A Regional Commons Perspective on Entitlement Rights and Governance

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Introduction

Southeast Asia is a region deeply affected by conflict. Colonial, ideological, and national wars have left their scars and legacies on regional, international, and national governance. At the level of international governance, security organizations involving states in the region have looked to minimize the worst manifestations of interstate conflict through emphasizing non-intervention in the internal affairs of neighboring states (the ASEAN Way), and domestic governance has emphasized national interest and strength in terms of security and economic growth. Indeed, the region has been described as suffused with a remarkable econophoria, wherein all governance problems, whether domestic or international, are seen as surmountable through development and growth – an outlook which has emerged alongside the dynamic economic success stories of most states in the region (Buzan and Segal, 1998, p. 107). At the same time, a Southeast Asian challenge to normative solidarism on human rights can be seen in cultural, economic and political terms.

This paper, however, emphasizes that practicing good governance at both the international and domestic level, from the perspective of maximizing the wellbeing of the most vulnerable of those who are governed, is not only the normatively 'right' thing to do, it is also the rational course to follow from a security perspective. There is increasing normative pressure from both the international community and domestic constituencies for states in the region to refocus their domestic governance priorities on the needs and interests, or human security of the most vulnerable sections of their societies rather than sacrificing them for the 'greater good'. At the same time, human insecurity can become a source of insecurity for states, and it is in the enlightened self-interest of states and statesmen as well as the international community, however broadly defined, to pay attention to nontraditional and human security concerns. The paper, therefore, constructs a 'regional commons' (universal entitlement and collective conflict management) perspective towards governance and entitlement rights.

The first section focuses on Southeast Asian exceptionalism towards solidarist or Grotian interpretations of international society or rights. The second section examines the extent to which universalist pressures have impacted on the entrenched pluralism of the region. The third section considers rational imperatives for good governance policy prescription. Finally, the conclusion addresses normative and pragmatic policy shift within the region's governance community.

Southeast Asian Exceptionalism

Although few regions are as culturally and socio-economically diverse, opposition to Western liberal or universal cosmopolitan values emanating from Southeast Asia has tended to be identified collectively as the challenge of 'Asian values'. Asian societies are seen to operate within a value system of 'society over the self'. As pointed out by Acharya, what is important is,

'not the evidence that its proponents have been able to muster in support of this argument. Rather, the Asian values perspective has lent powerful ideological justification for enhancing state power at the expense of human security.' (2003, p. 12) Furthermore, Henry Nau notes that the lack of full protection for civil liberties in Asia, 'reflects the significantly different traditions regarding the relationship of the individual to society. Nowhere in Asia is there a celebration of political individualism as we know it in the West, either in political thought or in historical events such as the Reformation or Enlightenment.' (2002, p. 163) He claims that authority patterns 'infuse all social relationships – in the family (Confucianism), in religion (Buddhism and Islam), and in the state (Shintoism)' (ibid., p. 164).

The Asian challenge to solidarism can be seen in cultural, economic and political terms. Culturally, it asserts that the Western liberal or universalist approach ignores the specific cultural traditions and historical circumstances of Asian societies, whose interpretations of human rights are different from those in the West. Economically, it maintains that the priority of developing Asian societies has to be the eradication of poverty. 'Asian values' have been invoked as a form of developmentalism, with the claim that until prosperity is achieved, democracy remains an unaffordable luxury (Thompson, 2004, p. 1085). Politically it calls into question the motives of the West, accusing them of using human rights merely as an instrument for advancing Western economic or security interests – 'power politics in disguise' and a shallow pretense for the use of force against regimes which stand up to Western neo-imperialism.

Essentially the Asian values debate poses a communitarian epistemological challenge to liberal individualism and solidarism. Communitarians address the necessity of attending to the demands of community alongside, or prior to, liberty and equality. In other words, we must pay attention to the shared practices and values within each society which constitute a distinct understanding of the common good, its generation, and its distribution, but also, society or community is itself a collective good which must at the very least be weighed against other rights. For Michael Walzer, the political community (qua state) is the closest we can come to a world of common meanings as it is where language, history, and culture come most closely together to produce a collective consciousness (1985, p. 218).

A broad resistance to encroachment upon state prerogatives does seem to be reflected in the day-to-day diplomacy of the region. In December 1990 when the UN decided to convene a World Conference on Human Rights, several Asian states questioned the applicability of universal human rights in different cultural, economic and social settings. The Asian regional preparatory meeting which took place in Bangkok between 29 March and 2 April 1993 provided an opportunity for Asian governments to put forward their definition of human rights on the global agenda. The Bangkok Declaration, signed by over forty Asian governments, did not reject universal human rights, but the declaration suggested that universality should be considered 'in the context of a dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds'. The Asian states also sought to link development issues with human rights questions and emphasize the importance of non-interference. Indeed for Kenneth Christie and Denny Roy, 'development has assumed cult-like status' in East Asia (2001, p. 5).

While the 'values' debate has toned down in recent years, it remains an important subtext 'especially in relation to issues that are now seen as part of the human security agenda' (Lawson, 2005, p. 110). Southeast Asia remains a decidedly state-centric security operating environment, resistant to Western concepts of universalism, solidarism, and collective security, and 'is one of few areas in the world where most countries strongly defend traditional concepts of national

sovereignty and firmly resist foreign intervention in the internal affairs of independent states' (Chu, 2001, p. 1). In part, as a result of experiences of colonialism, 'the collective autonomy and dignity of the state from foreign domination takes precedence over autonomy and dignity of the individual which lies at the core of human security' with Asian states remaining among the most ardent champions of Westphalian sovereignty (Acharya, 2003, p. 9).

Nevertheless, security norms in East Asia are evolving in such a way as not only to bring about a regional convergence, thereby stimulating and supporting collective security initiatives, but also to raise the possibility of a global synthesis of East and West on principles of human security and good governance. Much of the impetus for these developments comes from external pressure including the evolution of international law; the wider international community as represented by international organizations and regimes; and from Western liberal states and statespersons. The East Asian strong state security model is also, however, facing challenges from internal constituencies within regional polities. The next section addresses pressures for regional entities to conform to universalist governance norms.

Internal and External Pressures for Good Governance

League of Nations mandates and UN Trusteeships established an international principle that states could be held accountable for the human rights of those governed. The Nuremberg trials further established a limit to state sovereignty – states could no longer do as they wished with their citizens, and the UN Charter Preamble reaffirmed faith in fundamental human rights without discrimination. This is also reflected in the wording of Articles 1(3), 55 and 56. The year 1948 saw the landmark Universal Declaration of Human Rights passed by the General Assembly, and this was followed in 1966 by the Covenants on Civil and Political Rights and Economic, Social and Cultural Rights. For Jack Donnelly, there is a 'remarkable international normative consensus on the list of rights' found in the Universal Declaration of Human Rights, and his claims are strengthened 'by the fact that in the daily round of diplomacy, state leaders justify their human rights policies in terms of these standards' (Dunne and Wheeler, 1999, p. 77).

The Nuremberg trials of Nazi war criminals, despite the dubious backdating of legal principles, helped undermine the principle of sovereignty with regard to a government's treatment of its own people, held individual officials accountable to a wider international court of public opinion, and reinforced the notion of an internationally accepted code of behavior. As put by US Supreme Court Justice Robert Jackson when trying to justify why the criminal statutes relating to wars of aggression and crimes against humanity that he proposed drafting would not be ex post facto laws: 'What we propose is to punish acts which have been regarded as criminal since the time of Cain and have been so written in every civilized code.' (Linder, 2000) In 1946, East Asia also experienced a similar exercise in international 'justice' in the form of the International Military Tribunal for the Far East (IMTFE), otherwise known as the Tokyo War Crimes Tribunal. Given that the Tribunal was set up by order of General Douglas MacArthur, the supreme commander of Allied Forces in the South Pacific, this could still be viewed in the tradition of Western imperialism in Asia. Yet, individuals representing numerous Asian countries (including China, India and the Philippines) participated as judges and prosecutors. The defendants were accused of crimes against peace, crimes against humanity, and conventional war crimes (Tokyo). In addition, Asian countries (in particular China) held their own trials of Japanese war criminals, convicting and executing far more.

During the Cold War considerations of national interest dominated the decision-making of all the major powers. The end of the Cold War, combined with increased media penetration and dissemination capabilities, did much, however, to render amoral foreign policy untenable, at least in Western liberal democracies. Therefore, the governing dictates of that time may be seen as no longer suitable for the regulation of international politics, national interest as no longer a sufficient normative guide for action, and even the normative value long attached to the sovereign state open to question.

Secretaries General of the United Nations have been to the fore in the promotion of the UN's global governance mission, and their words have stimulated governments and other organs to act. In the aftermath of the 1991 Gulf War, UN Secretary General Boutros Boutros-Ghali noted that '[t]he time of absolute and exclusive sovereignty… has passed.… It is the task of leaders of States today to understand this and to find a balance between the needs of good internal governance and the requirements of an ever more interdependent world' (1992, p. 44). That is to say, as pointed out by Boutros-Ghali's successor, Kofi Annan, no state is immune to the demands and rights of its internal and external constituencies, and the UN, as the embodiment of the international community will not tolerate the hindrance of its 'great objectives' of peace and security, justice and human rights and 'social progress and better standards of life in larger freedom' (2005). Similar sentiments can be found in Secretary-General Annan's Millennium report where he pointed out that states exist to protect citizens and not vice versa, and that they could no longer use sovereignty as a shield to hide behind. 'The charter is written in the name of "We the peoples". It's a document that is humane and centred on individuals….The fact that we cannot protect everyone does not mean we cannot help where we can.' (Annan, 2000) This Report formed the basis of the Millennium Declaration adopted by Heads of State and Government at the September 2000 Millennium Summit, held at UN Headquarters.

In December 2001 ICISS released its final report entitled The Responsibility to Protect. This declaration included a specific endorsement of humanitarian intervention and the use of force by expressing willingness 'to take timely and decisive collective action for this purpose, through the Security Council, when peaceful means prove inadequate and national authorities are manifestly failing to do it' (2001). In the intervening years this new paradigm has gained momentum and garnered international recognition. At the High-Level Plenary Meeting for the 2005 World Summit (14-16 September) the world's leaders at the General Assembly agreed on a 'responsibility to protect' which included a 'clear and unambiguous acceptance by all governments of the collective international responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity'. Resolution 1674, adopted by the United Nations Security Council on 28 April 2006, 'Reaffirm[ed] the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity,' and commits the Security Council to action to protect civilians in armed conflict. This resolution was adopted unanimously. On 14 September 2009, in the course of the closing plenary of its 63rd session, the UN General Assembly adopted resolution A/63/L80 Rev.1 entitled 'The Responsibility to Protect' which had been co-sponsored by 67 member states from every region in the world. Only seven states sought to play down the importance of the document, stressing that in their opinion the resolution was strictly procedural, none of which was from the Southeast Asian region (GCR2P, 2009).

In recent years international pressures have coalesced within Southeast Asia. Myanmar has provided one of the focal points for criticism of Asian governance practices. The May 2009 Europe-ASEAN Meeting (ASEM) in Hanoi, Vietnam was dominated by questions regarding an international response to the continued persecution of Burmese democracy leader, Aung San Suu Kyi, by the military junta. Interestingly, criticism of the regime came not only from the Western liberal individualistic states of Europe, but also from Myanmar's fellow ASEAN members. In the week leading up to the meeting, ASEAN released a statement expressing 'grave concern' over her treatment, which attracted an old-school Asian values response from the military regime that Thailand (at that time holding the chair of ASEAN) was interfering in Myanmar's internal affairs by releasing the organization's critical message (BBC, 2009). East Timor President Jose Ramos-Horta and the Burma Lawyers' Council announced that they were ready to go to the International Criminal Court (ICC) to charge Senior General Than Shwe with human rights abuses and violations of international law in Burma.

Meanwhile, European statesmen increased the pressure not only on the target state, Myanmar, but also on other Asian states and organizations to which the regime traditionally turns to support in their resistance against outside interference. The EU's External Relations Commissioner Benita Ferrero-Waldner called on Asian countries to 'commit themselves to engage with this government in such a way that there be changes' pointing out that China, India and ASEAN were 'the real neighbours here. They work with the country, and therefore they have the best influence' (BBC, 2009). ASEAN's on-going defense of Myanmar has proven a major obstacle to the establishment of a free trade agreement between the two regional blocs, and it may be that under the current economic conditions member countries will see their interests to lie more closely with economic recovery through the reinvigoration of international trade than with the preservation of non-interference.

Southeast Asian states also face a number of internal normative challenges when attempting to justify policies and actions that may negatively impact upon the human rights of their citizens. First, while it may be possible to talk of pluralistic principles of justice and distribution based on historically and culturally generated divergent understandings of social goods, these understandings of social goods may have been historically and culturally generated in the interests of only a small and distinct section of the community. Civil society groups are increasingly vociferous in condemning such unjust privilege and prioritization, whether with regard to ethnicity, religion, region, age/generation, or gender. Furthermore, 'though found along the margins of subaltern security discourses, human security is the concept that embodies the security concerns of societies in the region and where the most vulnerable can find avenues to articulate their security in their own terms without being excluded and alienated', while civil-society organizations in the region have been playing a pivotal role through their transnational work in promoting human rights and human development (Caballero-Anthony 2004, p. 158).

Second, with democratization of the media, it has become harder for governments to perpetrate, cover up, or turn a blind eye to inhumane practices within their jurisdictions or within those of fellow Southeast Asian states. Reports and pictures of slavery, human trafficking, or bloated corpses beamed into living rooms may prove too insistent for statesmen rationally to resist, and in the most extreme examples, it is hard to make a case for them normatively to do so. In an overwhelmingly interconnected region, with heavy penetration of states by new media, and high levels of personal contact between the peoples of different states, ideas and norms are now able to diffuse much more rapidly, and state monopoly control of knowledge and opinion-forming is increasingly undermined.

Thus, David Shambaugh has identified international relations in Asia as an increasingly two-level game, whereby societies of the region are interconnected to an unprecedented degree (2008, p. 3). What Nyan Chanda refers to as the 'New Preachers' – NGOs and civil society community activists – have sprouted in many countries in the region to uphold humanitarian causes and issues, and to pressure governments and corporations (2008, p. 307). These activists have also linked with international bodies and fellow activists in other countries for coordination and support. The authoritarian state's efforts to maintain its power are challenged by the mutually reinforcing trends of the constant diffusion of information and the rise of civil society activism (ibid., pp. 308-9). The region has experienced the growing influence of networks of NGOs, and the growing activism of these networks. Civil society organizations have started to 'build constituencies for peace' wherein they seek to influence policies and programs that can engender 'people-centered security systems' instead of state-centric security systems deemed inadequate to address the growing threats to security of individuals and societies (Caballero-Anthony, 2004, pp. 166-7). These internal pressures form part of the linkage between human security and national security providing a rational imperative for good governance in the region, and which is further addressed in the following section.

National Security and Human Security

While national security focuses on defense of the state from external attack, human security is about protecting individuals and communities from any form of threat to their wellbeing or even their very existence. Although still relatively new, the term is now widely used to describe the complex of interrelated threats to individual human well-being associated with interstate war, civil war, genocide, ethnic cleansing, population displacement, natural disasters and pandemics. Some of the broadest interpretations include aspects of security related to food, health, the environment, communities, politics, and human rights (UNDP, 1994). As such, the concept is quite protean, and one key task has been pinning it down through a clear definition and associated principles of measurement. In this regard, perhaps the most promising approach was made more than a decade ago by King and Murray, who proposed a 'simple, rigorous, and measurable definition' whereby human security is 'the number of years of future life spent outside a state of '"generalized poverty"'. In turn, generalized poverty consists of 'an individual [falling] below the threshold of any key domain of human wellbeing' (King and Murray, 2001-02, p. 585).

There is in fact an international security continuum wherein 'new' human-centered approaches are intimately related to 'old' state-centric considerations. While it may no longer solely be a question of focusing exclusively on threats between states, it remains a utopian dream to think that we can now focus exclusively on threats within states. Although distinct in terms of focus and (when looking at elements of human security) referent objects, there remains a close relationship between traditional and nontraditional security approaches. On the one hand, national insecurity may lead to human insecurity along various paths. It can divert resources from human development. It can drain energy. It can create a permissive political circumstance where national security is privileged over human rights. Furthermore, it is likely to produce and perpetuate an operating environment within which the exceptional use of internal as well as external violence by the state becomes a permanent feature of the state. Fear on a national level percolates down to fear on an individual level.

On the other hand, human insecurity in turn can threaten national security in a number of ways. Fear on an individual level, for example caused by violence from other individuals or even the state, can lead a group of victims to take refuge in a neighboring country, impacting upon its human security condition. Worse, those refugees may regroup, recruit, and rejuvenate to strengthen their capacity to undermine the security of those who forced them to flee in the first place. Also, want on an individual level, such as lack of food or energy – especially if it is spread unevenly across the nation – can undermine national cohesion and weaken national strength, increasing national insecurity. Fear on an individual level percolates up to fear on a national level. Desperate conditions among the disaffected youth of refugee camps or inner cities have the potential to produce fertile breeding grounds for religious extremism or terrorism. Thus, human insecurity becomes a source of insecurity for states.

Mass cross-border migration patterns, whether in terms of refugees or economic migrants, and whether legal or illegal can contribute to an increase in interethnic tensions in the new host country, and also, potentially an increase in crime, whether petty or organized transnational. Security concerns related to trans-border migration and refugee flows feature prominently on the traditional security radars of China (Vietnamese, North Koreans, and Burmese nationals), Thailand (Burmese and Lao nationals – particularly ethnic Hmong), Malaysia (Indonesians and Philippine nationals), and Australia (Chinese and Pacific Island nationals). In 2007, Australian Federal Police Commissioner Mick Keelty identified climate change and food insecurity in the Asia-Pacific region as the greatest security threats faced by Australia as they would force an exodus of refugees to seek illegal residence in Australia, further exacerbating social unrest (Lauder, 2007).

A non-traditional security issue therefore has the potential to become a traditional security threat, and issues of human security can morph into ones of pressing concern for the survival of states themselves or the peace and security of a region or even the globe. Thus, it is in the enlightened self-interest of states and statesmen as well as the international community, however broadly defined, to pay attention to non-traditional and human security concerns. Once the vicious cycle between national and human insecurity is recognized, therefore, it becomes at least plausible that one way to address human insecurity is to help the target state ameliorate its national security concerns, and vice versa, with the amelioration of human security concerns helping a target state feel less vulnerable. To seek freedom from fear is to provide for national security. Freedom from fear is integral to national security and vice versa, although one does not necessarily guarantee the other. All of these approaches are interrelated and non-exclusionary.

The major implications of the newly emerging human security paradigm for the concept of good governance are the need to protect individuals rather than states; to provide freedom from fear and freedom from want; that all human beings are 'entitled' to these rights; that the broadest interpretations include aspects of security related to food, health, the environment, communities, politics, and human rights; and that in providing safe havens we need to take into account the interrelated threats to individual human wellbeing associated with interstate war, civil war, genocide, ethnic cleansing, the displacement of populations, environmental degradation, natural disasters and pandemics. Policies which fail to address these requirements of global governance not only do a disservice to the most vulnerable sections of international society, but also can prove ineffective, or even counter-productive when dealing with some of the most pressing national and international security concerns. The following section demonstrated how national and regional governance entities in Southeast Asia have come to recognize the normative and rational imperatives for good governance.

Towards a Regional Commons and Overlapping Governance Consensus

As detailed above, historically the concept of state-centric governance has held prominence in Southeast Asia. Likewise, ASEAN's historical role, and particularly that of the 'ASEAN Way' in perpetuating such a world view, has been extensively documented. The ASEAN Way is recorded as: 'a. Mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations; b. The right of every State to lead its national existence free from external interference, subversion or coersion; c. Non-interference in the internal affairs of one another' (Bali Declaration, 1976). Consequently, not only did Southeast Asian states condemn the invasion of Cambodia by Vietnam, despite the collateral benefit of removing the Khmer Rouge from power, but regional states were also very reluctant to take direct action in Timor-Leste despite calls for regional intervention in the face of the post-referendum violence in 1999 (Terada, 2011, p. 6). When, the UN eventually dispatched the Australian-led International Force for East Timor (INTERFET), to address the humanitarian and security crises in the country, the participation of ASEAN was limited, with Thailand and Malaysia eventually deciding to join the peacekeeping force not out of genuine humanitarian concern for the people in East Timor, but out of unease at being seen as Indonesian supporters and to restrict Australia's dominant control over the operation (Terada, 2011, p. 7). Although ASEAN's silence could in part be attributed to Indonesia's dominant status in the organization, 'a main rationale was its adherence to the non-intervention principle', and the view that the occupation was a domestic matter of one member state (ibid.).

Similar concerns have also been expressed regarding ASEAN's failure to hold Myanmar to account for its sins of omission and commission regarding the protection and promotion of human security. Here, however, we can see the beginning of a shift in ASEAN's anti-interventionary position. Catherine Drummond feels that ASEAN's relations with Myanmar, in this regard, 'serve as the most pertinent illustration of the Association's gradual move towards a more flexible understanding and application of non-interference' (2009, p. 8). Much of the pressure for a change in ASEAN's stance towards non-intervention in Myanmar came from Thailand. It might be argued that this merely once again reflects the national security interests of one of the member states, given the instances of cross-border drug smuggling, conflict, flows of refugees and economic migrants, and terrorist style hijackings and the seizure of government buildings in Thailand (Drummond, 2009, p. 9). But this case study highlights not only the spillover between human, national, and international insecurity, it also shows the evolution of the ASEAN way.

In July 1998, then-Thai Foreign Minister Surin Pitsuwan proposed that ASEAN adopt a policy of flexible engagement, which involved discussions of fellow members' domestic policies. Although Pitsuwan's flexible engagement was rejected, in December 2003 member states launched the Forum on International Support for National Reconciliation in Myanmar 'Bangkok Process'. The 11th ASEAN Summit in December 2005 saw open criticism and condemnation of the domestic situation in Burma and a resolution to send a delegation to investigate. By the 13th annual Summit in November 2007, ASEAN was accepting terms of interference in a member country that it was starkly opposed to nine years earlier, and a new ASEAN Charter which embodied a compromise between the traditional principle of non-interference and a more flexible perspective (Drummond, 2009, pp. 10-11). Ultimately the

ASEAN Political-Security Community (APSC) Blueprint which was adopted by the ASEAN Leaders at the 14th ASEAN Summit on 1 March 2009 in Cha-am/Hua Hin, Thailand went much further than the initial proposal for flexible engagement. According to article 7 of this document, the members were committed to the promotion of 'political development in adherence to the principles of democracy, the rule of law and good governance, respect for and promotion and protection of human rights.' Indeed, two of the main actions plans refer to the promotion of 'good governance' and 'human rights' (ASEAN, 2009, pp. 1-2; 8-9). Much more striking, however, than ASEAN's active promotion of human security norms, has been its creation of an operating environment conducive to the facilitation of human security protection through civil society.

The underlying premise of Thakur and Newman's influential volume on Broadening Asia's Security Discourse and Agenda: Political, Social, and Environmental Perspectives is that 'traditional security has failed to deliver meaningful security to a significant proportion of the people of Asia' (2004, p. 1). Awareness of this failure has, however, stimulated alternative security approaches in the region. Comprehensive security was developed by Japan in recognition of the shortcoming of traditional security planning, but the concept also was also influential in Southeast Asia as far back as the Cold War, with at least three ASEAN states, Indonesia, Malaysia, and Singapore, developing their own versions (Caballero-Anthony, 2004, p. 160). Likewise Article 9 of the APSC Blueprint 'subscribes to a comprehensive approach to security, which acknowledges the interwoven relationships of political, economic, social-cultural and environmental dimensions of development' (ASEAN, 2009, p. 2). Historically therefore, instead of conventional security approaches of deterrence, power-balancing, and alliance building, ASEAN has focused mainly on 'norm-building, building trust and confidence, and developing cooperative approaches with like minded and non-like minded states to address non-traditional threats to state security' (Caballero-Anthony, 2004, p. 162).

The major facilitating initiative in the field of non-traditional security carried out under the auspices of good governance in ASEAN was actually not state-centric. Running alongside the official 'track 1' inter-governmental dialogues (officials acting in their official capacities), almost from its foundation ASEAN accepted and facilitated input from unofficial 'track 2' processes (officials and non-officials acting in unofficial but influential capacities) such as eminent persons groups (EPGs), the ASEAN-Institutes of Strategic and International Studies (ASEAN-ISIS), and the Council for Security Cooperation in the Asia Pacific (CSCAP). This process in turn stimulated and helped create a space for the participation of civil society groups in governance discourse. These last were, on the whole deeply critical of state-centric security and development models. To these NGOs, 'if issues of extreme poverty, diseases, food scarcity, and environmental disasters are the security issues of people in ASEAN, these should be the security concerns of their governments as well', security thinking would have to be reexamined to allow for people-centered security and development, and to them, 'security was the other side of development' (Caballero-Anthony, 2004, pp. 167-168).

In recognition of the increasing role being played by 'track 3' representatives of civil society, the ASEAN People's Assembly (APA) was launched in 2000 with the support of the Japan International Cooperation Agency (JICA) and the impetus of ASEAN-ISIS in the hope of bridging the gap between track 1, track 2 and track 3. The APA championed the importance of a people-centered ASEAN with caring and sharing societies in ASEAN community-building. With the direct interface between the ASEAN Leaders and representatives of the merged ASEAN Civil Society Conference (ACSC, originating in 2005 in Kuala Lumpur) and the ASEAN

People's Forum (APF, originating in 2008 in Thailand), however, the role of APA as a bridge between the tracks was no longer required (Hernandez, 2012, p. 2). With JICA's continued support, a further step towards placing human security at the center of the governance discourse of all the tracks, was taken when the ASEAN-Japan Project on Mainstreaming Human Security was launched in Tokyo on 30 March, 2009 (ibid., p 1).

Thus ASEAN has not only shifted its own policy position to one reflecting more flexibility on the question of state sovereignty and non-interference, but it has also opened up policy space to grass roots movements which are more inclined to support human security and development rather than state-centric macro and aggregate measurements. The consensus-based model of governance and interaction in Southeast Asia then serves to further facilitate civil society pressures. These track 3 approaches are likely to prove increasingly influential in one of the most 'wired' and connected region of the world, leading to a further diffusion of intra- and inter-regional norms and an overlapping consensus concerning the responsibility to protect and provide havens free from fear and want.

Significantly, even in Myanmar itself, the regional regime for which the 'state' has been most central in the security discourse, and which stands out as 'a pre-eminent example of a post-colonial state subsumed in what development analysis describes as a "conflict trap"' (Smith, 2007. p. 3, the regional commons perspective of governance and entitlement rights has come to the fore. It matters less whether the impetus for the dramatic governance changes in Myanmar over the last two years have been promoted more by normative convergence or rational self-preservation, than it does that a happy coincidence of the two imperatives has transformed the national and regional operating environment.

Conclusion

Despite the overwhelming impression of Westphalian state-centricity in terms of both security and development policy prioritization, macro and aggregate measurements of governance success, and a remarkable econophoria, even the most unlikely candidates in Southeast Asia hold promise for the future protection and promotion of human security. ASEAN has transformed in policy terms almost beyond recognition, but more importantly, the long term multi-track policy traditions of the organization have created a space within which civil society, with its greater sympathy towards human-centered security and development can be empowered.

Thus although Asian exceptionalism in the field of governance survives in the constitutive documents of regional international organizations, and in many of the foreign policy priorities of Asian states, there is something like a global overlapping consensus emerging on governance regarding the concept of individual human entitlement rights. It may be possible to accept the claims of relativists that we are historically and culturally situated, and that indeed in Southeast Asia these forces are particularly strong, yet nevertheless identify there being certain universal duties in terms of providing safe havens of freedom from fear and freedom from want. There are universal entitlement rights common to and inherent in all forms of governance. This is not because we are all Western liberal individualists now. Rather it is because all normative traditions, including those in Asia, accept that there are certain practices or environmental circumstances which 'shock the conscience of humankind' (Walzer, 1997, p. 21) and should be stopped, and that there exists a concurrent obligation on those in positions of authority (i.e. legitimized power) to protect and provide for those for whom they are responsible.

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