, security, and heterogeneous domestic identities. Second, a critical gap exists in systematically conceptualizing Indonesia's dual posture. Its simultaneous humanitarian diplomacy abroad (such as in the Bali Process) and restrictive domestic policy have not been theorized together; the idea of "selective humanitarianism," where diplomatic gestures abroad mask constrained domestic responsibilities, remains largely unexplored. Third, local practices and the role of civil society are seldom integrated into regional analyzes. This theoretical omission mutes the critical ways in which bottom-up ethical pressures can either contest or complement state-centric governance structures.

This article addresses these critical gaps. It offers a reframing of refugee governance in Southeast Asia, reconceptualizing it as a struggle over norms rather than a failure of the system; it then theorizes selective humanitarianism to illuminate Indonesia's ambivalence; finally, it embeds localized practices within the larger governance framework. These moves enrich critical and postcolonial analyzes of refugee protection in the Global South, revealing how sovereignty, security, and competing moral traditions, rather than humanitarian universals, determine protection dynamics in the region. The study engages with the main research question: What historical, political, and normative logics account for the fragmented regimes of refugee protection in Indonesia and ASEAN, and how does the fragmentation there mirror regional patterns of norm contestation?

METHODOLOGY

This study is grounded in a post-positivist, interpretive epistemology. This approach, as distinct from positivism, is necessary because the research seeks to understand the shared meanings, normative logics, and political rationalities that account for the fragmented governance regime, rather than to identify universal causal laws. It therefore employs an interpretive qualitative methodology to analyze refugee governance in Indonesia and ASEAN as a 'politics of contestation' vis-à-vis a normative process of contestation. This approach aligns with the study's constructivist frameworks, which prioritize how norms and threats are socially constructed.

As for methods, the study is based primarily on documentary analysis. The documents reviewed in this paper consist of ASEAN declarations, Indonesian Presidential Regulation No. 125 of 2016, the 1951 UN Refugee Convention and the 1967 Protocol, official statements made by the ASEAN institutions and the Indonesian government, UNHCR and IOM reports, and relevant academic research on securitization, regionalism, and refugee governance in ASEAN.

Instead of a hermeneutics of suspicion, the study engages in a theoretically grounded reading of the texts, asking how regional elites understand sovereign space, regional identity, security, and humanitarianism through the lens of protecting refugees in Southeast Asia. The interpretive reading is informed by consideration of the historical inheritances, regional political logics, and cultural pluralism that characterize Southeast Asian regionalism (Acharya, 2017; Jetschke, 2009)

The reading focuses on official and institutional discourses, though acknowledging localized ethical and humanitarian practices. This is also reflected in the inclusion of accounts of civil society and religious organization responses in critical situations, such as the Rohingya crisis in Aceh, which shows how sometimes local humanitarian ethics may concur with or counter a state-centric framework. To summarize, the research is grounded in a qualitative interpretive data analysis of documentary sources, combining empirical attentiveness to history and politics with theoretic engagement with postcolonial, constructivist, and critical IR thinking.

ANALYTICAL FRAMEWORK

To understand the paradox of Indonesia's refugee governance—its projection of humanitarian leadership abroad while maintaining restrictive policies at home—a purely institutional or capacity-based analysis is insufficient. This article, consequently, uses a constructivist perspective. This viewpoint is crucial for reconceptualizing these dynamics not as "institutional failure," but as intentional "norm contestation." Constructivism in International Relations asserts that state action is influenced by both material interests and collective norms, values, and identities (Littlefield, 2012; Wendt, 1992). It is socially constructed rather than inherently objective. For example, one might argue that the desire to be seen as a "humanitarian leader," "good international citizen," and a "responsible and ethical member of the international community"—all of which are identities built on these

socially constructed humanitarian values. As previously stated, scholars like Wendt argue, state behavior is guided by shared norms and meanings (Wendt, 1992). This perspective enables the authors to characterize Indonesia's ambivalence as a "politics of contestation" among conflicting normative frameworks. That being said, this section will elaborate the two fundamental constructivist notions used in this analysis: norm localization and the role of identity performance in statecraft.

The first key concept, norm localization, explains the mechanism by which these "conflicting normative frameworks" are managed. Based on Amitav Acharya's work, this concept argues that global norms—like the liberal, rights-based refugee protection framework—are neither just embraced nor dismissed by governments; instead, they are systematically filtered, reinterpreted, and modified to fit the established norms and identities of the local or regional context (Acharya, 2004). This approach is crucial for comprehending refugee governance in Southeast Asia.

The worldwide standard of comprehensive refugee protection squarely challenges the region's established political culture, commonly known as the "ASEAN Way." This regional order is established on the ideas of sovereignty, non-interference, and consensus (Caballero-Anthony, 2005). Through the lens of norm localization, we can see that Indonesia and ASEAN do not reject humanitarianism. Rather, they "localize" it. This localized kind of humanitarianism enables Indonesia to engage effectively in regional frameworks such as the ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre), embodying a principle of "cooperation without interference" (Spandler, 2022; Triyana et al., 2023). This regional approach establishes a framework for humanitarian actions that adheres to Indonesia's sovereignty-first principles, notably contrasting with the obligatory, legalistic framework of the 1951 Convention, which Indonesia has intentionally opted not to ratify.

The second fundamental constructivist concept supporting this approach is the role of identity performance in statecraft. Identity is not a fixed attribute of a state; instead, it is a dynamic process perpetually reinforced through "identity work," which seeks to present a state as a particular sort of actor in global politics (Wendt, 1992). States, therefore, act not only according to material interests but also based on the shared norms, values, and meanings associated with their desired identity. Indonesia's foreign policy is a primary example of this performance, having long been anchored by the ambition to be positioned as a humanitarian and peace-making actor. This self-image is anchored in its 1945 Constitution, which obligates Indonesia to "participate in the establishment of a world order founded on freedom, enduring peace, and social justice," and was reinforced by its leadership position in postcolonial solidarity at the 1955 Bandung Conference (Indonesia Constitution, 1945). This performance creates a tension — a structured ambivalence — which is central to this article's argument.

Indonesia externally presents itself as a "good global citizen" and a mediator between the Global North and South. This is accomplished through prominent acts of humanitarian diplomacy, including co-chairing the Bali Process and promoting solidarity on platforms such as the UN General Assembly. This diplomatic

engagement is a strategic move that accrues to Indonesia "diplomatic capital" and "soft power" (Sukma, 2011). This external image sharply contrasts with domestic policies that deliberately sustain a feeble legal and institutional environment for refugees. By delegating the decision of refugee status to the UNHCR and declining to ratify the 1951 Convention, Indonesia circumvents the full institutionalization of refugee rights and maintains policy flexibility.

The negotiation between these two conflicting imperatives is what this article theorizes as selective humanitarianism. This is a deliberate political approach in which diplomatic endeavors abroad obscure constrained domestic responsibilities, allowing Indonesia to maintain its moral standing while safeguarding its political autonomy and internal stability.

RESULT AND ANALYSIS
Indonesia's Contested Norms, Selective Humanitarianisms and ASEAN Refugee Governance

Indonesia's refugee governance in regional Southeast Asia demonstrates that such constructivist dynamics of norm challenge and identity-building are at play. From a constructivist standpoint, norms and identities are not given but social constructions that are perpetually open to negotiation through discourse and action (Finnemore & Sikkink, 1998; Wendt, 1992). In this regard, Indonesia's humanitarian diplomacy emerges as an ongoing process of meaning-making, in which state, regional institutions and international humanitarian actors are perpetually involved in a redefinition of what it means to "act humanely" within a given ASEAN context and political culture.

Thus, Indonesia's response to refugee protection is not a simple case of compliance or defiance with regard to international norms. Instead, it reads as a nuanced bargaining of global norms, regional order and domestic interests. By focusing on when and how humanitarian norms are adopted, selectively embraced, or even strategically rejected, this article locates Indonesia's ambivalent humanitarianism in the context of broader regional processes of norm diffusion and internalization. The following analyzes trace Indonesia's moral identity as a humanitarian actor, how it is shaped by ASEAN's sovereignty-based order, and how selective humanitarian practices become pragmatic expressions of contested norms.

Indonesia's Humanitarian Identity: Between Moral Leadership and Domestic Limits

Indonesia's foreign policy has historically been underpinned by the aim to be positioned as a humanitarian and peace-making actor in world politics. Indonesia's 1945 Constitution's preamble commits to "taking part in building a world order based on freedom, lasting peace and social justice" (Indonesia Constitution, 1945). This founding statement forms the moral and discursive underpinning of Indonesia's self-image as a responsible and ethical member of the international community (Sukma, 2011).

This identity was later bolstered by Indonesia's role as co-host of the 1955 Bandung Conference, and it established itself as a leader in postcolonial solidarity

and the Global South and more on building the capacity of such polities to influence international politics from base concepts within their national identities (Global South Leadership Initiative, 2015). The Bandung legacy instilled within Indonesia's foreign policy identity ideas of leadership, non-alignment and humanitarianism (Anwar, 2020). From a constructivist point of view, this kind of self-image matters because it determines state behavior; States do not only act according to material interests but also to shared norms, values and meanings (Wendt, 1992). Indonesia's regular use of humanitarian language, then, can be seen as an instance of identity work, an attempt to portray Indonesia as a caring, solidaristic and responsible actor in world politics.

Indonesia articulates and institutionalizes this identity within the ASEAN regional context by actively participating in the Bali Process and the establishment of an ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre). The two mechanisms augment Indonesia's established regional humanitarian identity but remain within the boundaries of its fundamental principles of sovereignty, non-interference and consensus (Acharya, 2001; S. E. Davies, 2008; Tan, 2016) Indonesian humanitarian diplomacy in this regard complements rather than disrupts ASEAN's regional order.

As Acharya (2004, 2012) has clarified, the concept of norm localization contributes to our understanding of how global norms are refocused on regional and domestic landscapes. See also Nash (2009, pp. 121–125) Indonesia's humanitarian practices mirror this process—international humanitarian ideas are entwined through localized values and thus come to be interpreted as emerging from postcolonial identity and national unity. ASEAN's diplomatic culture is importantly one such embedded constellation of values. Instead of simply transplanting global rules, Indonesia borrows them and places a distinctively local interest on the priorities it reflects.

In such a way, Indonesia is affiliated with being a moral humanitarian subject. The very fact of its existence gives it a right as well legitimacy/status/morally superior ground in the world and at home, where encounters with strategic moves designed to bring domestic and international expectations into counterbalance. This positioning upholds Indonesia's 'good international citizen' and its middle power status (Anwar, 2020; Rüland, 2017).

At the same time, Indonesia's humanitarian identity remains deeply conflicted. Its strong rhetorical support for humanitarianism creates high expectations for a protection- and rights-based approach, yet the domestic legal and institutional framework remains weak. The country's decision not to ratify the 1951 Refugee Convention and the 1967 Protocol highlights this gap—Indonesia hosts refugees without being bound by formal international obligations (Janmyr, 2019; Missbach & Stange, 2021). Moreover, the delegation of refugee status determination to external organizations such as the UNHCR reflects an intentional strategy to avoid the full institutionalization of refugee rights and to maintain policy flexibility in managing refugee issues.

Put differently, Indonesia's humanitarian diplomacy carries the double logic of expressing moral leadership to the world and keeping face and control at home. This dialectic results in a condition of what might be referred to as ambivalent humanitarianism - when Indonesia talks for humanitarian responsibility but acts warily. This duality is key to explaining Indonesia's selective humanitarianism and the more general trends of refugee governance in ASEAN.

Structured Ambivalence: The Logic of Indonesia's Humanitarian Diplomacy and Domestic Realities

Indonesia always stands out as a caring and responsible character in the world and region (Anwar, 2020; Douglas & Schloenhardt, 2016; Gordyn, 2018). This is self-promotion of moral leadership in high-profile international forums such as the United Nations General Assembly, ASEAN Summits and the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, advocating for empathy, solidarity and shared responsibility. With this diplomatic stance, Indonesia promotes its identity as a bridge between the North and the South and 'as a State mainly concerned with moral engagement and peaceful cooperation' (Rüland, 2017; Sukma, 2011).

However, this global image sharply contrasts with how Indonesia treats refugees and asylum seekers on its own soil. Under the main legal regime, which is Presidential Regulation No. 125/2016 on the Handling of Refugees from Abroad, there is a recognition that refugees do exist, but there is only a small degree of protection for them. All Refugee Status Determination (RSD) is entirely delegated to UNHCR, and the government of Indonesia takes only temporary care, security coordination, and cooperation with international organisations such as IOM into consideration (IOM, 2023a; Missbach & Palmer, 2020; Peraturan Presiden, 2016). This has been termed 'outsourced humanitarianism', in which Indonesia appears to be providing a humanitarian response without taking on full legal and institutional responsibility (Kneebone, Missbach, et al., 2024; McNevin et al., 2016).

Indonesia's refusal to ratify the 1951 Refugee Convention and its 1967 Protocol is again symptomatic of a conscious intent to maintain sovereign power over refugee policy (Mathew & Missbach, 2022). Refugees are trapped in limbo; unable to work, integrate or settle permanently under current law and policy. This system, in this way, "humanitarian containment" (Missbach & Hoffstaedter, 2020, p. 217), provides some care and basic protection while restricting rights and opportunities for longer-term settlement.

There are a number of domestic reasons for such caution. The government has spread responsibility for refugee affairs across several ministries such as Ministry of Foreign Affairs, Law and Human Rights, Social Affairs, and on the ground into local government, resulting in ambiguity over who is accountable to whom (see Heriyanto et al., 2023). Furthermore, the discussion on refugees at public levels usually has a security perspective, which depicts them as irregular migrants or potential economic burdens and not as people in need of protection (Missbach, 2017). In these politics,

significant legal change offers little value at home and risks triggering nationalist or populist reactions.

Indonesia has gained specific diplomatic benefits from participating in international humanitarian forums. Indonesia's membership in organizations such as the Bali Process, the ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre) and the Organization of Islamic Cooperation (OIC) allows it to cast itself as the responsible and morally conscious actor in regional and global politics. Through the acts of humanitarian diplomacy, Indonesia is consolidating its identity as a "good international citizen" (Anwar, 2020; Sukma, 2011) and growing its moral authority in ASEAN's community of norms. In this way, Indonesia also boosts its reputation and moral standing; symbolic recognition which supports diplomatic influence as a valuable soft power resource (Hall, 2019). Both normative and strategic, then, are such moral performances: confirming Indonesia's ethical character while promoting its regional and international status.

Indonesia's refugee governance thus works on two overlapping logics. On the international stage, the government presents itself as a collaborator and a responsible partner of action, it promotes regional leadership, burden-sharing, humanitarian standards. At home, they are grounded on state sovereignty, border policing and the temporary nature of refugee presence. From a constructivist viewpoint, this is not merely a matter of contradiction or hypocrisy. Instead, it showcases Indonesia's attempt to reconcile the spirit of humanitarianism with the realpolitik of domestic policy. This blend of idealism and pragmatism provides Indonesia with a kind of organized form of ambivalence: one in which externally it can maintain its image as a humanitarian force in the world, while preserving political independence and stability domestically.

Indonesia's ambivalence on humanitarian protection is not a paradox, an inconsistency, or an institutional failure. Instead, it is a purposeful strategy of balancing. It reveals the process by which Indonesia repeatedly negotiates that it is both a humanitarian and sovereignty-based political order as world, regional and national systems overlap. This ambivalence, in constructivist terms, constitutes a socially constructed equilibrium—a strategy to mediate competing norms that bridge the gap between moral aspirations and pragmatic political imperatives (Acharya, 2004; Katzenstein, 1996; Wendt, 1992). Three critical dynamics underpin this balance: ASEAN's sovereigntist normative complex, domestic political pragmatism and Indonesia's performative identity as a middle power.

This institutional culture of ASEAN profoundly influences how Indonesia perceives and does humanitarianism. Based on its core principles of sovereignty, noninterference and consensus, the 'ASEAN Way' places diplomatic harmony and mutual respect above legal obligation (Acharya, 2001; S. E. Davies, 2008; Tan, 2016). This regional order facilitates voluntarism: States are under an obligation to participate in humanitarian cooperation, but it is not a condition of membership, and participation is voluntary and non-binding. In this context, norms of humanitarian values are localized and adjusted. As Acharya (2004) argues, norm localization refers to the adaptation of foreign ideas into domestic values. Indonesia captures this

dynamic by reconstituting humanitarian practice in terms of solidarity and of reciprocity, that is, as a matter neither of legal obligation nor human rights (C. J. F. Davies, 2008; Nair, 2022). ASEAN arrangements such as the ASEAN Coordinating Centre for Humanitarian Assistance (AHA Centre) and the ASEAN Agreement on Disaster Management and Emergency Response (AADMER) reflect this logic of 'cooperation without interference' (Acharya, 2012; Hacke, 2003).

This sub-regional arrangement permits Indonesia to assert humanitarian leadership through dialogue, coordination, and capacity building without being constrained by any obligations. Framed by a sovereignty-first narrative, selective engagement makes it possible for Indonesia to appear compassionate on the international stage while remaining steadfast in its adoption of refugee-hostile policies at home. This structure harmonizes humanitarian diplomacy with ASEAN's political norms, rendering Indonesia's dual stance of "moral commitment" overseas and "prudent pragmatism" at home both possible (Jetschke, 2010; Tan, 2016).

At home, ambivalence is also buttressed by political realism and bureaucratic division. Refugee protection is a low-salience policy area, subject to marginal public support and few political rewards. Refugees are frequently characterized as administrative or security problems, and rarely as humanitarian ones (Heriyanto et al., 2023; Missbach, 2017). The 2016 Presidential Regulation fragmented the tasks between ministries— Law and Human Rights, Foreign Affairs, Coordinating Ministry for Political, Legal and Security Affairs, as well as local governments— but did not assign a lead institution (Kneebone, Mariñas, et al., 2024; Missbach & Palmer, 2020). The outcome is a "patchwork governance regime" (McNevin et al., 2016) where refugee control is largely offloaded to international agencies such as the IOM and UNHCR instead of being integrated into national apparatuses.

Such a fragmented system is a consequence of the national political logic of cost-benefit. There is no strong representation in terms of refugee rights dynamism at home, and nationalist actors elsewhere often portray refugees as economic burdens or security threats (Missbach & Hoffstaedter, 2020). "In that context, the political return on legal reform is minimal and the potential for social reaction great. The State thus enacts what Missbach (2017) refers to as "symbolic hospitality"— rhetorical care with no form of obligation. Humanitarianism is a tool of social and political control rather than a form of rights-based protection.

Indonesia's identity as a middle power also serves to maintain this ambivalence. Middle-power diplomacy depends on the influence derived from cooperation, moderation and norm entrepreneurship rather than coercion (Anwar, 2020; Rüland, 2017). This identity is constructed through what pertains to be 'humanitarian diplomacy', which aligns Indonesia as a bridge between the Global North and South, Islamic and Western worlds, and ASEAN and global communities (Leifer, 1973; Sukma, 2011). This has been stressed within constructivist scholars (Finnemore & Sikkink, 1998; Wendt, 1992) that has fully forwarded the idea that those identities are socially authorized. Through humanitarian projects overseas, Indonesia asserts its moral image on the international stage and inserts these global norms domestically to protect sovereignty. As explains, this process is called dual

localization, which is characterized by the simultaneous absorption of global norms externally and re-interpretation of them internally to sustain coherence.

As such, humanitarian diplomacy is morally and strategically prescriptive. Abroad, it cements Indonesia's legitimacy and soft power; at home, it concentrates authority and control. The tension between these two urgencies is part of what we might think of as structured ambivalence: the delicate balancing act that enables Indonesia to carry on doing both – flex its humanitarian muscles but not yet be too politically branded.

In this sense, ambivalence is not contradictory so much as it is the governing logic. It provides Indonesia with the space to navigate between global humanitarian aspirations, regional considerations and domestic conditions. The following section discusses how this is operationalized, drawing on the context of Indonesia's response to the Rohingya crisis as an example of ambivalence in practice that performs in a way that it is also discursively and policy implicated.

Performing Humanitarianism: Indonesia and the Rohingya Crisis

A critical juncture for unravelling Indonesian understandings of humanitarianism and state responsibility in ASEAN's refugee governance was the 2015 Rohingya boat crisis. The event underscored the tension between Indonesia's moral aspirations and its reverence for sovereignty. It showed how Indonesia's elaborate humanitarian identity was tested against urgent humanitarian needs and ethical obligations. From a constructivist standpoint, Indonesia's reaction could be interpreted as a performance of its humanitarian identity — showing compassion and responsibility (and yet keeping in control) with the least impact to political or material cost.

The episode makes clear that Indonesia's humanitarianism was neither static nor monolithic. It functions selectively, triggered by specific moral, religious and emotional stimuli but constrained by institutional and political limitations. This selectivity is not just a constraint, but an intentional form of government itself which allows Indonesia to maintain legitimacy over diverse audiences – global, regional and domestic – yet still keep control.

From Hesitation to Humanitarianism: Performing Moral Identity in the Rohingya Crisis

The Andaman Sea crisis of 2015 occurred as thousands of Rohingya asylum seekers from Myanmar and Bangladeshi migrants were stranded on boats in the Andaman and Malacca Straits, denied entry into neighboring countries, and left adrift for weeks (Amnesti Internasion, 2015; Ullah, 2016). Images of overcrowded boats packed with starving passengers and sinking beneath the waves prompted international shock. They gave the crisis a moral dimension as it urged Southeast Asian governments to do something.

Indonesia's immediate response was cautious and procedural, in line with ASEAN's principle of sovereignty, consensus and non-interference (Acharya, 2001; S.E. Davies, 2008; Tan, 2016). Statements from the Ministry of Foreign Affairs

described what was happening as an issue of "irregular migration" rather than a humanitarian crisis (Rahman, 2015). Jakarta looked for collective solutions under the umbrella of the Bali Process, restating the importance of regional cooperation but staying away from unilateral pledges that might cloud the distinction between humanity and statehood (Douglas & Schloenhardt, 2016).

This guarded orientation, however, ran against mounting moral and normative pressures. The United Nations, the European Union and international non-governmental organizations called on Indonesia to show the humanitarian leadership that it had frequently professed in multilateral settings (Gordyn, 2018; Mathew & Missbach, 2022). Domestically, the crisis struck a chord with Indonesia's postcolonial and Muslim-majority self-identity based on values of justice (keadilan), compassion (*belas kasihan*), and solidarity (*solidaritas*) (Anwar, 2020; Sukma, 2011). The balance between international expectations and domestic moral priorities quickly turned the crisis into a question of how Indonesia defines its humanitarian identity, rather than one related to migration management.

It was not Jakarta but Aceh that achieved the moral breakthrough. In May 2015, when boats carrying over 1,000 Rohingya landed in Langsa, Bireuen and Lhokseumawe, Acehnese fishermen challenged government dictates to rescue people at (Ansori et al., 2017; Misbach, 2017). Local communities sprang into action and delivered food, medical care and shelter. This up-swell of humanitarianism had its roots in the lived experiences of disaster and recovery following the 2004 tsunami in Aceh, which created thick webs of civil society organizations, women's groups and religious organizations (Davydov, 2020; Komarudin & Ayuningtyas, 2024).

For most Acehnese, assisting the Rohingya was less a matter of policy than of faith. Religious leaders cited the Qur'anic notion of mercy for all creation (*rahmatan lil 'alamin*) — to position assistance as a religious obligation. Kitchens and shelters were built by women's and youth groups, as mosques took in donations. It was a moral reflex that came from empathy and shared suffering. This 'humanitarianism from below' (Davydov, 2020) stood in marked contrast to the reticence of the central government and ultimately compelled national action.

Media coverage amplified the contrast. News coverage contributed to a 'reassuring narrative' of Aceh's benevolence and Jakarta's lack of response, both reflecting considerable national pride as well as political pressure (Missbach & Hoffstaedter, 2020). It was a bottom-up moral mobilization that changed the limits of debate and compelled Jakarta to act according to its own humanitarian rhetoric. From a constructivist point of view, the local actors in Aceh served as domestic norm entrepreneurs (Katzenstein 1996; Finnemore and Sikkink 1998), mobilizing the shared religious and moral vocabularies to restructure State behavior in accordance with the national identity expectations.

In the face of increasing scrutiny, Indonesia changed tack. On 20 May 2015, the Indonesian foreign ministry announced that Indonesia, Malaysia and Thailand would allow temporary accommodation for a maximum of up to 7,000 migrants on condition that third countries facilitated resettlement or return within one year

(IOM, 2016; Missbach, 2017). It was hailed around the world as a humanitarian coup, proof that Indonesia could show the way for the region.

However, this leadership was bound. Refugees were given only temporary status, which was reflected in State policy by referring to them as "guests" rather than asylum seekers (Missbach & Palmer, 2020). The UNHCR and IOM ran refugee welfare services, with overall coordination and security in the hands of Indonesian authorities (IOM, 2023a; UNHCR, 2018). This approach, what Missbach and Hoffstaedter (2020) term humanitarian containment, was a manifestation of Indonesia's moral commitment, although not legally binding.

From a constructivist perspective, Indonesia developed (and still develops) its humanitarian identity, not through revising its policies but in the act of doing so. Indonesia had played it three to make two with cute, moderated whatnot, made more palatable for Western sensibilities and come to obtain its independence as a sovereign nation. So, humanitarianism became a technology of legitimacy — a statement of moral concern that helped restore "Indonesia" as it wanted to be seen, without requiring real commitments or changes.

Governing through Compassion: Everyday Humanitarianism and the Politics of Selectivity

In subsequent years, Indonesia's response to the plight of the Rohingya developed into a predictable form of selective humanitarianism. There, in make-shift camps in Aceh, the humanitarian triangle between international best practice, local compassion and state control collided. Support from UNHCR and IOM was primary for refugees and social/emotional needs were often improvised by local communities through everyday acts of solidarity (IOM, 2023a; UNHCR, 2018). The State was present but at a distance — coordinating, maintaining order and keeping its role "purely humanitarian."

These camps are examples of what Barnett (2011) refers to as hybrid humanitarian orders: complex, entangled hierarchies of care and power held together through a moralizing language rather than a legal one. The government of Indonesia conducted its humanitarianism through ordination and symbols, not rights and law. It allowed Jakarta to keep up international appearances, ensure conformity with domestic moral imperatives and spare the need to pay political or financial prices.

However, over time, fatigue began to set in. It found that, by 2017, the majority of the Rohingya population had been left in Aceh with no durable solutions and were unable to integrate or transit. Subsequent arrivals in 2020, 2022 and 2023 followed the same sequence—rescues by local communities, subsequent temporary accommodation and recurrent government statements that Indonesia's actions were motivated by moral solidarity, not legal obligations (Heriyanto et al., 2023; UNHCR, 2023). And moreover, every repetition further cemented the State's selective stance: Ready to offer temporary relief but not ready to institutionalize refugee protection.

This is the recurrent script that demonstrates how selective humanitarianism acts as a mode of governance. It is then activated as humanitarian engagement in

the face of obvious moments of crisis, particularly where popular sentiment and international attention coincide, but institutionalized within administrative and temporal constraints. Emotional language in official and media narratives compassion (*belas kasihan*), brotherhood (*persaudaraan*), solidarity (*solidaritas*)—casts humanitarian action as moral good, not rights-based responsibility (Hutchison, 2016; Koschut, 2022). Emotion, then, also legitimates humanitarianism even as it depoliticizes it: emotion rewrites compassion as a resource for governance rather than change.

In a constructivist sense, Indonesia's selective humanitarianism is a case of the reproduction of norms through practice. We define the reiteration of identity in terms not of compliance according to script, but rather performance on a repeating basis that hallmarks this conformity as such (Finnemore & Sikkink, 1998). Indonesia's consistent image as a caring but sovereign actor, which is that of reacting towards crises in a humane way and yet being in control has solidified this dual identity within the very normative framework of ASEAN.

The Rohingya instance, then, is a testament to what this Indonesia, ruled by compassion, looks like: producing moral talk and symbolic acts that bring together aspirations to be a humanitarian leader with demands for sovereignty. This selective humanitarianism is not a temporary compromise but the foundation of stability — built on an emotional legitimacy, supported by international collaboration and solidified through repetition.

It was then, during the Rohingya episode, again that Indonesia's hypocritical humanitarianism was finally locked in. A moral reproach, a standard mode of rule — compassionate in its phrasing and limited in its practice, intelligent as a matter of tactics; one that could be knowing how much to scale each to pose them together side by side, moral authority over social freedom. The following section will show that this selectivity is also strategically deployed in a political game –a way of negotiating expectations with regard to what counts as humanitarian within ASEAN's controversial regime on refugees.

Selective Humanitarianism as a Political Strategy

What can be seen in Indonesia's general approach to refugee management is an expression of selective humanitarianism—a finely tuned political tactic underpinned by a strategy of making rhetorical statements of humanitarian concern overseas, while at home maintaining exclusionary, sovereignty-upholding policies (Missbach & Palmer, 2020). With this approach, Indonesia can present itself as a responsible and humane regional actor without incurring high domestic legal costs and political pressure as a result of long-term refugee protection (Missbach & Hoffstaedter, 2020).

On the international level, selective humanitarianism is reflected in Indonesia's enthusiastic participation in regional and international forums on migration governance. As the co-chair of the Bali Process, an active participant in ASEAN dialogues, and an advocate in international arenas like the UN General Assembly and the Organization of Islamic Cooperation (OIC), Indonesia frames itself

as a proactive member of multilateral cooperation on transnational and non-traditional threats, including displacement and irregular migration (Kneebone, Mariñas, et al., 2024; Missbach, 2017).

This international outreach serves as a way for Indonesia to accumulate diplomatic capital, exercise soft power, and (re)affirm its foreign policy persona as a "good international citizen" and a leader of Southeast Asia (Missbach & Palmer, 2020). Rhetoric of a humanitarian nature—focusing on the notions of compassion, solidarity, and responsibility-sharing—performs a crucial diplomatic role, allowing Indonesia both to build relations with key partners (such as the EU) and to improve its international standing and to claim a moral high ground in regional matters (Missbach & Hoffstaedter, 2020; Missbach & Palmer, 2020).

However, at home, Indonesia makes sure that this international performance does not lead to some concrete commitments that might limit its sovereignty and domestic freedom of action. The state's current policy remains very much hinged on the idea that refugees are "temporary guests," to be hosted under close supervision until they can be relocated somewhere else or sent back (UNHCR, 2020). There is no political or institutional energy behind the creation of a coherent national system of asylum, accession to the 1951 Refugee Convention, or any means to receive camped-out migrants into long-term residence, legal work, or naturalization (Missbach & Palmer, 2020).

Such a selective approach also allows the government to work around sensitive domestic political concerns. Public conversation about the refugee issue in Indonesia is weak, and refugees have been framed as illegal migrants, threats to the economy, and threats to national security (IOM, 2023b; Missbach & Hoffstaedter, 2020). Indonesia is, after all, widely considered a welcoming country—but there is not huge domestic political constituency pushing for greater rights for refugees. There is not much to incentivize political leaders to pursue such policy reform, especially if it might lead to an electoral backlash or be seen as controversial (Missbach & Palmer, 2020).

The provisional humanitarian response to the 2015 Rohingya crisis illustrates this balancing act. Indonesia was lauded internationally for permitting those stranded to land and presenting its gesture as humanitarian cooperation in the name of Islamic and regional solidarity (Missbach & Stange, 2021). However, this act of generosity was also consciously circumscribed: it was temporary and conditional, and the condition—those outside actors (UNHCR and IOM, for example) would take care of and eventually resettle them—was made explicit (IOM, 2023b; UNHCR, 2020).

There are many purposes this strategic containment of humanitarian engagement serves. It allows Indonesia to show its humanitarian face and active regional role during times of crises, which also bolsters its position vis-à-vis the region, while maintaining its sovereign prerogatives by preventing humanitarian gestures from translating into norms of long-term protection responsibilities or the institutionalization of refugee integration (Kneebone, Mariñas, et al., 2024).

Insofar as it is a reflection of, and helps sustain, Indonesia's overall foreign policy orientation, selective humanitarianism also illustrates the essence of

Jakarta's funky, middle-of-the-road diplomacy, on-the-fence leadership, and non-committal waffling (Missbach & Palmer, 2020). Indonesia exerts influence and moral authority in regional affairs without overstretching itself or getting embroiled in complex, resource-intensive protection regimes that may stretch its institutional reach and domestic coherence (Missbach, 2017).

Crucially, this strategy positions Indonesia's refugee governance in line with broader global directions in migration management, which are increasingly driven by security considerations and the politics of deterrence and yet retain a veneer of humanitarian respectability (Kneebone, Mariñas, et al., 2024; Missbach & Hoffstaedter, 2020). Diplomatic language gestures towards solidarity and human rights in Indonesia's migration management. However, beyond the rhetoric, we see containment, sovereignty, control, and temporality further consolidated (Missbach & Palmer, 2020).

However, selective humanitarianism is also an indication of the weak commitment between Indonesia and refugee protection. Refugees in Indonesia, meanwhile, linger in a perilous legal vacuum, relying on international organizations and ad hoc local support rather than codified rights or durable solutions (IOM, 2023b; UNHCR, 2020). Their fate is emblematic of a governance terrain where humanitarianism is used as a tool for diplomacy while deliberately decoupled from genuine domestic change (Mathew & Missbach, 2022).

Selective humanitarianism enables Indonesia to take leadership on the international stage, enact restrictions at home, show some brotherly love while asserting sovereignty, and claim regional moral authority while continuing to ensure that refugee protection remains optional, fleeting, and very much under control. It has been a politically expedient approach for Indonesia, diplomatically speaking; however, it has also consigned refugees to a limbo existence of lack and insecurity, demonstrating the hollow efficacy of humanitarian discourse without the necessary institutional and legal investment (Missbach & Hoffstaedter, 2020; Missbach & Palmer, 2020).

CONCLUSION

Indonesia's refugee policy and ASEAN's regional approach to displacement reflect normative and political dynamics that cannot simply be reduced to problems of institutional weakness or transitional underdevelopment. Rather than viewing their responses as failures to "catch up" with international standards, this article has argued that both Indonesia and ASEAN pursue deliberate strategies that balance sovereignty, security concerns, and selective humanitarian practices. This article has argued from a Constructivist perspective that Indonesia's refugee policy and ASEAN's regional approach are not institutional failures but deliberate, socially constructed strategies. These strategies are designed to manage the competing normative pressures and identity-based logics inherent in the region.

The findings indicate that Indonesia's "selective humanitarianism" is a logical and stable approach for balancing two important identities. First, there is its external identity as a "good international citizen," middle power, and moral leader.

This identity calls for humanitarian efforts in forums like the Bali Process and during major crises. Second, there is its internal and regional identity as a post-colonial state, which is strongly tied to the "ASEAN Way." This framework is based on respect for sovereignty and non-interference, requiring the limitation of domestic legal responsibilities—a limitation often justified by socially constructing refugees as a domestic security issue rather than a purely humanitarian one. The fragmented governance of ASEAN is, therefore, not simply an institutional deficit but a productive and permissive normative context. The "ASEAN Way" is what enables member states like Indonesia to pursue this dual-track identity performance, shielding its domestic policies from regional sanction and allowing "structured ambivalence" to function as the governing logic. This landscape is inherently contested, reflecting a dynamic where global norms are not simply adopted but are reinterpreted and resisted to align with local histories, identities, and priorities.

This study offers two main contributions to the field of International Relations, specifically within constructivist approaches to humanitarianism: theoretically, it provides a nuanced understanding of norm contestation in the Global South. It moves beyond simply stating that states "localize" or "resist" global norms (like the 1951 Convention). By theorizing "selective humanitarianism" as a distinct political strategy, this article demonstrates how states actively manage and perform competing, co-existing identities for different audiences (global and domestic) simultaneously. It shows how ambivalence itself can be a stable, long-term policy equilibrium, not just a temporary phase. Empirically, for the study of Southeast Asia, this article reframes the "ASEAN Way." It argues that ASEAN's "soft regionalism" should be understood not as a passive institutional deficit, but as an active normative structure. It is very weakness (from a legalistic standpoint) is its function; it deliberately provides the political and normative space for member states like Indonesia to manage their own complex identity politics and domestic concerns without facing collective punishment, thereby preserving regional harmony.

This constructivist analysis, which understands the problem as one of competing norms and identities rather than technical capacity, leads to specific policy recommendations; for the Indonesian Government: the current strategy, while politically expedient, creates normative incoherence and severe precarity for refugees. To align its domestic practices with its foreign policy identity, Indonesia should develop a comprehensive national legal framework for refugee processing. The goal is not just legalistic compliance, but to institutionalize its "good international citizen" identity at home and begin to shift the dominant domestic narrative from one of "security management" to one of responsible governance, consistent with its international identity. For International and Civil Society Actors: given that the primary domestic obstacle is the social construction of refugees as a "security" issue, advocacy must directly target this discourse. The 2015 Aceh response provides a successful model. Advocacy should strategically reframe the issue away from a legalistic or securities narrative and toward powerful local norms—such as the religious, moral, and humanitarian obligations that resonate

with local communities and leaders. This bottom-up reframing is essential for changing the national-level political calculation.

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