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HARD CHOICES:
SECURITY,
DEMOCRACY, AND
REGIONALISM IN
SOUTHEAST ASIA

The **Walter H. Shorenstein Asia-Pacific Research Center (Shorenstein APARC)** is a unique Stanford University institution focused on the interdisciplinary study of contemporary Asia. Shorenstein APARC's mission is to produce and publish outstanding interdisciplinary, Asia-Pacific-focused research; to educate students, scholars, and corporate and governmental affiliates; to promote constructive interaction to influence U.S. policy toward the Asia-Pacific; and to guide Asian nations on key issues of societal transition, development, U.S.-Asia relations, and regional cooperation.

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(edited by Gi-Wook Shin and Daniel C. Sneider, 2007)

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Edited by
Donald K. Emmerson



THE WALTER H. SHORENSTEIN
ASIA-PACIFIC RESEARCH CENTER



INSTITUTE OF SOUTHEAST ASIAN STUDIES

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PREFACE

Asian regionalism is a major topic of research for the Walter H. Shorenstein Asia-Pacific Research Center (Shorenstein APARC) at Stanford University. This volume is the second of a three-part series of books on Asian regionalism that the center is publishing. The first volume, *Cross Currents: Regionalism and Nationalism in Northeast Asia* (2007), looked at the tensions between increasing regional integration and rising nationalism in Northeast Asia. Its content was based on an international conference that was held at Stanford in May 2006.

The following year, in May 2007, my colleague, Professor Donald K. Emmerson, led a conference at Shorenstein APARC that examined the interplay between security, democracy, and regionalism in Southeast Asia. This book is an edited volume of the revised conference papers, written by scholars from across Southeast Asia and outside the region.

For the final installment of our inquiry into Asian regionalism, we held a third conference, in June 2008, in cooperation with the Observer Research Foundation of India, which focused on the prospects for regionalism in South Asia. The papers from that gathering—which brought together scholars from across South Asia with experts from Russia, China and the United States—will be published in 2009.

This book and its companion volumes offer provocative, detailed perspectives by some of the finest scholars working in Asian studies today. In publishing these books, we hope to bring this important material to a wider audience, and thereby to advance understanding of Asian regionalism and its impact on nations, both within Asia and beyond.

Gi-Wook Shin
Professor, and Director
Shorenstein APARC
Stanford University

ACKNOWLEDGMENTS

It is a pleasure in a book entitled *Hard Choices* to begin with easy ones—deciding whom to thank, for making this volume possible, for writing or improving its chapters, and for intellectual stimulation, collegial patience, and good humor along the journey whose destination these pages represent.

Plans for our voyage grew from a series of conversations with Southeast Asianist colleagues beginning in April 2006. I knew that 2007 would mark the fortieth anniversary of the Association of Southeast Asian Nations (ASEAN), and that its leaders planned to celebrate the occasion by underpinning the organization with a new and innovative ASEAN Charter. It seemed a good time for a fresh look at regionalism in Southeast Asia.

What I had in mind was an analytic account of security, democracy, regionalism, and their interactions. Combining these topics in a multiauthored book struck me as usefully novel. With talent and support, the result could appeal to a diverse set of interested readers—teachers and students, scholars and officials, professionals and businesspeople, and specialists as well as the general public.

My coauthors supplied the talent. Core support came from Stanford University's Walter H. Shorenstein Asia-Pacific Research Center (Shorenstein APARC). In May 2006, the Center held a conference at Stanford on regionalism and nationalism in Northeast Asia. The resulting collection, *Cross Currents*,¹ was the first of three planned volumes on regionalism in Northeast, Southeast, and South Asia. *Hard Choices* is the second in this series. A third book, on South Asian regionalism, is scheduled for 2009.

First drafts of our chapters were discussed over two days at a workshop held at Stanford in May 2007. Many of the essays implied or raised “hard choices” for ASEAN. Should Southeast Asia's leaders recommit themselves to an “ASEAN Way” of ignoring whatever its member regimes chose to do behind their own borders—sacrificing fairness inside member states to friendliness between them? Or should the Association, on the contrary, encourage democracy and respect for human rights throughout the region—trading diplomatic amity for political reform?

How, in particular, should ASEAN deal with the enduring dictatorship in its most reviled member state, Myanmar (Burma)? Should regional leaders maintain cooperation with the junta in hopes of moderating its behavior and preserving regional unity, even at the cost of appearing to abet repression,

¹ Gi-Wook Shin and Daniel C. Sneider, eds., *Cross Currents: Regionalism and Nationalism in Northeast Asia* (Stanford, CA: Walter H. Shorenstein Asia-Pacific Research Center, 2007).

and thereby damaging ASEAN's international reputation? Or should ASEAN criticize, impose sanctions upon, or even expel Myanmar's predatory regime for the sake of political accountability, human rights, and the Association's own image among democrats, even at the cost of opening a destructive rift between its most and least authoritarian member states?

How could regional priorities be allocated between the security of states and the security of persons, in countries whose regimes were responsible for human insecurity? Could ASEAN's respect for member-state sovereignty and consensus be squared with its interest in responding promptly to environmental disasters, infectious diseases, and other threats that ignored state borders? Could regionalism be reorganized to lessen the tension and increase the complementarity between stability on the one hand and freedom on the other? How? Would ASEAN's new Charter help or hinder its ability to manage such dilemmas?

In Myanmar in August–September 2007, antiregime protests broke out, grew, and were repressed by the junta with force and loss of life. Soon after, in November in Singapore, the final text of the ASEAN Charter was finally and officially announced and signed. At the end of November, to take these late-breaking events into account, authors who had focused on Myanmar or the Charter gathered for a one-day workshop in Singapore to present and discuss revised versions of one another's chapters. The editing process continued well into 2008.

Editors of multiauthored books run the gamut from A to Z, where A is the Absentee and Z is the Zealot. The Absentee is content to slap covers on whatever comes in and call it a book. The Zealot edits the manuscript to reflect his or her own opinions. Most editors distribute themselves between these extremes of indifference and imposition. I tried to respect the contrasting perspectives and arguments offered herein while striving for a consistency of style that would convey them more effectively. My coauthors were as responsive to my suggestions as they were magnanimous about being edited in detail. They tolerated my "Americanisms"—for example, a preference for the active as opposed to the passive voice. I am indebted to them for the quality of their work and the generosity of their understanding.

Edited books differ as well in the extent to which a reader must absorb the earlier chapters in order to understand the later ones. Readers of this book are under no such constraint. Because each author was free to fill in the background necessary for his or her argument, each reader is free to go directly to the chapters that interest him or her most. In addition to making this benefit possible, the occasional duplication of information regarding the Charter process and the controversy over Myanmar usefully exposes readers to differing interpretations of the same events. (This modular aspect should also be of value to teachers who might like to assign only certain chapters in their courses.)

Beyond writing this book, my coauthors helped in many other ways. Termsak Chalermphanupap graciously answered my interminable questions about ASEAN. Mely Caballero-Anthony shared her vast knowledge of "nontraditional

security.” Jörn Dosch provided a helpful link to parallel scholarship in Europe.² Kyaw Yin Hlaing met our deadlines despite being caught up in the maelstrom that his topic—Myanmar—turned out to be. David Martin Jones and Erik Kuhonta were kind enough to agree to write chapters in which they would disagree. Michael Malley helped me to remember that ASEAN as an organization and Southeast Asia as a region are hardly synonymous. Rizal Sukma was willing to change his travel schedule in order to attend the Singapore workshop. As noted below, that gathering could not have taken place without Simon Tay’s help. Together, in these and other ways, my fellow authors showed me how simultaneously stimulating and collegial a research community can be.

I am grateful to Shorenstein APARC and its director, Gi-Wook Shin, for providing the core budget for our first workshop, in May 2007. That event benefited as well from supplemental funding by Stanford’s Center on Democracy, Development, and the Rule of Law (CDDRL), and from travel support from the University of Leeds (for Jörn Dosch) and the ASEAN Secretariat (for Termsak Chalermphanupap). For hosting and funding our second workshop, in November 2007, I am happy to thank the Singapore Institute of International Affairs and its chairman, Simon Tay. His willingness to schedule our meeting one day before his own Institute’s ASEAN and Asia Forum 2007 enabled several of us to participate in both events. (The Forum’s co-sponsors included the International Foundation for Arts and Culture [in Tokyo], the Japan External Trade Organization, and the Singapore Institute of Management.)

Southeast Asianist colleagues in many countries merit appreciation. Surin Pitsuwan graciously agreed to preface our book. Amitav Acharya was unstinting in his encouragement and his ideas. Ong Keng Yong would have joined us at Stanford had he not been in Almaty at the time. Didi Babo-Soares relayed word of events and hopes in his country, Timor-Leste, a would-be and maybe-someday member of ASEAN. Brian Job shared his thoughts on regionalisms outside Southeast Asia.

Shorenstein APARC’s publications manager Victoria Tomkinson prepared the manuscript for publication. Her editorial skills, quick turnaround, and high professionalism deserve major credit for the readability, consistency, and appearance of our book. I am also grateful to Triena Ong of the Institute of Southeast Asian Studies for being so responsive, over lunch in Singapore, to the idea of copublication—and for all of her and her Institute’s subsequent efforts on the book’s behalf. Barbara Milligan ably copyedited *Hard Choices*; the Brookings Institution facilitated its circulation; and Shorenstein APARC’s

² Revised versions of a number of the papers written for a conference on “40 Years of ASEAN: Performance, Lessons and Perspectives” (held in May 2007 in Freiburg, Germany) were scheduled for publication in December 2008 in a special issue of *The Pacific Review* to be edited by Jürgen Rüländ and Anja Jetschke. See also the essays in “ASEAN at 40: Progress, Prospects and Challenges,” *Contemporary Southeast Asia* 29, no. 3 (December 2007), 395–525.

director for research, Daniel Sneider, was always supportive. Throughout the process, Carolyn Emmerson's love, generosity, and tolerance kept me going.

Last but not least, for relevant information and advice, not to mention friendship, I am grateful to Muthiah Alagappa, Ali Alatas, Jennifer Amyx, Dewi Fortuna Anwar, Maureen Aung-Thwin, David Camroux, Kavi Chongkittavorn, John Ciorciari, Priscilla Clapp, Ralph Cossa, James Cotton, Catharin Dalpino, Barry Desker, Larry Diamond, Alan Dupont, Ralf Emmers, Paul Evans, Cherian George, Natasha Hamilton-Hart, Mohamed Jawhar Hassan, Richard Higgott, Paul Hutchcroft, Erik Jensen, Clara Joewono, Joseph Liow, Noel Morada, Maria Ortuoste, Thitinan Pongsudhirak, José Ramos-Horta, Michael Richardson, Christopher Roberts, Jürgen Rüländ, Sheldon Simon, Hadi Soesastro, Ian Storey, Tan See Seng, Tan Siok Choo, Eric Thompson, Jusuf Wanandi, Donald Weatherbee, and Maung Zarni.

It would be nice if I could implicate all these people in collective guilt for whatever inaccuracies or infelicities have survived their assistance. That would, alas, be unfair and untrue. But if I am accountable for whatever shortcomings *Hard Choices* may retain in the wake of such ample and excellent advice, responsibility for the merits of the book belongs first and foremost to my coauthors and, in concentric circles of receding involvement, to the many others whose contributions are acknowledged here.

Donald K. Emmerson
Stanford, California
1 October 2008

ACRONYMS AND NOTE ON REFERENCES TO THE ASEAN CHARTER

Many acronyms appear throughout this book. Some are used frequently; others appear on only a handful of occasions. To aid the reader, all the acronyms used in this book are spelled out here, in alphabetical order. In each chapter, they are likewise spelled out on the instance of their first usage. The one exception to this rule is ASEAN—the Association of Southeast Asian Nations—which appears so often that repeatedly spelling it out is unnecessary.

ABAC	ASEAN Business Advisory Council
ACAMM	ASEAN Chiefs of Army Multilateral Meeting
ACC	ASEAN Coordinating Council
ACB	ASEAN Centre for Biodiversity
ACD	Asia Cooperation Dialogue
ACDC	ASEAN Centre for Disease Control
ACE	ASEAN Centre on Energy
ACFTA	ASEAN-China Free Trade Area
ACSC	ASEAN Civil Society Conference
ADB	Asian Development Bank
ADMM	ASEAN Defense Ministers Meeting
AEC	ASEAN Economic Community
AFC	Asian financial crisis
AFTA	ASEAN Free Trade Area
AIPA	ASEAN Inter-Parliamentary Assembly, formerly AIPO
AIPMC	ASEAN Inter-Parliamentary Myanmar Caucus
AIPO	ASEAN Inter-Parliamentary Organisation, renamed AIPA
AltSEAN	Alternative ASEAN Network on Burma
AMAF	ASEAN Ministers of Agriculture and Forestry
AMM	ASEAN Ministerial Meeting
AMME	ASEAN Ministerial Meeting on the Environment
APA	ASEAN People's Assembly
APEC	Asia-Pacific Economic Cooperation
APSC	ASEAN Political and Security Community, formerly ASC
APT	ASEAN Plus Three (ASEAN plus China, Japan, and South Korea)
ARF	ASEAN Regional Forum

ASA	Association of Southeast Asia
ASC	ASEAN Security Community, renamed APSC in ASEAN Charter
ASCC	ASEAN Socio-Cultural Community
ASCPA	ASEAN Security Plan of Action
ASEAN	Association of Southeast Asian Nations
ASEAN-CCI	ASEAN Chamber of Commerce and Industry
ASEAN DG	ASEAN Director-General
ASEAN-ISIS	ASEAN Institutes of Strategic and International Studies
ASEM	Asia-Europe Meeting
ASOEN	ASEAN Senior Officials on the Environment
AU	African Union
AWGHR	ASEAN Working Group on Human Rights
BSPP	Burma Socialist Program Party
CAFTA	China-ASEAN Free Trade Area
CIBs	conventional international bodies
CPV	Communist Party of Vietnam
CRPP	Committee Representing People's Parliament, Myanmar
CSIS	Centre for International and Strategic Studies, Jakarta
CSO	civil society organization
CSU	Coordination and Support Unit, RHAP, Indonesia
DG	director-general
DIPs	detailed implementation plans
DPR	People's Representative Council, Indonesia
DSGs	deputy secretaries-general
DSM	Enhanced Dispute Settlement Mechanism
EAI	Enterprise for ASEAN Initiative
EAS	East Asia Summit
ECO	Economic Cooperation Organization, Tehran
EEZ	exclusive economic zone
EPG	Eminent Persons Group
ERIA	Economic Research Institute for ASEAN and East Asia
EU	European Union
FDI	foreign direct investment
FEALAC	Forum for East Asia and Latin America Cooperation
FTA	free trade agreement
G8	Group of Eight
GCC	Gulf Cooperation Council, Riyadh
GDP	gross domestic product
GONGO	governmental nongovernmental organization
HDI	Human Development Index
HLTF	High-Level Task Force
HTTF	Haze Technical Task Force
IAEA	International Atomic Energy Agency
IAI	Initiative for ASEAN Integration

ICISS	International Commission on Intervention and State Sovereignty
ICG	International Crisis Group
ICJ	International Court of Justice
IMF	International Monetary Fund
IOM	International Organisation for Migration
IR	international relations
ISDS	Institute for Strategic and Development Studies, Manila
ISEAS	Institute of Southeast Asian Studies, Singapore
IWEP	Institute of World Economics and Politics, Hanoi
JCM	Joint Consultative Meeting
JMM	Joint Ministerial Meeting
LPRP	Lao People's Revolutionary Party, Laos
NATO	North Atlantic Treaty Organization
NC	National Convention, Myanmar
NGO	nongovernmental organization
NF	National Front, Malaysia
NLD	National League for Democracy, Myanmar
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NTS	nontraditional security
NTU	Nanyang Technological University
NU	Nahdlatul Ulama
NUP	National Unity Party, Myanmar
NWS	nuclear-weapon state
OPEC	Organization of Petroleum Exporting Countries
ORHAP	Operational Regional Haze Action Plan
PAP	People's Action Party, Singapore
PIF	Pacific Island Forum, Suva, Fiji
PMC	ASEAN Post-Ministerial Conference
PPP	purchasing power parity
PRC	People's Republic of China
R2P	"responsibility to protect"
RHAP	Regional Haze Action Plan, Indonesia
SAARC	South Asian Association for Regional Cooperation, Kathmandu
SADC	Southern African Development Community
SALW	small arms and light weapons
SAPA	Solidarity for Asian People's Advocacy
SARS	Severe Acute Respiratory Syndrome
SCO	Shanghai Cooperation Organization, Beijing
SEAMEO	Southeast Asian Ministers of Education Organization
SEANWFZ	Treaty on the Southeast Asia Nuclear-Weapon-Free Zone
SEARCCT	Southeast Asia Regional Centre for Counter-Terrorism, Kuala Lumpur
SEATO	Southeast Asia Treaty Organization
SEOM	ASEAN Senior Economic Officials Meeting
SG	secretary-general

SLORC	State Law and Order Restoration Council, Myanmar
SOM	ASEAN Senior Officials Meeting
SPDC	State Peace and Development Council, Myanmar
TAC	Treaty of Amity and Cooperation in Southeast Asia
TCG	ASEAN-Myanmar-UN Tripartite Core Group
UMNO	United Malays National Organization, Malaysia
UN	United Nations
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNSC	United Nations Security Council
USDA	Union Solidarity and Development Association, Myanmar
VAP	Vientiane Action Program
WALHI	Indonesian Forum for Environment
WTO	World Trade Organization
ZOPFAN	Zone of Peace, Freedom and Neutrality

Note on References to the ASEAN Charter

The contributors to this book regularly refer to the ASEAN Charter, which was signed by the leaders of all ten ASEAN member states in November 2007.

For ease of reference, the text of the Charter is reproduced as an appendix at the end of this book. The Charter has fifty-five articles, numbered consecutively throughout using Arabic numerals. Most of the articles are divided into Arabic-numbered paragraphs, and many of these contain alphabetically lettered clauses.

Throughout this book, sections of the Charter are identified as necessary by article, paragraph, and clause. For example, a reference to the article, paragraph, and clause stating that ASEAN and its member states shall act in keeping with the principle of noninterference would read: Charter, Art. 2.2(e). In the Charter, articles are also grouped under Roman-numbered chapters, but these merely identify the topics they subsume and are therefore not needed for reference purposes.

FOREWORD

Surin Pitsuwan

Secretary-General

Association of Southeast Asian Nations (ASEAN)

In writing this preface I feel as if I were briefly back in a previous life, the life of an academic with the luxury of time—time to read and think and write books like *Hard Choices*.

In the first seven months of my term as ASEAN Secretary-General, I have been constantly in motion, trying to meet numerous commitments in ASEAN and elsewhere. Cyclone Nargis, which devastated Myanmar's Irrawaddy Delta in early May 2008, suddenly thrust both ASEAN and me into the international spotlight. We have had to help the government of Myanmar help the cyclone survivors in a massive humanitarian operation that is unprecedented in the more than forty years of ASEAN's history to date. The Nargis operation constituted yet another challenge to ASEAN's lengthening agenda. It has also multiplied the flights I have to take, the meetings and negotiations I pursue, and the new commitments to request and to make. In addition to the region's economic plans and challenges, it is as if I have been living, on a daily basis, the topics of this book—security, democracy, and regionalism in Southeast Asia.

I am glad that the authors of *Hard Choices* pay major attention to nontraditional security (NTS). The new regionalism in Southeast Asia is not only about free trade and economic engagements with external trading partners. This new regionalism is about community-building in ASEAN. It is about narrowing the development gaps and removing pockets of poverty. It also involves mobilizing regional efforts and international support to cope with new and NTS challenges.

The nature of insecurity in Southeast Asia has undergone great changes in recent decades. New kinds of dangers have arisen that cannot be solved by governments alone. These threats have taken root in the cracks between sovereignties, the spaces between states. Major natural disasters, global warming, cross-border pollution, infectious disease, and international crime are just a few examples. Human security is at stake, not just the security of states. To overcome these challenges, we need the help of civil society—nongovernmental experts to partner with governments in studying and solving problems, whistle-blowers to expose abuses, activists and journalists to help render authorities accountable. ASEAN needs its civil society to serve as the link, the channel of communication to convey to the Association's leaders, ministers, and senior officials what is in the hearts and minds of nearly six hundred million Southeast Asians.

We in ASEAN need to reach out and inspire everyone in our ASEAN community to appreciate and adopt a double identity, both national and regional, so that someday every Southeast Asian can say: “I am a Thai (or an Indonesian, a Vietnamese, and so on), but I am also an ASEAN citizen.” But first we need to show and convince our peoples that everything our Association is trying to do in creating the three pillars of our community—a Political-Security Community, an Economic Community, and a Socio-Cultural Community—is aimed chiefly at improving their own welfare and well-being.

The third of these three pillars should be especially attractive to individuals and civil society organisations because it directly concerns development, human security, and regional identity. The Socio-Cultural Community is a wide-open opportunity to contribute to Southeast Asia’s identity across many sectors and topics.

I am pleased to note the attention paid to democracy in this book. Democracy, human rights, participation, accountability, justice, tolerance, and equality are just some of the big issues that we need to address in building a regional identity that is more than merely geographic. Democracy and human rights are no longer taboo topics for ASEAN. The days when domestic political controversies could not be discussed in regional settings are over.

My greatest challenge these past seven months has been organizing ASEAN’s response to the death and damage done to Myanmar by Cyclone Nargis. This has been a defining moment for our Association. ASEAN could not stand idly by and watch a natural disaster turn into a man-made one. So many lives were at stake, and so was ASEAN’s reputation. Our task was twofold. First, we sought to assure Myanmar’s leaders that foreign donors and aid workers would respect their sovereignty and that humanitarian relief would not be politicized. Second, based on that assurance, we worked to expand and speed the flow of assistance to the 2.5 million cyclone survivors. For this purpose we even opened a coordination office in Yangon in ASEAN’s name—an unprecedented move for the Association. ASEAN has risen to the occasion. We have been doing what our peoples rightfully expect of us. This is the New ASEAN—a community that puts people at the center of concern.

Many ASEAN initiatives are necessarily begun by the member governments, in top-down fashion. It was the leaders of Southeast Asia who decided that ASEAN should have a Charter. It was the foreign ministers, meeting in Singapore on 19 May 2008, who decided that ASEAN would lead a humanitarian assistance operation in Myanmar. But if we are to succeed in establishing a genuine ASEAN Community by 2015, top-down leadership alone will not suffice. ASEAN will also need grassroots support, including the participation of civil society organisations.

Security and democracy are part of the ASEAN Charter. Once the Charter is ratified, it will become part of ASEAN. As I hope our response to the tragedy of Nargis already illustrates, ASEAN is not and will not be part of the problem. Rather, it is and will be part of the solution to a range of challenges that are

described and analyzed from various perspectives in this book. The book's title is appropriate. These challenges pose hard choices—hard, but not impossible to make.

My message to the readers of this book is that the New ASEAN, led by its ten member states and focused on their peoples' needs, can and will make the tough decisions necessary to achieve a secure and prosperous, open and tolerant, caring and sharing community of Southeast Asian societies in the twenty-first century.

Surin Pitsuwan
Jakarta, Indonesia
1 August 2008

[Editor's Update: On 21 October 2008, as this book was going to press, the ASEAN Secretariat announced that the ASEAN Charter had been "fully ratified by all ten ASEAN Member States."]

