



United States Institute of Peace

**American Leadership in the Asia Pacific, Part 3:
Promoting Democracy, Human Rights, and the
Rule of Law**

**Testimony before the Senate Foreign Relations
Subcommittee on East Asia, the Pacific, and International
Cybersecurity Policy**

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Chairman Gardner, Ranking Member Markey, and members of the Subcommittee, thank you for inviting me to testify this afternoon. I am grateful for the opportunity to provide my own perspective on this important topic.

As a citizen, I am also grateful for the series of hearings this Subcommittee has organized in recent months to examine U.S. interests in East Asia, beginning with examinations of security, economic affairs, and now human rights, governance and rule of law. Too often, these interests are looked at independently, as distinct from one another, when they are in fact closely linked.

I am reminded that when I moved from the National Democratic Institute to the Pentagon's Asia division 20 years ago this month, friends in both communities would commonly question how I could transition from democratic development to international security affairs. I never understood the inconsistency. While the communities may be rather segregated, the connection between them to me was clear: that safeguarding international security creates necessary space for political and economic reform, and the stability created by economic growth and democratic governance contributes to international peace and security in return.

Indeed, it has been my observation and experience that commitment to values of human rights and democracy is not merely an idealistic goal or an ideology but quite proven in practice. When countries promote individual human dignity and protect civil liberties, they tend to be more highly functioning and stable societies. They create conditions for peaceful interaction within and among states. They provide platforms for individual achievement. They also become more appealing destinations for business investment, and are able to prevent their territory from becoming a source of international instability or transnational challenge. Stable democratic nations rarely become the source of refugee flows, or the epicenter of pandemic disease, human trafficking, and the like.

Nonetheless, the perception persists that somehow promoting human rights and democratic governance is at best a luxury and at worst an obstruction to protecting U.S. economic and national security interests around the world. American "moralism" is hypocritical, arrogant or just unwelcome, according to this view. This view contends the United States would do better to tone down if not eliminate promotion of human rights and democracy as a central component of its international relations, the better to promote other more salient national interests.

East Asia

East Asia in fact is particularly open to such a perspective. The region has been traditionally dominated by "realist" attitudes that prioritize the importance of power balances and economic growth over liberal political values. To a degree that makes sense given the region's diverse mix of large and small powers, where historical legacies weigh heavily on relations among states, and where national power and political legitimacy of leaders has rested increasingly on the ability to deliver public economic goods.

Given this context, America has maintained its power and credibility in East Asia largely due to its contributions to regional security and economic affairs. Regional governments and elites have often denigrated U.S. efforts to prioritize democracy and human rights in the region. One factor is Asia's colonial past. Sensitivity over external involvement in their internal affairs runs deep in many countries, reflected in Southeast Asia's foundational "Five Principles of Peaceful Coexistence."

Asian (and some non-Asian) commentators over the years have also advanced a theory of Asian exceptionalism: that “Western” values of democracy and human rights are somehow alien to Asian culture, lack foundation in Asian history, and thus are unnatural to Asian society. Those who asserted a distinction between inherent “Asian” and “Western” values contended that while Western traditions put a premium on individual rights, personal liberties, and democratic governance, Asian culture and history led to prioritization of collective responsibilities, strong central governance, social harmony, and economic over political rights. According to this view, attention to individual rights and popular democracy in an Asian context is an invitation to instability and division if not chaos.

East Asia’s history since the late 1980s has challenged this notion of Asian exceptionalism, however. Over the past 30 years, the region has enjoyed a rush of democratic change and advancement of human rights accompanied by relative stability and dynamic economic growth. When presented the opportunity, the people of East Asia like others around the world have demanded that their voices be heard and respected, and that they have the right to hold their governments accountable. Progress has been hardly linear, without setbacks, or shared among all nations in the region. But those who claim Asia as a whole is uniquely immune to the yearning for individual rights, personal freedoms, and accountable (democratic) governance have had to reassess.

Soft Power

It is of course not uncommon for autocrats anywhere to assert that democracy and civil liberty must be restricted in their country, that suppression of political and social rights is necessary for national security, stability, and economic development. But citizens have a different idea, and it is to them that the United States looks when promoting principles of human rights and democracy. America’s reputation as a source of support for freedom fighters and democratic activists around the world is expected and widely respected, even among many of those who may decry American naivete and question U.S. intentions and consistency.

That reputation and commitment to liberal values and principles has been a critical source of American power and influence around the world. “Soft power” is perhaps an unfortunate term given those who instinctively associate something called “soft” as akin to “weak.” But power is power whatever form it takes. We forego that advantage at our peril. Touting the nobility of U.S. budgets that reflect interest in “hard power” alone, therefore, is not strategic thinking but narrow, shortsighted and disconnected from the totality of ways to protect one’s interest and exercise influence in today’s world.

The United States should also consider engaging business in the effort. While some U.S. businesses chafe at the U.S. Foreign Corrupt Practices Act and other regulations on its global activity, their existence and U.S. business’s overall leadership in exemplifying corporate social responsibility around the world are further examples of U.S. soft power, and can offer U.S. business advantages when branding themselves to customers and communities overseas in turn.

In East Asia, trade may also serve as a lever for promoting our values given its role in underwriting the region’s growth. The Trans-Pacific Partnership (TPP) agreement was a landmark achievement to promote labor rights and good governance in countries where such rights and practices have historically been weak. While recognizing the need to take account of effects of trade agreements here at home, foregoing the TPP frankly damaged both our credibility and our values in Asia.

The U.S. military can also help demonstrate to regional militaries that (hard) power and principle are not mutually exclusive, and that the values of transparency, accountability, and civilian control have strategic benefit. Providing opportunities for U.S. servicemen and women to engage with counterparts (and others) in East Asia to this end can create lasting partnerships, and help promote responsible, professional militaries that will underwrite regional stability over the long term.

In the end, human rights and democracy must result in practical outcomes for peoples' lives: "democracy must deliver," as former Secretary of State Madeleine Albright likes to say. Demonstrating the benefits of connecting countries to the United States, and to its norms and values, has long-lasting strategic value if only to prevent nations from aligning with the values and norms of others with less interest in contributing to the general welfare.

Expectations Management

Time and patience are required in the realm of human rights and democracy promotion. In very few instances is measurable progress achieved quickly or completely. Steps back are inevitable, with realization of our fondest hopes a work in progress in virtually all cases (including here at home). Imperfect outcomes are the natural outcome of imperfect systems and the imperfection of human beings.

Likewise, many countries may seek democratic change in the belief that doing so will inevitably and quickly lead to economic development and national power like the United States. Expectations there too must be managed. Transitions are difficult and protracted, with setbacks normal. Disappointment and disillusion are the common result when outcomes do not match expectations, leading often to reaction and regression.

The United States thus must not only be patient with the course of change, but also should counsel other countries on the difficulties that come with reform. We ourselves must not succumb to the notion, for instance, that successful elections mark the end of the process, but remember that developing new institutions, processes and mindsets are the most essential components to fortify and sustain a free society over time.

State of Play in East Asia

Asia's tremendous diversity prevents a one-size-fits-all approach. Spanning the world's largest country (China), largest Muslim-majority nation (Indonesia), last remaining totalitarian state (North Korea), and medium-sized nations that run the full gamut of democratic progress, human rights protection and authoritarian rule, the region has resisted categorization. Nonetheless, as noted above, democratic transitions in East Asia over the past generation have affirmed that people throughout the region, regardless of culture, ethnicity, religion, etc., seek and desire basic human dignity, rights, and freedom.

It is no coincidence that the U.S.'s two allies in Northeast Asia – Japan and Korea - are both democratic success stories. They demonstrate the positive impact of U.S. engagement historically in the advancement of democratic principles and human rights in East Asia. They remain essential partners of the United States and core contributors to global development and stability.

The U.S.'s two Southeast Asian treaty allies pose more of a conundrum. Thailand's regression following the 2014 military coup and the Philippine President Rodrigo Duterte's violent drug war (and apparent

personal aversion to the United States) have led to a chill in both bilateral relationships in recent years. In each case, the United States has profound regional security interests in maintaining stable bilateral relations. We must not sacrifice all that we have built with such historic friends. Nonetheless, as a matter of principle and interest, it is appropriate that the United States not conduct business as usual even with such long-time allies to demonstrate our support for upholding the most basic tenets of human rights, due process and accountable governance and as a warning to others considering a similar path. Thailand's long-delayed plan to hold national elections in 2018, for instance, must occur to help put that relationship back on sound footing.

While not involving an ally, the United States should also not ignore national elections in Cambodia in 2018. Cambodia's political opposition, despite severe harassment, achieved better-than-expected results in recent local elections, suggesting growing political strength. Meanwhile, Prime Minister Hun Sen has suggested he intends to hold onto power past 2018 through any means necessary. The situation requires close watching - and international engagement - to ensure democratic processes are safeguarded, human rights protected, and the popular will respected so Cambodia does not fall further back.

In Southeast Asia more broadly, despite traditional sensitivity toward issues of national sovereignty, nations are beginning to pay more attention to the effect of internal affairs of neighbors on their interests. ASEAN has established a Human Rights Council, while the ASEAN Charter affirms principles of democracy, human rights, good governance, and rule of law as essential to building an "ASEAN Community," the region's vision for promoting future economic development.

Burma's abuse of the Muslim Rohingya population on its soil, for instance, has led to furious responses from (Muslim) populations in Indonesia and Malaysia. (Abuses against the Rohingya elsewhere in the region, including within Muslim-majority nations, get rather less attention from local populations.) Burma's neighbors also resent the refugee flows and human trafficking networks that contribute to regional instability.

Outside of Burma, other ethnically and religiously diverse nations of Southeast Asia increasingly struggle to balance majoritarian nationalist attitudes and minority rights. Hate speech disseminated through social media afflicts the region as elsewhere in the world, and in many cases has inflamed sectarian tension. In majority-Muslim Indonesia, the ethnic Chinese Christian former governor of Jakarta not only lost his re-election bid but also faces extended jail time over a political comment considered blasphemous towards Islam. The majority-Catholic Republic of the Philippines has struggled for decades (as did Americans before them) with unrest in its Muslim-dominated southern islands. The implications of rising chauvinism in Southeast Asia is affecting relationships among neighbors, where one nation's majority is another nation's oppressed minority, threatening regional cohesion and integration.

The hardest East Asian cases of course concern China and North Korea. While China's human rights record is no longer akin to North Korea's, its antipathy to rule of law, civil and political rights, and accountable democratic governance hardly stands up to minimal levels of scrutiny. Nonetheless, given overriding interests of American national security, attention to human rights in both countries has receded in both cases. That is unfortunate and need not continue, even if it cannot override the urgent priorities of national security.

Case Studies: The Republic of Korea, Taiwan, and Burma

Three specific cases exemplify the value of U.S. promotion of human rights and democracy in East Asia.

Korea: Imagine if the Republic of Korea were not a democracy. Seoul recently underwent a political crisis punctuated by mass street demonstrations and a legal challenge that resulted in the removal of a sitting president, a new election, and a peaceful transition of power to a new president. The process was a model of democratic efficiency and rule of law.

It was not always thus. Prior to its democratic transition 30 years ago, the ROK had a history of assassinations, civil unrest, and violent repression. We might consider how different our security situation would be today, in the face of an escalating threat from a nuclearizing North Korea, were the ROK experiencing political unrest in a non-democratic rather than democratic context. What if the Korean people's support for the U.S.-ROK alliance were not at all-time highs but akin to years ago when the United States was viewed as a friend of the nation's autocrats? What if ROK society were not united and stable, and confident in U.S. good faith interest in their rights and success? How do we calculate the value of today's democratic ROK to our national security?

In Korea, we have a case of "the dog that did not bark," where one takes for granted the absence of a crisis due to the stability of a democratic society. We should in fact never take such for granted.

Taiwan: We should also consider the example of Taiwan. Due to geopolitical factors, Taiwan is often considered a potential negative factor in regional security rather than what it is: an East Asian success story. That China demands the world ignore the island due to its own nationalist attitudes should not obscure the fact that Taiwan's political, economic, social, and cultural achievements are substantial, and deserve to be recognized and cherished, not isolated and ignored, for their contributions to the region and beyond. What Taiwan has constructed for itself – a peaceful, stable, developed democratic society – also challenges the notion that "Chinese culture" is inconsistent with democracy.

The United States thus has an interest to preserve and protect Taiwan's accomplishments, and promote the island's participation in world affairs given its potential contributions. Taiwan's stable development is a reflection of what we want to see throughout Asia. To give up on them, or to take what they have achieved for granted, undermines in turn America's interest and credibility in seeking a stable, secure, and prosperous East Asia.

Burma: U.S. policy toward Burma during my tenure as special envoy and then U.S. ambassador to Burma between 2012 and 2016 essentially continued long-term U.S. policy of promoting human rights and democracy in the country, if increasingly through engagement rather than isolation. I witnessed first-hand the deep respect the Burmese people had for the United States due to our strong and sustained commitment over many years, reflected in Congressional legislation and the policies of successive presidential administrations of both parties, to stand with the nation's democratic and human rights activists instead of exploiting the country for economic or geopolitical gain. The transition in Burma is not complete, future success is not certain, and debates continue in some quarters over the appropriate U.S. policy to maintain leverage for change going forward. But there is no question in my mind that the application of a combination of U.S. pressure and engagement in support of Burma's reform in recent years had tangible impact on the political evolution there, and contributed to the current moment of hope and opportunity, the first the Burmese people have had in decades.

On the walls of the U.S. embassy in Yangon, we listed five goals of our work to remind everyone of how we might measure strategic success for the country and of our work: an end to the civil war through a just peace; human rights and democracy; economic development; “resilient communities” (defined essentially as health, education and protection against natural and man-made disasters); and transnational security (nonproliferation, human and drug trafficking, pandemic disease, etc.).

The logic of this list was simple: a sustainable end to the world’s longest-running civil war, and maintenance of unity in a country of such immense diversity and extended trauma, could not occur without respect for the rights and dignity of all, and in turn human rights and democracy could not take hold absent internal peace and reconciliation. Economic development is essential to demonstrate that reform can deliver tangible dividends to the people. Local resilience is critical for internal stability during what will necessarily be a long and difficult transition. And Burma’s conformity with international norms is essential for broader U.S. interests in regional security.

In every case, U.S. policies were geared to supporting Burma’s success, with promotion of human rights and democratic processes a central and fully integrated component. We understood without that element, peace, stability, security and overall development of the country, and the region, could not be achieved, to the detriment of U.S. interests.

We also understood the stakes, that the region was watching, that during a period of overall political regression in Southeast Asia, success of Burma’s reform efforts could serve as an important model for others. While we well recognized that the most important factor in success would come from the remarkable courage, resilience and sacrifice of Burma’s people, we also knew – and heard often -- that the continued support of friends on the outside, most importantly the United States, was welcomed by the Burmese people and would remain essential for their continued progress.

Clarifying and Communicating Intent

Since World War II, U.S. foreign policy has been based on a belief in the value of a common series of norms, rules, standards, and values for international conduct that will be applied equally and serve the common good. The United States has believed its success and security are linked to the success and security of others, on the assumption that we are all acting consistent with these rules and norms. That strategy served the United States well during the Cold War and has continued to animate our approach to international affairs into the 21st century.

Those who favor promoting human rights and accountable democratic governance around the world will have to continually make the case for why those norms are an essential component of international peace and security. They will also need to reassure cynics and skeptics both at home and abroad who may misunderstand the such a policy.

That in supporting values of human rights and democracy, the United States does not seek perfection, does not take an attitude of moral superiority, recognizes the complexities of individual national contexts, and maintains a healthy dose of humility about itself and the work yet to be done here at home.

That the United States does not seek to remake the world in its own image. That there are many forms of democracy, for instance, that do not precisely conform to that of the United States (although certain

basic principles are essential, such as civilian control of the military, free media and civil society, an independent judiciary, etc.).

That U.S. interests when promoting democracy are focused on a fair and free process rather than seeking any specific political outcome.

That the United States does not seek to go it alone. That we continue to pursue partnerships with allies and other like-minded nations in Asia and elsewhere who also see the benefits of human rights and accountable governance to international peace and security.

That contrary to the assertions of autocrats - who clearly have a conflict of interest in such matters - U.S. intentions are not to undermine a nation's strength or unity but to enhance the country's long-term stable development, and enhance regional stability by extension.

And that we recognize the fundamental human truth that there is more to life than politics or economics. That human beings fundamentally crave the dignity of controlling their own futures and expressing themselves in their own voice in whatever form they find most comfortable. To contend otherwise is to deny human nature, and create social, civic and political tension internally that will inevitably cross borders and affect the interests of other states.

Recommendations/Final Observations

Several recommendations follow:

Consistent Commitment and Messaging within the U.S. Government: The most urgent requirement is for the current U.S. administration to recognize the importance of human rights and accountable governance to U.S. interests around the world, and to return it to U.S. foreign policy. Concurrently, the U.S. Congress should assert its traditional prerogative as conscience of the country. Ideally, State Department diplomats, Defense, Treasury and Commerce Department bureaucrats, and members of Congress should all get on the same page to ensure discipline, consistency and integrity in word and action over time, even if perfect consistency is impossible. Policies should be coordinated to the greatest extent possible to prevent dilution of the impact and credibility of a values-based approach.

Attention to National Context: Demonstrating due respect for local contexts is essential for U.S. credibility and integrity of effort. That means ensuring one understands history, culture, the unique touchstones, interests, sensitivities, and qualities of both a nation's government and people to ensure one is speaking in a language consistent with the nation's own conception of national interest. This is not a matter of compromising on principle but of constructing an attitude of respectful partnership to avoid damage to international relationships. Country specialists and qualified diplomats who can navigate this terrain are critical.

U.S. Embassy Leadership: More specifically, a successful values-based policy requires creative and proactive leadership of U.S. embassies overseas, starting with the ambassador. As the ambassador goes, so goes the embassy. Ambassadors should cultivate and enforce a "one mission" attitude that integrates and shapes the work of not only State Department components but also USAID, the Defense Attaché Office and others into a coherent strategic whole to advance human rights, democracy and other goals on the ground.

Demonstrating Openness and Humility: As noted, it is essential that the United States assume a tone of humility about its own challenges when promoting human rights and democracy overseas. When I was ambassador, I discovered I was most successful when I was as open and candid as I could be about the difficulties of democracy in general, and the challenges the United States itself has faced on racial, ethnic, religious, and other lines throughout our history - and that we continue to struggle with today. By providing lessons, good and bad, from our experience, and being open ourselves to constructive criticism and lessons from outside, we can be a positive example for others, as well as disarm those who have self-interested reasons to dismiss U.S. human rights and democracy promotion as cynical or hypocritical.

Patience, Constancy, Resources: Given that human rights and democratic gains take hold gradually and that political transitions transcend single moments in time such as elections, the U.S. government, including Congress, must maintain attention and provide resources on a consistent basis over time to support the institutions and processes that promote human rights and accountable governance around the world. Such support should not wane due to premature assumptions of success, disappointing setbacks, or periodic shifts in political winds in the United States. Congress should sufficiently fund both the State Department and USAID to this end, as well as other leading institutions that conduct related work in Asia, including the National Endowment for Democracy (and the National Democratic Institute and International Republican Institute by extension), Radio Free Asia, Voice of America, The Asia Foundation, the East-West Center, and the U.S. Institute of Peace.

Partnerships: Promotion of human rights and democracy is no longer the unique province of the United States or even governments. As more nations go democratic, interest in integrating human rights and democracy into their foreign policies has grown, including in Asia. The United States should build partnerships with governments and civil society organizations alike with Asian democracies such as Japan, Korea, Taiwan and Australia, which will have the added benefit of potentially defraying costs as well as putting a helpful regional face on the work of human rights and democracy promotion in Asia. The U.S. government should also consider how to integrate U.S. business into such activities given their global leadership in corporate social responsibility.

Conclusion

Finally, this testimony has omitted perhaps the most common rationale offered for why the United States has an interest in human rights and democracy, whether in Asia or elsewhere: because it is a fundamental component of who we are as a nation, that it is essential to America's founding idea and meaning as a country.

The United States may not always be perfectly consistent in application, and will compromise on these principles at times when an overriding national interest is at stake. All foreign policy after all is a matter of setting priorities and making choices based on context. But the United States boasts a tradition extending at least to Woodrow Wilson's 14 Points, FDR's Four Freedoms, Ronald Reagan's Westminster speech, if not to Lincoln's Gettysburg Address and the Declaration of Independence, that impels us forward.

Without a principled element to our foreign policy, the United States becomes just another self-interested major power, of which there have been many that have risen and fallen throughout history with few mourning their departure. We also unilaterally throw away our unique strategic advantage among peoples of the world as a generous great power, one that generally inspires admiration and

respect not fear and anger, and one that is committed to the overall well-being of others as equally worthy to the inalienable rights to life, liberty and the pursuit of happiness.

The defining challenge of the 21st century will be preserving, and at times adapting, the norms, rules, and values of the post-World War II international system given the rise of new major powers who may be uncomfortable with the status quo. If the United States does not lead in helping shape these norms and values, including on human rights, democracy and the rule of law, no one else can or will quite take our place. And others will just as surely fill that void with their own version of values promotion, to our lasting detriment.

The view expressed in this testimony are those of the author and not the U.S. Institute of Peace.