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## Mainstreaming Human Security in the Philippines: Options and Prospects for Non-State Actors in Light of the 'ASEAN Way'

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*Progress in human security in the Philippines is influenced by the 'ASEAN Way', which underscores consensual approach to decision-making, informal structures and processes, and the principle of non-interference in member-countries' internal affairs. Along these lines, ASEAN broadened the agenda of security to encompass problems like poverty, epidemics, food security, human rights, and climate change, but failed to deepen security from a focus on the state to a focus on human individuals and communities. Yet the 'ASEAN Way' offers enough tolerance for 'operationalising' possibilities for normative non-state securitisation. Philippine NGOs have intervened in the decision-making process, shaped and disseminated politically relevant values and norms, and have taken the initiative to set rules themselves. For the Philippine government labouring under 'soft state' conditions, the most appropriate role based on a human security agenda would be to strengthen existing institutional structures, expand the democratic space for non-state actors, and join inter-state regimes and quasi-diplomatic arrangements, thereby reducing transaction costs and facilitating reciprocity within ASEAN.*

**Keywords:** Human Security, Non-State Actors, ASEAN, Securitisation, Diplomatic Tracks

*Der „ASEAN Way“, der konsensuelle Entscheidungsprozesse, informelle Strukturen und Prozesse sowie das Prinzip der Nichteinmischung in die inneren Angelegenheiten der Mitgliedstaaten betont, hat direkte Auswirkungen auf die Weiterentwicklung menschlicher Sicherheit auf den Philippinen. Innerhalb dieses Rahmens erweiterte ASEAN die sicherheitspolitische Agenda um Probleme wie Armut, Epidemien, Nahrungsmittelsicherheit, Menschenrechte und Klimawandel. Es erfolgte jedoch keine Vertiefung des Sicherheitsbegriffs durch einen Fokuswechsel vom Staat hin zu Individuen und Gruppen – und das obwohl der „ASEAN Way“ ausreichend Operationalisierungsspielraum für normative nicht-staatliche Sekuritisierung böte. Philippinische NGOs beteiligen sich an politischen Entscheidungsprozessen, beeinflussen und vermitteln eigene politisch relevante Werte und Normen, und stellen sogar eigene Regeln auf. Für die im Kontext eines „weichen“ staatlichen Rahmens agierende*

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*philippinische Regierung wären daher die am meisten angemessenen Aufgaben bei der Verwirklichung der Agenda menschlicher Sicherheit die Stärkung der vorhandenen internationalen Strukturen, die Erweiterung des demokratischen Spielraums für nicht-staatliche Akteure sowie der Beitritt zu zwischenstaatlichen Regime und quasi-diplomatischen Arrangements. Damit könnten Transaktionskosten gesenkt und die Reziprozität innerhalb ASEANs gefördert werden.*

**Schlagworte:** *Menschliche Sicherheit, Nichtstaatliche Akteure, ASEAN, Sekuritisierung, Diplomatische Ebenen*

## **Introduction**

The central purpose of this paper is to show how non-state actors (NSA) in the Philippines translate the concept of human security from discourse to action, and consequently, how the state can correspondingly calibrate its own human security outlook. Human security is approached using the ‘ASEAN Way’ as context because the Philippines is bound and influenced by the policy-making and diplomatic style favoured by the *Association of Southeast Asian Nations* (ASEAN). This paper argues that as a state with a relatively open democratic space but with weak political institutions, the Philippines – when seen through the lens of the broader ASEAN practice of human security – implies constrained human security outcomes but shows well-articulated policies by non-state actors. Along the lines of Arts (2003), the role of non-state organisations and players as ‘securitisers’ is analysed in the context of their newly-found decisional, discursive, regulatory powers in order to demonstrate the shift in focus of human security from a state-centric to a people-centred perspective.

## **The South-East Asian Policy Environment**

### **ASEAN’s Consensual Approach**

The ‘ASEAN Way’ underscores a consensual approach to decision-making, informal structures and processes, and the principle of non-interference in member-countries’ internal affairs (that is, respect for absolute sovereignty) (Camilleri, 2000; von Feigenblatt, 2009). This line of approach emphasises quiet diplomacy as

opposed to institutionalised rules<sup>3</sup> and direct censure of individual member states. As such, discussions within official ASEAN forums are often low-key, muted by the “comfort level” of the individual regimes (Campbell, 2006). Issues arising from any serious breach of the objectives and principles adopted in the ASEAN Charter such as “respect for and protection and promotion of human rights and fundamental freedoms”, “rejection of acts of genocide, ethnic cleansing, torture, the use of rape as an instrument of war, and the discrimination based on gender, race, religion or ethnicity”, and “enhancing the well-being and livelihood of the peoples of ASEAN by providing them with equitable access to opportunities for human development, social welfare and justice” are to be handled nationally (Severino, 2008, pp. 106-109). ASEAN’s loose structure and non-binding nature has proven to be an appealing formula for a region wary of super-power interference with a vivid memory of colonialism (von Feigenblatt, 2009).<sup>4</sup>

Nonetheless, ASEAN’s diplomatic style may still mean progress in human security at many levels precisely because it is less threatening than might otherwise be the case (Camilleri, 2000). Voluntary co-operation and mutual non-interference suggests a longer-term horizon in arriving at comprehensive security. It may hinder short- and mid-term decisive answers, but it also avoids precipitate and impulsive action. And the fact that ASEAN has been willing to somewhat relax its cherished non-interference principle in specific cases (such as the recent Cambodia-Thailand border rift) may be an indication of a shifting attitude in order to make headway on the issue of human security in the region. The key, according to Acharya (2007), in making the idea of human security the basis for regional co-operation is to ‘localise’ the idea within the current security concepts and approaches of ASEAN.

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3 The ‘ASEAN Way’, compared to US and European Union human security perspectives, seems to be least unambiguous. According to Jensen (2006), the US policy is premised on the “non-negotiable demand of human dignity” and the centrality of democratisation and liberalisation of markets in the fulfilment of human security goals. US policy can threaten to meet democratic deficits with direct sanction and the latent threat of regime change. The EU policy mirrors a narrower interpretation of human security, emphasising multilateral forums and comprehensive agreements with a wide range of regional powers. Compared to US ‘instantaneity,’ EU policy allows more autonomy, time and resources to its regional partners. Thus the EU avoids imposing a solution and indicates a more relativist approach. To the extent that it succeeds in imposing its solution, the US is imposing a particular normative interpretation of the region according to a specific universalist code. The ‘ASEAN Way’ is closer to the EU perspective, but agreements are non-binding.

4 A more interventionist ‘flexible engagement’ policy, proposed by Thailand towards Burma’s human rights crisis, gained support only from the Philippines. A compromise solution within ASEAN was to adopt ‘enhanced interaction’ whereby individual member states could disapprove of other members’ domestic affairs but ASEAN as a whole should not (Campbell, 2006).

*Broadening the Agenda of Security*

Along these lines, ASEAN was one of the first regional alliances to think of comprehensive security, an important step toward fulfilling the first important trait of human security – the *broadening of the agenda of security* from the focus on direct violence to problems like poverty, epidemics, food security, human rights, and the looming effects of climate change. Scheftel (2009) calls this the horizontal integration of human security.

In Asia, the recent rise of many non-military issues, such as the Asian Financial Crisis (AFC), Indonesian forest fires, the Bali terrorist bombings, floods in China, and the outbreak of the Severe Acute Respiratory Syndrome (SARS), has highlighted the shortfalls of the entrenched paradigm of traditional security in the region (Othman, 2004). ASEAN has moved toward the idea of security as symbolising safety from ‘threats without enemies’: disease, hunger, unemployment, crime, social conflict, political repression, environmental hazards, piracy, drug trafficking, undocumented immigration, separatism, and other border-crossing pathologies. Such diverse phenomena, all falling under the rubric of human security, cannot necessarily be dealt with successfully by individual member-states.

ASEAN has succeeded in significantly extending the security debate, without automatically deserting the conventional approach of state sovereignty and state-centricity. Human security hazards have a power to harm communities and constituencies which outstrips the state’s power to protect. These hazards have exposed the vulnerability of ASEAN member states and clearly restricted their defensive capabilities. Because of this ASEAN has recently become more receptive to a post-Cold War reassessment of what Lam (2006) calls ‘regime security’ and the utility of military power in inter-state conflict. The need to protect people from major disruptions in their daily lives has become a legitimate alliance concern.

A more balanced view of human tragedies seems to be emerging, as opposed to the tendency to regard security only in the context of military challenges and terrorism. After all, more people died from the AIDS epidemic (which can be prevented, cured, or effectively managed) than from 9/11 (Sen, undated). Likewise, the tsunami in December 2004 claimed more than 126,000 lives in Indonesia alone. The Bali bombings in October 2002 killed 200 innocent people. The sense of fear and

uncertainty sparked by the SARS epidemic in 2003 was of a far greater magnitude than any other transnational challenge, including terrorism (Acharya, 2005). The imperative to confront and defeat terrorism remains, as Sen (undated) argues, but the enormous toll of human neglect is also being recognised.

Yet another trigger for the shifting attitude, according to Sen (2000), is the region's economic vulnerability. While its economic progress had been very swift for many decades, and while poverty levels in the region have decreased considerably, the danger of a downturn affecting the lives of hundreds of millions also remains ever present – even if the area weathered the Asian economic crisis of 1997 (which wreaked havoc on the daily lives of people who had previously felt secure and protected).

At the bargaining table, ASEAN has matched intentions with accords. Principally through the Bali Concord II, ASEAN seeks to establish the ASEAN Security Community, along with the ASEAN Economic Community and the ASEAN Socio-Cultural Community, by 2020 (later accelerated to 2015). While economic co-operation is the main driving force, ASEAN leaders have recognised that economic integration, the main engine of alliance building, will be incomplete without the 'security' features (political development, human rights, rule of law, and democracy). Along more specific lines, the ASEAN Plan of Action to Combat Transnational Crime (1999) has identified the threats to human security like illicit drug trafficking, trafficking in persons, arms smuggling, terrorism, and various forms of economic crime. The blueprint is being implemented at the ministerial level.

In the wake of the devastation caused by the tsunami in December 2004, ASEAN concluded an Agreement on Disaster Management and Emergency Response in July 2005. In the field of public health, the Regional Framework for Control and Eradication of Highly Pathogenic Avian Influenza has been put in place. ASEAN has likewise launched the ASEAN Plus Three Emerging Infectious Diseases Programme (along with China, Japan, and South Korea) in a run-up to the work of the ASEAN Disease Surveillance Network. To mitigate the effects of haze pollution resulting from forest fires (which disrupt social and economic life, and also adversely affect the health and well-being of millions of people in the region), the regional alliance came up with the ASEAN Agreement on Transboundary Haze Pollution of 2002 (Yong and Sané, 2007). The ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers was issued in 2007. Early on, ASEAN signed the Declaration

on the Elimination of Violence Against Women in the ASEAN Region in 1994. Lately, ASEAN has established the ASEAN Intergovernmental Commission on Human Rights (AIHCR).

But as Severino (2008) cautions, such commitments are far from binding, and there is no evidence that progress in carrying out set interventions is being monitored or followed through. The process, tempo, and execution of these accords are still in doubt. Nevertheless, the agreements can be invoked in case of egregious violations, which suggests a slow, step-by-step progress in advancing human security. They likewise open the door for non-state actors to initiate human security activities in limited contexts. Where ASEAN is firmly united is in its opposition to the use of labour rights in international trade agreements for disguised protectionist purposes. ASEAN insists that the subject of labour rights be dealt with in the International Labour Organization (ILO) rather than in the World Trade Organization (WTO).

#### *Against Deepening of Security*

The 'ASEAN Way' identifies the referent, or enforcer, of security as the sovereign nation-state – a residue of the Cold War's centripetal tendency of political regimes towards the consolidation of state power. Current thinking transcends security for states and their sovereignty and focuses on the security of human individuals and communities. Scheftel (2009) labels this process the *deepening* of security through the vertical integration of human security. Such deepening is part of the radical conceptual shift from national security, with its narrow focus on military defence, to human security, with its emphasis on individual welfare (Thakur, 2000). It is people who must be protected against dangers that threaten life and well-being – regardless of whether these threats can be traced back to societal activities or natural events, whether they exist inside or outside the framework of the state, whether they are direct or structural (Burgess & Owen, 2004).

Generally, what confronts the survival of the state also threatens the survival of its people. Yet the converse is not always true: menaces which affect people might not necessarily threaten the continued existence of states. Human security may thus be quite distinct from the security of the state. As Acharya (2005) illustrates, events like the AFC and SARS threatened neither the physical boundaries nor the territorial

integrity of states in the region, which is the core of the national security paradigm. Even if the AFC triggered a chain of events that led to the collapse of one of Asia's most entrenched authoritarian regimes – Indonesia's Suharto –and the separation of East Timor as an independent nation state, what was really at stake was the safety of the Indonesian people, their livelihoods, their health, and their sense of well-being. Acharya also observed that the massacre of the Indonesian Chinese that followed the fall of Suharto again did not endanger the state itself.

As Dahl-Eriksen (2007) contends, there are situations for which governments cannot be held responsible. On the other hand, state power itself, exercised repressively, could be a threat towards individuals (Dahl-Eriksen, 2007), as when a state's policies and laws discriminate against certain minority groups (Othman, 2004). Or, the threat could take the form of the incapacity of the state – whether through incompetence or lack of needed resources and infrastructure – to make available safety, health, justice, basic human rights, and education to develop the skills that lead to economic and social well-being (Othman, 2004).

An adequate concept of human security, Sen (undated) points out, includes at least the following distinct elements: (1) a distinct focus on *human lives*; (2) an appreciation of *the role of society and of social arrangements* in making human lives more secure in a constructive way (avoiding a socially detached view of individual human predicaments); and (3) a fuller understanding of the coverage of *human rights*, which have to include not just political freedom and personal liberties (important as they are), but also societal concern with food, medical attention, basic education, and other elementary needs of human lives.

ASEAN's historical preoccupation with regime security and the institutionalised retention of the political elite (Campbell, 2006) does not augur well for a normative shift toward a people-centric security perspective. If ASEAN has acted on matters that directly affect people's lives (such as SARS, the tsunami, or haze pollution), it has done so because it was forced to by circumstances (Severino, 2008). ASEAN has been challenged to reassess its priorities and its ability to manage human disasters in the wake of regional and domestic menaces that impair human lives.



*Protective Versus Developmental Security*

A closer look suggests that ASEAN may be averse only to *protective* human security, which stresses ‘freedom from fear’ and individual rights against political repression. The international ‘responsibility to protect’ and its implicit challenge to sovereignty, arguably falls within the parameters of ‘protective human security.’ ASEAN elites may be more comfortable with *developmental* human security, which stresses ‘freedom from want’ and the importance of economic issues in advancing human security, and avoids (for the time being) dealing with civil and political rights (von Feigenblatt, 2009).

‘Freedom from fear’ is understood as freedom from pervasive threats to people’s rights, safety or lives only (Floyd, 2007; Caballero-Anthony, 2004) and emphasises civil-political human rights in particular (Richardson, 2007). It is the foundation of *protective* human security. The Canadian government favours this approach, which emphasises the protection of the dignity of the individual and the prevention of cruelty to people caught in zones of conflict (Acharya, 2005). It stresses the international community’s ‘responsibility to protect’, which suggests that it does not rule out the collective use of force and/or sanctions and regime change if and when necessary (Caballero-Anthony, 2004) in order to protect individuals in other countries from genocide, ethnic cleansing or other physical threats beyond the capability of their home governments, with or without the government’s approval.<sup>5</sup> It thus favours short- and mid-term decisive action. Protective human security has an unpalatable implication for ASEAN: it aims to break the barrier of absolute sovereignty in order to enforce the protection of human rights (von Feigenblatt, 2009).

‘Freedom from want’ is understood as safety from threats such as poverty, disease, and environmental disasters (Floyd, 2007). It draws on economic, social and cultural rights, includes development issues, and emphasises the creation and maintenance of a stable social and economic environment (Richardson, 2007; Acharya, 2005). It is the basis for *developmental* human security. It has been mainly promoted by

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<sup>5</sup> According to Acharya (2005), in the post-9/11 political environment, freedom from fear has acquired a new meaning: fear of freedoms. The framing of terrorism as a national security concern has undermined the key bases of human security, such as multilateral peacekeeping in the region as well as confidence and trust-building. This is reflected in the narrowing of military-political perspective and approach between Western and some ASEAN governments (expressed in legislation that allows ever more intrusive surveillance). The region’s elites could perhaps even take pride that their own security laws (say, Malaysia’s Internal Security Act, or the Philippines’ Human Security Act) closely resemble the US’ Patriot Act, which essentially adopts a freedom from fear perspective.

the Japanese government through supporting a number of developmental projects overseas (Caballero-Anthony, 2004). It favours a long-term vision of development and goals for transformation. It does not deny the monopoly on the use of coercive power by the nation-state and thus serves as a cover for the strengthening of governing elites. Clearly it is the most compatible and favoured version of human security by regional elites and matches perfectly with the 'ASEAN Way' (von Feigenblatt, 2009).

### ***Specifying the 'Vital Core'***

In 2001, the Commission on Human Security, established through a Japanese initiative, argued for protecting the 'vital core' of human lives in ways that enhance human freedom and human fulfilment (Dahl-Eriksen, 2007).

This vital core is specified in terms of capabilities and resources needed to escape from absolute poverty. Its articulation is the capability approach which re-orientes the objective of economic activity from an instrumental end (economic growth) to a people-centred end (expanding people's freedom). In plain terms, capabilities consist of the capability to enjoy a set of valuable 'beings and doings', such as being nourished, being confident, being able to walk about without terror, being able to wear what you like, and having a say in group decisions. The approach also focuses on the *opportunity* to attain positive economic, social, or cultural freedoms, and likewise includes both civil and political liberties. It also may include *agency*, which is the freedom to bring about achievements according to one's values. It is consistent with the United Nations Development Programme's (UNDP) *human development approach*, which describes the capability approach as "expanding people's choices" (Alkire, 2003).

The repercussions of specifying capabilities, as what Alkire (2003) calls a coherent space in which to identify the elements and threshold of the 'vital core', are central to ASEAN's need to 'resolve' its own predilections. First, as noted by Alkire, the capability approach solidifies human security's central focus on human beings. More importantly, as economist Amartya Sen suggests, the capability approach links human beings to economic opportunities, social facilities, the enabling conditions of good health, basic education, the encouragement and cultivation of entrepreneurship, and political liberties (Sen, undated). To the extent that the capability approach mirrors

the developmental human security perspective, in a context where economic, social, and cultural rights are prominent, ASEAN governments would have no trouble accepting it. ASEAN will continue being challenged on its insistence to regard political rights as a relativist (more akin to 'Asian values') rather than a universalist (global) prescription, but it will adopt developmental security for as long as an emphasis sits on building socio-economic capabilities and on a sequence of implementation from capabilities to rights.

Despite shortcomings in its interpretation of human security, the 'ASEAN Way' possesses certain positive attributes. These include: the increasing possibility for contextualised policies by both state and non-state actors due to an aversion to solutions imposed from without, a consensual approach that may help build a 'sheltering' social capital among peoples and communities within and across nations, and a vital core that provides the platform to allow individuals and communities to pursue human security projects. These factors 'operationalise' possibilities for normative non-state securitisation. They enable individuals and groups to (at least to some small degree) initiate securitisations (deal with existential threats), *on behalf of those who are otherwise not in a position to speak for themselves or exercise decision-making power in terms of security policy-making* (including disadvantaged groups and academics). Securitising actors can influence select securitisation processes in a deliberate and thought-out fashion, to a desired effect. Examples of such 'enabling' securitisations on the world stage are the high profile ban on land mines and the establishment of the International Criminal Court (Floyd, 2007), where a network of diverse actors effectively worked together, even if they had disparate perspectives on human security (Amouyel, 2006). More modestly, in the ASEAN region, non-state actors have successfully pushed for labour rights as a non-trade-negotiable issue. The literature indeed credits non-governmental sectors with 'reframing' and advancing a more human-centric agenda within ASEAN. A shift from purely state-focused security policies to more people-focused ones will increase the effectiveness of such policies by creating ones that better meet people's needs and empowering people through their participation in development (Stanley Foundation, 2003).

This paper adopts the 'vital core' perspective and argues for mainstreaming human security in the Philippines. It acknowledges arguments that the "multidimensional approach to security sacrifices precision for inclusiveness" (Thakur, 2000) and that

making individuals the ultimate referent object can be costly in terms of the loss of analytical purchase on collective actors both as the main agents of security provision and as possessors of a claim to survival in their own right (Buzan, 2004). Nonetheless it contends that the human security approach, though inadequate with regard to analytical utility, has much to offer in terms of normative utility, which is in part operationalised through individual and community securitisations (Amouyel, 2006).

### ***ASEAN Contextualisation in the Philippines***

#### ***How the ASEAN States Fare in Human Security***

How would some of the ASEAN states fare regarding human security concerns, given their adherence to the 'ASEAN Way'? The possible combinations of these conditions and outcomes are summarised in the matrix below (the concepts, in modified form, are borrowed from Jensen, 2006). Even if the region is defined by the 'ASEAN Way', when it comes to defining specific policy approaches, there is a need to revert to *treating states separately*. The state's authenticity can refer to the legitimacy a state draws from its willingness to protect its population under ASEAN rules of non-

Table 1: Matrix of Human Security Outcomes in South-East Asia		
	Strong Normative Initiative	Weak Normative Initiative
<b>State With Relatively Open Securitisation Practices</b>	Best human security results; most contextualised policies <i>Thailand</i>	Limited human security results; possibility for contextualised policies by non-state actors <i>Philippines, Indonesia</i>
<b>State With Autocratic Practices</b>	Human security contextualised but on terms enforced by the regime <i>Singapore, Malaysia, Vietnam</i>	Imposed results if any; least contextualised outcomes <i>Cambodia, Laos</i>
<b>State With Doubtful Mandate</b>	Refusal to compromise; human security considered interventionist tool	Poor prospects for human security; dangerous outcomes possible <i>Myanmar</i>

Framework adopted from Jensen (2006, p. 44); Country classifications by authors; no sufficient data exist to classify *Brunei* and *Timor-Leste*.

interference and gradualism. Resistance, on the other hand, draws from the tendency to regard the policy instruments on human security as a Trojan horse for Western intervention in the internal affairs of states. As Acharya (2007) points out, any link between human security and the 'ASEAN Way' is contingent on the nature of each member-state's government.

When the broader ASEAN practice of human security is filtered by contextualisation of domestic actors and their initiatives within member-states, it would seem that if the political will is strong, nations with relatively open securitisation practices (e.g. Thailand) would yield the best human security results and most contextualised policies, while states with autocratic practices would see human security contextualised but on terms enforced by the regime (e.g., Singapore, Malaysia).

Ensuring regime consolidation, where democratic legitimacy is inadequate and violent repression is logistically infeasible, also requires some measure of domestic consent to authoritarian rule. At the same time, where issues of national security, development and cultural continuity are stressed, and simultaneously, "regime" and "state" are conflated, ASEAN autocrats resort to claims that "strong leadership" is needed to protect the common good (Campbell, 2006).

If political will is weak, states with relatively open practices would show constrained human security results but well-articulated, contextualised policies by securitising non-state actors (e.g., the Philippines). Following Jensen's (2006) argument, when the state is subject to the kind of "autonomy capture" which removes human security from its list of priorities (Myanmar is the example), it remains a riddle as to how the grey area of the state's legitimacy should be considered when the ASEAN threshold of non-interference has not yet been crossed but the state is also not fulfilling its obligations towards its population. Here, regime maintenance is regarded as more important than the condition of the citizens of the regime.

The overall picture is best summarised by Campbell (2006) and Acharya (2007): Democratic transitions (if not consolidation) in several regional polities, including Indonesia, the Philippines, and Thailand, have created greater democratic space for human security concepts and approaches. Such openness has been the outcome of the state-sponsored economic growth of these ASEAN countries. With the rise of a more self-confident population (particularly the middle-class), political elites within some ASEAN states have had to attend to popular demands for reform associated

with human security issues. These pressures have also served to encourage the independence of civil society that creates greater awareness of the need for people's initiatives and the dangers of excessive concentration on national security. Some of the governments of these states have also championed the human security concept more openly as a way of distancing themselves from their authoritarian predecessors, enhancing their legitimacy and attracting development assistance. While democratisation within ASEAN member states remains locked up in the tensions between domestic citizens and established political elites, the above trends suggest the possibility of further openness in South-East Asia and, in turn, improved regional promotion of human security. The emancipatory project of creating open structures is alive within some states in South-East Asia.

The strongest inference is that the political will to achieve human security goals is probably necessary on both sides (state and non-state) to achieve substantive results (Jensen, 2006). But with varying political will and normative initiative by the state, non-state actors become crucial. In the Philippines, that leaves open the field of action to non-state participants, who in some ways 'substitute' for the weak authority of the state.

### ***The Power of Non-state Actors***<sup>6</sup>

Despite their asymmetrical relationship with the state, non-state actors have turned the tide in human security – through social networking, informal diplomacy, and by putting pressure on nation-states. As Wehrenfennig (2008) argues, while the state itself, using traditional diplomacy, is struggling to respond to new global and domestic initiatives, NSAs are making better use of various forms (tracks) of non-state diplomacy and their own skills and resources to form alliances, internally as well as across state borders in order to extract reasonable outcomes. NSAs are challenging ASEAN's regime-centred policies and rhetoric more directly and substantially than extra-regional appeals for human security.

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<sup>6</sup> For purposes of this paper, non-state actors are defined as those operating within a state. These include international NGOs with substantial presence in the state, civil society organisations, people's organisations (PO), and epistemic communities which have substantial constituencies and which have access (no matter how limited) to political arenas. Inter-governmental organisations are excluded.

The instrumental role played by NGOs, or Track III<sup>7</sup> in ASEAN parlance, importantly explains the change in ASEAN's attitudes towards human-centric norms. Again, the threats and crises helped these transnational activists and their domestic counterparts to 'reframe' the human security agenda. This job could not have possibly been undertaken by Track I and Track II working in an ASEAN multilateral diplomacy framework, given their historical preoccupation with state-centric norms. The key for Track III was to engage Track II in numerous conferences in order to convince the latter to adopt unconventional security issues in the workshop. Track II participants do not have to bear the responsibility of representing their respective countries, hence it is easier for them to embrace new norms. But if state action is required, Track III's hopes lie in Track II being able to influence Track I when Track II officials interact with Track I workers (Cheeppensook, 2007). Some Track III groups that Cheeppensook counts as quite active are the People's Forum, which has been organising conferences in order to convey the message that the growth-oriented development model is not the only path towards well-being, the Asian Exchange for New Alternatives (ARENA), which is a contact point for intellectuals to search for a more humane ASEAN order, and the Asian Task Force on NGOs (ATF), which organises training workshops and dialogues.

High-profile non-state actors raise the bar for effective multi-level inter-NGO networking strategies, and turn a multidimensional topic into a high priority issue in national human security discourse. They build coalitions within states among like-minded groups and convert others to embrace the cause. Following Kötter (2007), co-operation with local/homegrown NGOs provides the type of proximity that human security requires.

The principle of *subsidiarity* – that maximal responsibility should not be assigned to a higher level (e.g. national or regional) if the most local or specialised organisations *are capable of undertaking it* – ensures that the freedom and self-direction of local NGOs are preserved, while large international NGOs siphon off needs which cannot be addressed by smaller or weaker groups, or where there are significant economies of scale (Alkire, 2003). Such an approach responds to the actual needs of citizens, preserving their right to decide on resource allocation and distribution (Tadjbakhsh

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7 The three ASEAN diplomatic channels are: Track I – state (formal intergovernmental processes), Track II – state (informal, non-binding intergovernmental discussions, with civil society participation), and Track III – non-state (civil society networks).

& Tomescu-Hatto, 2007). It has the very constructive result of encouraging local 'ownership' of projects vis-à-vis the high-level formal dialogues initiated under ASEAN auspices.

To be effective securitisers, non-state organisations, and players must be equipped with the following three facets of power, as articulated by Arts (2003):

1. *Decisional* power, which is related to policy-making and political influence. In order to be consequential, NSAs need to intervene, directly or indirectly, in the decision-making process they want to influence. They can do so in several ways: lobbying, advocacy, monitoring, protest, and participation.
2. *Discursive* power, which is related to the framing of discourse. Conceivably, NSAs – by shaping and disseminating politically relevant values, norms, theories and stories – co-determine the behaviour of states and other participants.
3. *Regulatory* power, which is related to rule-making and institution-building. Rather than wait for governments and intergovernmental organisations to establish public rules, NGAs can set rules *themselves*. Rule-making in this context is to be considered standard-setting, whereby a standard is defined as an expertise-based voluntary rule on organisational regulations, structures and/or procedures.

In concert, they constitute the power of non-state agents, i.e. the capacity “to achieve outcomes” in social interactions, embedded in institutional and local contexts.

### ***Mainstreaming Under Weak State Constraints***

Following the non-violent uprisings that unseated the Marcos dictatorship in 1986 (People Power Revolution I) and the short-lived Estrada administration that was tainted by corruption (People Power Revolution II), the Philippines is a re-established, if frail, democracy. Its GDP per capita of USD 1,639 means that it sits squarely in the middle of ASEAN in terms of national wealth, below Brunei, Singapore, Malaysia, Thailand, and only slightly lower than Indonesia, but above Viet Nam, Laos, Cambodia, and Myanmar. As an archipelago, the Philippines has suffered from similar problems as Indonesia in terms of violent secessionism or problems compounded by the



emergence of Islamist terrorist organisations such as *Abu Sayyaf* (APCR2P, 2009). It likewise continues to face one of the most enduring Communist insurgencies in the region. Geographically, the country is within both the typhoon belt and the ‘ring of fire’ in the Pacific, making it vulnerable to natural disasters.

For years the Philippines has struggled to respond to human security fundamentals. The Philippine state’s somewhat weaker normative initiative derives from its ‘soft state’ characteristics – lacking a disciplined and capable bureaucratic culture, a cogent societal fabric, and a strong political will to overcome such weakness (Myrdal, 1970) – and its (formal, non-substantive) democratic procedures, which often lead to gridlock.

### ***Post-Martial Law Structural Power of Philippine NGOs***

The Aquino Administration is credited with the burgeoning of NSAs in the Philippines, principally the NGOs. When President Aquino appointed the delegates to a convention charged with drafting a new constitution in 1987, over 20 percent of them were popularly associated with the NGO/PO community (Clarke, 1998). The new constitution, which is currently still in place, provided for NGO participation in national life to an extent that was unique in the developing world. Article II, Section 23 states: “The state shall encourage non-governmental, community-based, or sectoral organisations that promote the welfare of the nation.” Article XIII, Section 15 states: “The State shall respect the role of independent people’s organisations to enable the people to pursue and protect, within the democratic framework, their legitimate and collective interests and aspirations through peaceful and lawful means.” Article XIII, Section 16 states: “The right of the people and their organisations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged. The State shall by law, facilitate the establishment of adequate consultation mechanisms.” Article X, Section 14 provides for NGO participation in local government structures. A devolution law, the Local Government Code, legislated in 1991, is perhaps the most sweeping measure to recognise the governance role of civil society groups in the Philippines.

Estimates of the number of civil society groups in the Philippines range up to 500,000, although only a fraction of this figure are registered as non-stock, non-

government institutions (NGOs, POs). The number of 'development-oriented' NGOs is put at somewhere between 3,000 and 5,000. In any case, there is consensus that the civil society sector is large and vibrant by developing country standards, even though most of the large number of organisations are small, struggle financially, and have weak capacity (ADB, 2007). These NSAs act as lobbyists, watchdogs, advocates, alternative delivery systems, and discussion forums for a plethora of social, economic, political, environment and other issues (Gonzalez, 2001) in location-specific, complex, and constantly changing contexts. Although these mechanisms have been held back every now and then by government meddling, they offer on paper the most effective means of promoting human security at the community and national levels. By operating beneath state obstruction, they have proved their worth through networking and coalition building, campaigning for policy reform, adopting good practice standards, and advancing "sustainable development" as a uniting vision for all organisations (ADB, 2007). Following Jensen (2006), such local initiatives have operationalised universalist human security fundamentals in a relativised context.

#### ***Decisional, Discursive, and Regulatory Powers***

As 'securitisers', non-state organisations and players have exercised, following Arts (2003), decisional, discursive, and regulatory powers in order to advance human security concerns. A few examples are illustrated below.

**DECISIONAL POWER.** The Philippine environmental NGOs' successful lobbying, advocacy, and monitoring that led to the passage of the Indigenous Peoples' Rights Act (IPRA) is the most-talked about example of NGO decisional influence in the country. Various non-state policy actors were involved in the passage of the IPRA, basically an ancestral domain law, beginning from the agenda-setting phase to policy formulation and policy adoption. The Coalition for Indigenous Peoples' Rights and Ancestral Domains (CIPRAD), a network of 15 indigenous peoples' organisations and five NGOs, collaborated with Filipino legislators and the legislative staff members to smooth the process of the bill's approval by the Philippine Congress. After arriving at a consensus and bargaining with one another, the civil society groups' effort bore fruit when the bill was passed during the Ramos Administration in 1997 (Luserio Rico, 2005), a full decade ahead of the UN Declaration on the Rights of Indigenous

Peoples. Tacit Track II support came in the form of the ILO-Inter-Regional Programme to Support Self-Reliance of Indigenous and Tribal Communities through Cooperatives and Self-Help Organizations (INDISCO) (ADB, 2002). This pioneering effort did not catch fire in ASEAN, however, except in Cambodia which had passed a similar law (SEACA, 2007). In part the reason is that ASEAN nations signed the UN Declaration only after 2007. In part, indigenous rights are ensconced within the term 'ancestral domain' (which suggests retention of 'aboriginal title' to lands claimed by indigenous groups, significant management rights, and respect for their traditions and identity) which is not a common international reference and needed to be parsed into territory, economic resources, and governance (Tuminez, 2005). As Tuminez further indicates, there are two hurdles to negotiating ancestral domain: public support through consensus, and accommodation of cultural and social differences. There are likewise divergences among ASEAN states in framing the issue of control over resources. In Aceh, Indonesia, for instance, the right of the Acehnese to secure political control over their territory did not take a communitarian form, but the form of a secure access to an economic base along the lines of conventional property rights. Moreover, whereas the Philippine state's support came at the end in the case of IPRA, the Indonesian government was very much involved in exercising its political power at the beginning of the Aceh negotiations, as Sevilla observes (2008). Today, Track I initiatives (review of legal frameworks) in ASEAN are being encouraged by the United Nations Permanent Forum on Indigenous Peoples' Rights, while Track III measures are sporadically underway, such as those being initiated in ASEAN countries by the International Alliance of Indigenous and Tribal Peoples of the Tropical Forests (IAITPTF) (SEACA, 2007).

Interestingly, Tracks I, II, and III function as a team in certain cases, as in the effort to contain Severe Acute Respiratory Syndrome. ASEAN governments (Track I) readily shared information and best practices in preventing the transmission of SARS within the member states, in contact tracing, and in aspects involving epidemiology, clinical features, public health measures, and infection control (ASEAN Secretariat, 2003). Track II engagements in the Philippines included the formation of a local network of health agency professionals and health-based NGOs to formulate clinical guidelines for Philippine SARS preparedness (Lopez, 2003). For Track III, the Philippine SARS Response Network was organised by civil society groups (e.g., Friendly Care

Clinics, Medical Action Group), academia (e.g. the University of the Philippines College of Medicine and College of Public Health), and other multi-sectoral groups (e.g. Philippine Foundation for Sustainable Society) (Dato, 2003). The high level of co-operation could only be made possible, according to Caballero-Anthony (2002), in cases when (1) epidemics can reach crisis proportions beyond the capabilities of states to manage, and (2) grave threats leave little room for ideological contestation or policy preferences. The immediacy of the threats, in the context of a human security framework, easily generates regional and national consensus. Indeed, a huge ideological or cultural divide can thwart collaboration. In the case of support for counter-terrorism, the Philippines readily consented to the US 'war on terror', while Malaysia and Indonesia moved rather cautiously because of the complexity and sensitivity of having a large Muslim population (Tan & Ramakrishna, 2004). Conversely, in the case of the promotion of reproductive health, most ASEAN states and health NGOs have readily adopted WHO standards, while the health stakeholders of predominantly Catholic Philippines are locked in a battle with the country's church hierarchy, which is opposed to contraceptive methods (Fabros, 2010).

DISCURSIVE POWER. Human rights NGOs in the Philippines reframed the discourse on human rights after the Marcos dictatorship was toppled and contributed to elaborating the present human rights regime. Notable among the rights-based NGOs are the Task Force Detainees (for political prisoners), the Free Legal Assistance Group (lawyers assisting human rights victims, *Karapatan* (alliance of human rights associations), National Union of Journalists, and Families of Victims of Involuntary Disappearance. Many of their leaders advise the government-run Commission on Human Rights. They have held the state accountable for human rights infractions, an activity that has reduced the incidence of violations, thereby ameliorating related human security issues. The favourable rights environment that developed also made possible the adoption by the Philippine judiciary in 2007 of the *writ of amparo*, a legal remedy available to any person whose right to life, liberty, and security has been violated or is threatened with violation. It was conceived to address the issue of extrajudicial killings and forced disappearances after 1999 (Puno, 2007). Deep linkages with Track III international human rights organisations (e.g. Amnesty International, Human Rights Watch, and lately, the Asian Federation Against Involuntary Disappearances) have made possible the marshalling of global action against the

perceived human rights abuses of the Arroyo administration. However, as the war on terror expands in South-East Asia, the cost to civil liberties may likewise be rising. Track III leaders remain concerned that anti-terrorism initiatives can be used to serve other political agendas. Human rights organisations, in particular, from *Imparsial* in Indonesia to SUARAM in Malaysia, are apprehensive that counter-terrorism measures would restrict hard-won rights (Jones, 2002). In the Philippines, the Human Security Act of 2007 has been heavily criticised for inadequately guaranteeing possible human rights violations committed by state agents in pursuing groups suspected of terrorist activities (FIDH, 2008). These developments necessitate vigilance on the part of Track III participants in order to foil Track I excesses.

In another noteworthy display of discursive power, peace-seeking groups have created, and have reached out to, local constituencies about specific issues that are based on perceived common values. One prominent example of this is the peace process that led to the peace pact between the government and the main Muslim rebel group, the Moro National Liberation Front (MNLF), in 1998. Many non-state actors created a multi-level dialogue process and formed a peace network. This connected local, regional, national, and global actors (including the Organisation of the Islamic Conference) into a powerful peace constituency that put pressure on the official peace process. A key Track I participant, Indonesia, hosted the peace talks that led to the peace agreement. A national consensus was reached through the joint effort of government and peace and development NGOs. Between Track I and Track III lines, the government has also started an interfaith and intercultural dialogue on preventing conflicts and healing social wounds in conflict-stricken communities in the southern Philippines. Interfaith dialogue has been found to be essential in translating shared values of peace and respect into practical action at the grassroots level (APCR2P, 2009). Such exchange of ideas has become more urgent as periods of violence seem to have no clear beginnings or endings. The situation in the southern Philippines, for instance, was supposed to be 'post-conflict' after the Jakarta accords between the Philippine government and MNLF in 1998, but has clearly reverted to being in the midst of conflict.

**REGULATORY POWER.** Local health and education boards, with substantial NGO participation, have set rules on health care and basic education at the local government level. Procurement committees in government agencies have NGO members setting

regulations on government purchases. Local environmental groups, such as *Haribon* and *Kalikasan*, have designed and institutionalised environmental management systems, covering rules on stewardship, accountability, continuous improvement, a community-right-to-know policy, and codes of practice (community awareness and emergency response). Microfinance NGOs (such as the Microfinance Council of the Philippines), have devised alternative options for non-collateralised loans (like group accountability) and savings instruments for the poor, following the Grameen principles. These are cases of non-state actors filling the institutional gap occasioned by state structures that are weak or lack authority. Such substitutive mechanisms thrive precisely in environments where formal rules are not routinely enforced or fail to achieve their goals (Helmke & Levitsky, 2004). Track II groups, such as Greenpeace South-East Asia and Climate Action Network South-East Asia, are providing logistical and technical assistance to local environmental NGOs, co-ordinate information exchange, and lobby ASEAN governments on sustainable development issues as well.

### ***New Roles for the State***

Human security does not bypass the Philippine state, weak though it is. The state remains an indispensable aspect of human security, even if it is not the ultimate answer for protecting its citizens. A weak state with few resources and with a policy apparatus that works in fits and turns may still be better than none at all. Domestic organisations cannot operate independently of the state. Inasmuch as security is built from below, a “downside-up” perspective (Dahl-Eriksen, 2007) demands the ability to deal with two parallel institutions: active non-state actors on the one hand, and an ineffective state, on the other. To be sure, in this setup, NGOs and other civil society groups have the initial advantage in negotiating normative frameworks, extracting concessions from government, and lobbying for a people-centric human security program.

The most appropriate role for the Philippine government based on a human security agenda would be to *facilitate productive change by its own agencies*. Corruption, inefficiencies, and a generalised system of patronage and clientelism have hobbled the Philippine government for decades. Rebuilding existing structures to improve their capacity and effectiveness as opposed to imposing a new order of

affairs will be a wise step in the direction of instituting good governance practices in the bureaucracy. Certainly, an effective human security approach will require the following good governance requirements, as summarised in ESCAP (2010):

- Fair legal frameworks that are enforced impartially; impartial enforcement of laws requires an independent judiciary as well as an impartial and incorruptible police force
- Information that is freely available and directly accessible to those who will be affected by government decisions and their enforcement
- Processes that serve the public within a reasonable timeframe
- Socially-inclusive policies and regulations
- Participatory mechanisms at various levels of governance
- Results-oriented monitoring and evaluation instruments
- Decision-making that is accountable to the public and to all stakeholders

The government has likewise to develop an institutional framework where human security concerns *direct* developmental resources. On this score, Sen (2000) proposes getting government commitment not just for “growth with equity” but for “downturn with security”, inasmuch as economic slumps are common in emerging economies. But human security policies that yield numerous positive externalities, for instance, health and education (Amouyel, 2006), or that only require a minimum level of development (community-based health insurance) (Fordelone & Schütte, 2007), or that are free of ideological baggage (Caballero-Anthony, 2002) may be administratively easier to deal with. This would actually be a way to prioritise certain elements of human security over others. Analyzing one threat, grievance, or problem can resolve several issues at once, so it may not be sensible to categorically separate threats, rights, and underdevelopment issues (Amouyel, 2006). If one issue is addressed successfully, it should have positive consequences for other human security issues. For example, successfully reducing illegal logging resolves a number of other key problems: loss of forest cover (affects watersheds), drugs (truck drivers resort to stimulants to keep themselves awake on long-haul trips), malaria and other communicable diseases (spread during logging and deforestation), industrial pollution, organised crime (associated with logging syndicates), and corruption (bribes for forest guards and highway police).

To offset its own weaknesses, the state can, to appropriate the words of Tadjbakhsh



and Chenoy (2006), organise public space in such a way that it opens possibilities for NGOs, civil society, international and local organisations, individuals, and communities to create networks and mobilise social resources. This may jump-start a diffusion of human security from the bottom to the top. The Local Government Code of 1991 already enables the government to assist NGOs through:

- a process of accreditation of NGOs and POs at the local level;
- a local governance infrastructure composed of five special bodies, e.g. the local development council must be formed at the local level;
- a stipulation that at least one quarter of the local development council's membership must come from civil society or the private sector, which civil society representatives must come from locally-accredited organisations;
- the right of the people to amend, revoke, and enact ordinances through referenda;
- provisions for the establishment of other local committees, such as co-operatives.

What is essential is that these provisions are carried out fully and uniformly across local government units.

### ***Inter-State Co-operation***

Human security is *amplified* through inter-state regimes which reduce transaction costs, make commitments more credible, and facilitate reciprocity among nations (Kim and Hyun, 2000). For the Philippines, these are the benefits to inter-state co-ordination. It can lean on three pillars, on which collective security is to be based, following Felício (2007):

1. Collective vulnerability. Since today's threats recognise no national boundaries, the Philippines can share its own threat suppression experience involving both state and non-state actors, limited though it may be.
2. National limitations. No state can unilaterally dispel that vulnerability. The Philippines will have to rely on its stronger neighbours' threat containment instruments and strategies. The question arises, however, of how a neighbouring actor can promote a human security agenda without imposing an exterior and foreign solution that does not mesh with the local context.



3. National fallibility. Each state will not always be able, or willing, to meet its responsibility to protect its own people, and to not harm its neighbours. Being a weaker state in the alliance, the Philippines may have to invoke mutual protection clauses of regional agreements. If it is the one being harmed, it will have to seek help from extra-regional authorities to pre-empt the threat. Curiously, however, in an important instance, the Philippines has shown disinterest when it was not the source or 'hot spot' of a particular threat. When the regional Agreement on Transboundary Haze Pollution entered into force in November 2003, the Philippines did not ratify it and to date has not done so. Haze pollution often originates from Indonesia (another non-ratifier), which is obliged under the agreement to contain the haze to its national jurisdiction (Severino, 2008). It is true that no forest fire haze had reached the country in the past to threaten the health of Filipinos, but non-ratification might haunt the Philippines later, when it is its turn to request reciprocal treatment from its neighbours.

Treaty-based agreements depend on joint implementation by ASEAN member states. Yet because most regional pacts are essentially non-binding, they may occasion difficulties for the Philippines. The Philippines may have to initiate what Acharya (2007) proposes as a collective rethinking of non-interference, in favour of more mutual help, sharing of information, and resources. Acharya notes that the 2004 tsunami dramatically, if tragically, showed why mutual assistance is necessary, while the floods that devastated Myanmar recently showed the limitations of the principle of non-interference.

This is not to say that there have not been collective breakthroughs even under current constraints. In relation to the SARS epidemic, the establishment of an ASEAN+3 'hotline' network among designated contact points, the quick sharing of information, pre-departure screening, the management of suspected cases in flight, disinfection of aircraft, co-ordinated procedures at international departure and arrival points, and other measures recommended by the World Health Organization for travel from and to countries affected by SARS, stopped the epidemic in its tracks. The ASEAN Agreement on Disaster Management and Emergency Response has not yet formally entered into force, but a number of its provisions are in place: disaster-related specialised training, information sharing through a dedicated website and

communications system, a stand-by relief fund, and early warning systems for haze pollution, typhoons, etc. (Severino, 2008). Joint delivery by the member-states does help the Philippines cope up with transnational threats and dangers.

It is in Track II where academics or the so-called epistemic communities deal with newly emerging human security issues. With the organisational development skills of its NSAs, the Philippines can be instrumental in forming a regional working group consisting of professionals from a variety of disciplines and backgrounds that can debate on options available to manage climate change, involuntary migration, and pandemics. Epistemic communities can build up a reservoir of cutting-edge know-how on the nature of interlinkages between issues and the chain of events that might happen when a particular action or policy is carried out (Kim, 2000). Through these working groups, various human security propositions are interrogated with particular regard for the diverse historical and cultural contexts of the region. They are a crucial link to creating a constituent base in Track I (Morada, 2006).

## **Summary**

Progress in human security in the Philippines is influenced by the policy-making style favoured by the Association of Southeast Asian Nations. The 'ASEAN Way' underscores a consensual approach to decision-making, informal structures and processes, and the principle of non-interference in member-countries' internal affairs. Along these lines, ASEAN was one of the first alliances to think of comprehensive security, an important step toward fulfilling the first important trait of human security – the *broadening* of the agenda of security from the focus on direct violence to problems like poverty, epidemics, food security, human rights, and climate change. However, the 'ASEAN Way' identifies the referent of security as the sovereign nation-state, which goes against the second important characteristic of human security – *deepening* of security from a focus on the state to a focus on human individuals and communities.

A closer look suggested that ASEAN may be averse only to *protective* human security, which stresses 'freedom from fear' but challenges the state's absolute sovereignty in order to intervene (with direct sanctions if necessary). ASEAN elites may be more comfortable with *developmental* human security, which stresses 'freedom from want'

and the importance of economic issues in advancing human security and sustains the use of coercive power by the nation-state.

When the broader ASEAN practice of human security is filtered by contextualisation of member-states' political systems, it would seem that if political will is weak, states with relatively open democratic practices would show constrained human security results but well-articulated, contextualised policies by non-state actors. That is the case of the Philippines. Human security issues are location-specific, multifaceted, constantly changing – they are best dealt with by civil society organisations that operate at levels beneath state obstruction (or weakness).

As 'securitisers', non-state organisations and players have adopted three facets of power – decisional, discursive, regulatory – in order to develop a robust yet flexible coping capability. Along these lines, Philippine NGOs have intervened, directly or indirectly, in the decision-making process, have shaped and disseminated politically relevant values and norms, and have taken the initiative to set rules *themselves*.

Human security does not bypass the Philippine state, weak though it is. The most appropriate role for the Philippine government based on a human security agenda would be to facilitate productive change by its own agencies and to rebuild existing structures to improve their capacity and effectiveness. From a weaker vantage point, the Philippines can join inter-state regimes and quasi-diplomatic second-track arrangements, which reduce transaction costs and facilitate reciprocity among nations.

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