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Economic implications of the U.S.-ASEAN discourse on human rights.

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This examination of aspects of the complex relationships between human rights and trade was inspired by our exposure to sincere expressions of confusion and alarm during recent visits to Southeast Asia. In particular, many business leaders in the region are openly concerned about reactions of the United States and other western states to alleged human rights infringements in Asia. Highly visible disagreements between the United States and China in combination with other public disputes between western and Southeast Asian groups and governments have created a setting in which rumors and fears of punitive trade sanctions are abundant and plausible. And contributions to the discourse from official American sources have done little to discourage notions of linkage between human rights issues and trade policies.

North American media and public officials have been increasingly vocal in condemning human rights abuses in Asia. The primary target of this rhetoric has been China, where recent issues provoking public commentary and emotion have included the well-publicized detention of an American citizen, Harry Wu, and tensions between attendees and their hosts at the United Nations Conference on Women in Beijing. Because a substantial majority of Southeast Asians engaged in international business activity are themselves of Chinese descent, the U.S.-China tension is all the more interesting - and ominous. While they might like to shift their commercial activities in such a way that their dependence on the U.S. market is reduced, this would be a major and difficult adjustment.(1)

Although it is only prudent and logical for these business actors to be concerned about such risks, we believe that their anxiety is unwarranted. To the extent that trouble has been brewing between the United States and the ASEAN countries the broader historical context makes it likely that the dispute(s) will be on the order of a lovers' quarrel, relatively disruptive only because relations have been so favorable for many years. Moreover, the entire discourse regarding human rights is intermittent and ill focused, shaped by the dynamic coalescence of a variety of irritations felt by all parties. While these problems could intensify and threaten the long-term friendship between the United States and ASEAN, for the moment the alliance forged during the Vietnam War (now, ironically, including Vietnam itself) and the ensuing years of fruitful economic relations appears relatively firm if not solid.

If expressions of disagreements about human rights and related issues sometimes seem harsher than necessary, that often is because the issues involved are multifaceted and, in many cases, susceptible to emotional interpretations and responses. The main protagonists in this drama ostensibly are nation-states which, far from being unified, are collections of diverse groups and individuals with widely varying interests and changeable perceptions. While declarations by the most outspoken of these groups may dominate media attention, they are not particularly likely to be translated into policy outcomes. By way of previewing our analysis of the human rights discourse, we would just mention here the divisions within the United States policy community between pragmatists and idealists (and at times between the

administration and Congress) and the familiar quest of many politicians for a middle ground satisfactory to all sides.(2) This division and other aspects of the issue are not unique to U.S.-Asian relations. Labor relations abuses in Central America and the Caribbean, for example, are high on the agenda of some American labor unions and, consequently, of some manufacturers who subcontract with factories in the region. The fact that some of these factories are owned and managed by Asian interests underscores the global character of these problems.(3)

Analysis of Southeast Asian-U.S. interaction inevitably extends to third parties. The urgency of diplomatic and economic problems with China, for example, gives ASEAN governments some breathing space as well as signaling emerging trends and biases in American policy. And bilateral explanation is inadequate for other reasons. American criticism of Singapore thus is not limited to allegedly repressive laws and their domestic implementation; Singapore's policies toward Burma also are at issue. Accordingly, the release from house arrest of Burmese opposition leader Aung San Suu Syi in July of 1995 was interpreted by U.S. officials as vindication of their policy of isolating and pressuring Burma by discouraging trade and denying most forms of assistance. In Singapore, on the other hand, it was characterized as a consequence of rapidly escalating commercial relations between Burma and Singapore and other countries participating in Singapore's policy of "constructive engagement."(4)

Arguments made by the many different parties to the discourse are presumed here to be mostly sincere. We even find that most have at least some merit. We do conclude, however, that their meanings are far more symbolic than instrumental, perhaps a fortuitous outcome given certain flawed assumptions on both sides. In particular, we find a simplistic tendency by most participants in the discussion to accept premises, usually unstated, about the favorable, even ideal status of human rights in the west and especially in the United States. In the months leading up to deployment of American troops in former Yugoslavia this was partly offset by the failure of the United States (as the one remaining "great power") to provide meaningful protection to Bosnian Muslims. Islamic interests in Malaysia, Indonesia, and Brunei were especially moved to argue the hypocrisy of American complaints about human rights transgressions in Asia in light of American inaction in the former Yugoslavia. Nevertheless, the Bosnian situation cannot easily be construed as readily subject to U.S. determination.(5) The general discourse therefore continues to incorporate an exaggerated view of differences in human rights principles and practices. Since this exaggeration arguably serves nationalistic mythologizing - and elite political interests - both in North America and Southeast Asia, its continuation probably should come as no surprise.

The ambivalence represented by the coexistence of the realist and idealist points of view is not unique to the U.S.A., of course, and may even be seen as descendant from European attitudes during the colonial period. The more idealistic position at that time gave relatively high priority to humane treatment of colonized peoples. Generally speaking, of course, the idealists rarely prevailed in colonial policy-making, and contemporary Southeast Asians, in any event, "remember" a more "realistic" and exploitative colonialism. This collective memory justifies - and is justified by - a characterization of recent western pressure for human rights reforms in Southeast Asia as hypocritical. And anyone familiar with the record of colonial reactions to the emergence and struggle of movements of national independence in the region knows that these reactions mostly reinforced the earlier lessons of colonialism. As Malaysia's deputy prime minister put it at a conference in Singapore a year ago, "There are those who consider they still have a civilizing mission in Asia, namely to sermonize Asians about freedom and human rights...to allow ourselves to be lectured and hectored on freedom and human rights after 100 years of struggle to regain our liberty and human dignity, by those who participated in or benefited from our subjugation, is to willingly suffer impudence."(6) This widely quoted statement illustrates the point that the human rights discourse is well suited to sound-bite quality rhetoric, a form of discourse that fits well into the ongoing spectacle of politics to which ordinary people are treated.

Not only does the historical association between Southeast Asia and the west predate the contemporary exchange about human rights; it is in fact such a powerful source of feelings and ideas that more contemporary realities sometimes get neglected. The interpretation of western hypocrisy as mainly a matter of forgetfulness reminds us that colonial powers hardly exemplified model human rights practices and, indirectly, that human rights violations of the kinds alleged to occur in Southeast Asia today were equally commonplace at earlier stages of development in the "first world." Oddly, however, this, along with foreign policy "failures" in Bosnia mentioned above, usually is as far as the contention about hypocrisy goes, thus failing to speak to the potentially more troubling facts of present-day human rights shortcomings in the United States and other western nation-states. Few Southeast Asian observers are likely to see coverage of such events as the August 1995 discovery of a Los Angeles sweatshop where underpaid Thai garment workers were virtually held prisoner.(7) Nor are they likely to learn of the more general U.S. human rights deficiencies documented in the self-critical report recently submitted by the U.S. delegation to the United States Human Rights Committee.(8)

Since we are analyzing the discourse rather than policies and practices, it would be tangential to substantiate the point at length. Consider, however, the issue of U.S. prison labor, where the evidence is remarkable in the light of American protestations about this issue in China. According to the "Label Letter," a publication of the AFL-CIO, thousands of state and federal prisoners are paid subminimum wages for their work on furniture, electronics, automobile parts, toys, and an array of other products.(9) Southeast Asians chafing over adverse reports by, say, Human Rights Watch, seem unaware that comparable reports have found serious shortcomings in the American record.(10)

This is not to say that state authorities in the United States and, say, Singapore share equally repressive ideologies and thus have an identical stake in disregarding and marginalizing such NGO assessments. Moreover, even if that were the case their inclinations and ability to cooperate toward that end would be reduced by the insistent activism of nonstate human rights advocates and the impact of economic interdependence and technological change on the quality and quantity of the dialogue. For better or worse, both the American and Southeast Asian economies have been profoundly affected by economic internationalization. As new technologies facilitate globalized finance and expanded trade relations, they also have such discrete consequences as the temporary and ill-fated residence in Singapore of Michael Fay. Both in such capricious and more broadly systematic ways the progress of technology has multiplied greatly the available information about conditions and practices as well as values and ideas in other countries. For Americans (and others) this has meant increasing awareness both of certain discrete incidents as well as ongoing, official policies that are interpreted by some as inimical to human rights.

It does not follow that all westerners disturbed by repressive acts of Southeast Asian governments speak out on the subject. But some do, in ways that will be considered below. In order to establish that a discourse does indeed exist, it may be more useful to examine first the "response" from Southeast Asia.

EVOLUTION OF THE SINGAPORE SCHOOL

The fact that Southeast Asians "talk back" to the west should come as no surprise. The impulse is nourished not only by the memories of colonial and postcolonial paternalism and the thrill of the struggle for independence. It is also consistent both with ASEAN's careful diplomatic efforts to avoid excessive reliance on and commitments to western allies and with the imperatives of domestic politics. The diminution of the Communist challenge globally and in the region has facilitated the dialogue and liberated some previously restrained criticism of, and even hostility toward, the west. As for domestic politics, the showy invitation to public debate issued by Singapore's Prime Minister Goh Chok Tong to an American critic of

Singapore's human rights record clearly is part of his ongoing effort to demonstrate his worthiness as chief executive.(11)

The crystallization of what might be called "modern" Southeast Asian defensiveness may be traced to the appearance in 1976 of a single, remarkable volume produced in Singapore by the governing elite. *Socialism that Works* was a slick and sharply worded assault on (to quote the title of chapter 3) "The New Left View of Southeast Asian Development." (12) The editor's forward began, "We in Singapore owe a debt of gratitude to our denigrators in the West. Their shallowness and folly has helped to awaken Singaporeans to the deteriorating standards of political criticism in the West." Contributors included several government officials, among whom S. Rajaratnam, then and for many years the foreign minister, perhaps deserves special mention for displaying a bitterly sarcastic style which clearly helped establish the tone of the discourse in years to come.

At the time it was not at all clear that the Singapore political elite was speaking for other Southeast Asian public officials. But more recently the evolving Singaporean point of view has been repeated by other Southeast Asian leaders - to the point where a recent review of the Southeast Asian perspective (authored, admittedly, by a Singaporean) speaks of the "Singapore School." (13) It is appropriate here, however, as always, to caution that official Southeast Asian positions on human rights remain diverse. Anyone looking for evidence for this proposition would do well to consider Philippine President Fidel Ramos' forthright rejection of Lee Kuan Yew's "advice" to the Philippines to sacrifice a degree of democracy for the sake of political stability and economic growth. (14) The exchange was symptomatic of cultural, historical, and ideological differences that make these two countries perhaps the least friendly pair with ASEAN. Their differences amount at least to a mutual annoyance, and they have boiled to the surface as Philippine public opinion continues to react to the execution in Singapore of a Philippine citizen convicted of murder. (15)

Simmering conflicts of various sorts are probably unavoidable among countries with long histories of interaction. Other recent illustrations include, at the diplomatic level, Indonesia's successful pressure on the Philippines to close a 1994 conference on East Timor to participation by certain Europeans expected to condemn Jakarta's record in East Timor. Indonesia could do nothing, however, to stifle the resulting hostile reaction in Philippine media. (16) Economic and trade relations also produce occasional rifts, as in the case of the recently resolved conflict between Malaysia and Singapore about trade in plastic resins. For several months in early 1995 it appeared that this would be the first dispute to be processed by the World Trade Organization. (17)

These incidents notwithstanding, the unifying tendency within ASEAN continues to show momentum, and the human rights discourse is one of the areas in which that momentum is strongest. In the aftermath of Lee Kuan Yew's speech in Manila it was widely reported that many Filipinos expressed appreciation for his comments. And even allowing for occasional Philippine disagreement - which might be interpreted as stubborn adherence in the Philippines to an "outlier" position - it does appear that an emergent ASEAN voice has tended to settle on several themes which comprise the core of the Singapore school's contribution to the human rights discourse.

First and most fundamentally, as we have already seen, ASEAN leaders occasionally remind their international and domestic audiences that the events and policies at issue are domestic, internal matters. They are not about to relinquish their sovereignty by somehow opening these policy processes to foreign interference. This view resonates well in East Asia and, for that matter, throughout the third world. It is conveyed in such broadly-framed statements of support among Asian political leaders as Lee Kuan Yew's April, 1994, remark that President Clinton's attempt to link China's most favored nation trade status to that country's human rights practices was a "fruitless endeavor." Verbally tweaking a great power is a

well-established tactic in Asian domestic politics. And promotion of the view that "Washington has been arrogant, that the 'community' it envisions is built in America's image rather than in Asia's, and that it is chiefly interested in imposing its own rules," probably enhances the stature - and policy making discretion - of incumbent elites.(18)

Second, and more specifically, it is claimed that a harder line in dealing with real or threatened disorder is justified on the ground that these governments face extraordinary problems. The dangers may not be unique to Southeast Asia, but they stem from a combination of ethnic diversity, economic vulnerability, and still-formative political traditions that is poorly understood in the west. Harking back to the 1950s and 1960s, this theme was emphasized in early justifications of centralized authority in many states in the region. Now, three or four decades later, the apparent successful management of these threats has yielded a new economic situation, which, far from allowing a relaxation of control, is interpreted as conducive to indiscipline and softness; the danger takes a different form, but it persists. Meanwhile, the idea that the ethnic tensions and economic needs justify prioritization of political order has had considerable appeal in Indonesia and Malaysia, and it has become especially useful as an additional rationale for ASEAN's policies of accommodation with Burma.

Third, it is asserted that the western world-view's emphasis on the well-being and development of individuals undermines the ability of Americans to make sound, reasonable judgments of Southeast Asian politics. This claim is based on the popular belief, succinctly expressed by B. G. Lee, Lee Kuan Yew's son and possible political heir, that "In general, western societies place more weight on the individual, while Oriental societies tend to place more weight on the group."(19) Family and nation (although the latter is never a trouble-free concept) thus take precedence, a principle painstakingly incorporated into Singapore's recently adopted state ideology of "Shared Values."

Fourth, other cultural values, less central than the elevation of group interests over those of individuals, may vary in ways that further limit the validity of western criticism. These are rarely specified, for the point is a truly general one: cultural differences may be expected to produce political differences, and cultural differences do exist. Thoroughgoing deference to authority and status relations is just one example of such politically relevant cultural dispositions. A perspective most sympathetic to the various ways in which Asian cultures allegedly affect political outcomes is presented by Michael Haas in *The Asian Way to Peace*.(20)

Fifth, a rather different contention, sometimes made with great force, is that concern for human rights is so exaggerated in western ideology and practice that many western nation-states are experiencing economic decline, moral decay, or both. In contrast to some other parts of the Southeast Asian case, this contention bespeaks a more universalistic logic: application of the same policies that have caused disruptions in the west will cause the same disruptions from Singapore to Thailand to Indonesia. In a recent iteration of the theme (which could, however, be traced to Socialism that Works without much difficulty), the *Far Eastern Economic Review* editorialized that "the West has shown how slippery the welfare road can be, with benefits once granted quickly graduating to special interest status and becoming permanent.... When Asians look at America today...they see a society torn apart."(21)

The sixth theme raises the previous point to a higher level of abstraction by emphasizing sweeping and fundamental philosophical matters rather than policy. This is expressed in the conclusion that unlimited democracy is dangerous, likely to lead to turmoil under any circumstances. Stated in the affirmative, it reiterates that Asian religious traditions and values are especially compatible with compliance and harmony. Applying this concept to Singapore, Clark Neher has interpreted Lee Kuan Yew as seeking to be "the quintessential Confucianist leader" - paternalistic, moral, and not to be disobeyed.(22) The philosophical approach to explaining Asian democracy covers more territory than "human rights," but clearly it has far-reaching implications for human rights beliefs and practices. And it almost always stresses

differences, as though deficiencies in democratic practice just don't happen in the west.

Seventh, the most narrowly economic (and for some, the most compelling) argument rejects the human rights-based contention that exploitation of workers and prohibition of unionization in ASEAN countries is wrong. Southeast Asians respond that upward pressure on wages and even costly requirements that working conditions be improved deny their economies the opportunity to take advantage of a key resource, abundant and inexpensive labor. The virtues of the "market" come into play here, since it always is claimed that, since labor is not coerced, compensation and conditions apparently are good enough to keep workers on the job and out of the village. This phase of the debate is less abstract than most because persistent pressure to organize workers in such countries as Indonesia has met with vigorous state opposition, including harassment, arrest, and, in at least one case, murder of a labor activist.(23)

Finally, beyond the contention that labor costs are too vital an advantage to be squandered, Southeast Asian government representatives tend to agree on the more general point that economic needs come first. This position is consistent with those already mentioned and in a sense is the umbrella for economic aspects of the discourse. The essence of this claim is that basic economic needs and even economic growth beyond provision of basic needs are prime values in and of themselves. If pursuit of "better" human rights practices interferes with attainment of these economic goals, only those already well off are likely to say that the priorities should be changed. Southeast Asians maintain that this prioritization is not unique to them, and they find it especially ironic that U.S. policies seen both as contradictory and as detrimental to human rights in Iran and Bosnia-Herzegovina can be understood as driven mainly by economic interests.

Other responses to western criticism sometimes emphasize more stylistic qualities, such as its condescending and sanctimonious tone. Southeast Asians also could complain about the fragmented and inconsistent quality of the western or American contribution to the discourse. They tend not to, however, and for good reason: the lack of consistency and coordination generally weakens the western argument and allows Southeast Asians several options in framing their rebuttals. As we will show, a partial dissection of American participation in the discourse would have to include presidential utterances, recent congressional remarks and initiatives (of which there most likely will be several at any given moment), pronouncements of various sorts by the Department of State and other agencies, less official statements by intellectuals and journalists, comments from both the business community and organized labor, and even the more comprehensive positions adopted by various NGOs. The latter usually are international, and, as we will notice, even have a growing Southeast Asian component. But NGOs tend to be viewed by at least some Southeast Asians as foreign or at least subject to extensive foreign influence.

THE WESTERN PERSPECTIVE

If in this dialogue the Southeast Asian position must be understood as plural and complex, the same may be said for the contributions from any single western country, such as the United States. The resulting international discourse on the subject of human rights has a tumultuous quality, and it is commonplace for the major protagonists to speak past one another. Whereas some of the western critique, for example, emphasizes such specific incidents as the detention without trial of alleged dissidents in Singapore, a fire in a dangerous and locked factory in Thailand, or the apparent state involvement in the murder of a labor organizer in Indonesia, replies from Southeast Asia tend to avoid comment on specifics and emphasize instead one or another of the more general points set forth above.

Where more specifically economic outcomes are at stake or are at least linked to the discussion, however, we observe that all parties display greater care and restraint in the formulation of interpretations and proposals related to human rights. The observation extends

to large private sector firms in the United States, frequent sources of such statements in recent months and years. These include Levi Strauss and Company, Eddie Bauer, and Liz Claiborne Inc., all of which have discontinued apparel production (or, more precisely, contracts with manufacturers) in Burma.(24) It is true that these corporate policies are aimed at a Southeast Asian government that does not belong to ASEAN, and their effect in any case is limited by the small fraction of foreign investment that each represents. On the other hand, they are noteworthy because they are not totally symbolic, they have attracted a good deal of publicity, and they may have inspired the White House to step up its role in the discourse. In May 1995, the U.S. Department of Commerce issued guidelines on workers' rights and conditions in factories and other overseas sites where goods for the U.S. market are manufactured.

In addition to encouraging fair labor practices, these "Model Business Principles" address environmental concerns, advocate nonparticipation in unethical activities, and generally extol exemplary "corporate citizenship." A number of U.S. companies have expressed support for the Model Business Principles, and the government's statement accompanying the text of the principles envisions discussions with corporations, NGOs, and chambers of commerce. It must be added, however, that while the existence of this set of guidelines has been mentioned by Mr. Mickey Kantor, the U.S. trade representative, and certain other officials, the policy itself is abstract and extremely low-key, its specific contents not released to the media. The most emphasized element of the guidelines is their voluntary nature: their adoption, not to mention implementation, is left entirely to individual corporations.

The guidelines do not apply to activities in countries considered to have outlaw regimes, like Burma. But with respect to Indonesia, the Philippines, and other places where some abuses are known to have occurred, they create a middle ground between the two stark alternatives: do business or don't do business. They encourage American companies to do business, but only with overseas partners who treat workers fairly and otherwise respect human rights. Corporations accepting the guidelines - Reebok, Nike, Nordstrom, and Wal-Mart are examples - generally insert their provisions into agreements with their Asian (or Central American or African, etc.) contractors. Subsequent enforcement, however, has proven difficult if not impossible, as increasing numbers of investigative journalists have discovered.(26)

For the time being, therefore, the impact on ASEAN countries of this sort of human rights-oriented corporate policy is problematic. And the same may be said of refusal to do business altogether. When companies such as Levi Strauss decide to terminate arrangements with manufacturers in Burma, there is no dearth of investors standing by to fill any gaps, i.e., to contract with local shops or establish operations of their own. The departure of a few American firms - and the absence of investment from Japan, where a more aggressive boycott of Burma is in place - thus works to the benefit of investors based elsewhere in Southeast Asia, especially Singapore, now the second largest source of investment in Burma.(26) The result is a broadening of the human rights conflict between Singapore and the United States. Singapore promotes trade and commercial relations with Burma in accord with the policy of "constructive engagement," and encourages its ASEAN partners to do likewise. The United States' position is that economic isolation of the Burmese regime is more likely to be "constructive." It should be noted, however, that the discourse is sufficiently detached from actual economic policies that certain especially large American firms, including Pepsico, Texaco, and Unocal, continue to be quite active in Burma.

At least one smaller governmental entity, the city council of Berkeley, California, has expressed its concurrence with the U.S. government by resolving not to purchase goods and services produced by companies doing business in Burma.(27) Surely it is only realistic rather than cynical to presume that the calculations of Berkeley city council members include creating or reinforcing a certain image with voters. Similarly, we observe some companies openly acknowledging that their decisions not to do business in Burma and/or China are

intended not to punish repressive governments but rather to enhance their respective corporate images. Whereas politicians' images may translate into votes, corporate images are important because they may affect consumer behavior. In the case of the Eddie Bauer Company, in fact, the decision to withdraw from Burma was prompted at least in part by campaigns and protests from aroused citizens (and potential consumers). One such action, initiated at a press conference in December 1994, "spearheaded" by a member of the House of Representatives, and enlisting the support of labor, women, and student organizations as well as the National Consumers League, is scheduled to continue throughout 1995.(28) A Coalition for Corporate Withdrawal from Burma also has been established in the Boston area.

Tendencies within the private sector to adopt and implement explicit ethical standards receive further encouragement from such nongovernmental and transnational organizations as Amnesty International and Human Rights Watch/Asia (formerly Asia Watch). Amnesty's early 1995 "Indonesia and East Timor Campaign" targeted thirty-six U.S. corporations active in Indonesia in a project reminiscent of organized labor's "corporate campaign" tactics of the 1980s.(29) In fact, American and international organized labor has been another source of vocal complaints about human rights violations in Southeast Asia, particularly those related to freedom of association and labor union activity.(30)

As if designed to demonstrate the web-like interrelations between NGOs, governments, and the media, the Amnesty International Indonesia and East Timor Campaign obviously was timed to coincide with President Clinton's visit to Indonesia in November 1994. At the time, White House pronouncements were persistently ambivalent on the matter of official U.S. pressure on Indonesia. While Clinton was reported saying, "We cannot turn away from the [cause of human rights], and we will not," he also sought to take credit for a \$40 billion set of contracts between American and Indonesian enterprises signed in conjunction with his visit.(31)

The commitment and militancy of the consumer campaigns and coalitions mentioned above contrast sharply with such perceived ambivalence in the executive branch. But their efforts involve and probably are known to only a small fraction of the purchasing public. The disposition and ability of consumers to understand and act upon linkages between human rights abuses and trade is quite limited.(32) The same surely is true of tourists, a subset of consumers who have potential leverage on Southeast Asian policies, but whose varied origins and motives and outlooks make them extremely difficult to mobilize for the sort of concerted economic or political action that might make a difference.

In comparison, threats emanating from governments, in particular that of the United States, are much more likely to be noticed. These obviously involve potential consequences on a larger scale than do the policies of individual companies, unions, consumer organizations, and other NGOs. But the potential is far from being realized. A rare example of a punitive policy consistent with human rights rhetoric would be the reduction of military assistance to Indonesia because of that regime's behavior in East Timor. Yet in some ways this appears to be an exception that proves the rule, the rule, that is, that nation-states tend to indulge in symbolic rather than economically meaningful acts where human rights-related "sanctions" are concerned. In this case, the amount of assistance involved was quite small and readily substituted by Japan and Australia. However clear and forceful the symbolism, instrumentally the American policy was little more than a gesture.

It is instructive that policies and diplomacy relating to the issue of intellectual property have been considerably more urgent and less symbolic than those involving human rights. Intellectual property rights is another matter of United States discontent vis-a-vis Southeast and East Asian regimes. On this issue, as in the case of human rights problems in general, American attention has been concentrated on China, thus deflecting additional potential conflict with Southeast Asian regimes. But the intellectual property dispute has generated less

verbal posturing, more detailed and behind-the-scenes negotiation. United States pressure has been intense, for intellectual property, as the term suggests, involves more tangible stakes than human rights. Since arguably it is not a human rights problem at all, it follows that there have been less ambivalence and hesitancy in the formulation and implementation of relatively explicit and protective measures - measures consistent with the presumably material basis of the dispute.(33)

Meanwhile human rights issues continue to be addressed in relatively vague and abstract terms. To the extent that there are material interests involved, they are not immediately felt American material interests. The failure to observe minimum wage laws creates tangible losses for workers in various ASEAN countries, tangible gains for their employers, and small, short-term increases in national competitiveness.(34) For Americans, however, the economic dimensions of the issue are remote. Dollars and cents may be involved for American labor in competition for jobs that are being relocated to Southeast Asia, and for consumers of goods produced in Southeast Asia; but these interests are offsetting and (especially by consumers) vaguely perceived at best. Human rights talk, whether that of a president, a journalist, or a student attending a monthly campus meeting of Amnesty International, is less a matter of economics than of moral virtue.

Moreover, as we have tried to show, the human rights discourse is scattered across many issues and many diverse actors. And its meaning as a factor in international economics is further confused by virtue of its domestic political role. Presently, in the west so much of the official posturing on human rights is oriented toward audiences close at hand that generally it is many steps removed from operational foreign policy. To the extent that the "defense" of their human rights records by Southeast Asian political elites is based on a presumed threat to their economic programs and well-being, it probably is neither necessary nor even well advised. The vigor of their participation probably makes for good domestic politics. These actors must consider, however, whether the discourse may develop a momentum of its own engendering a more instrumental approach in the west and a more effective transnational human rights movement. The discourse is hard to read, and aggressive repudiation of human rights principles by Indonesian authorities may be the one thing that could cause Amnesty International's "corporate strategy" toward Indonesia to receive a sympathetic response from companies, consumers, journalists, and other elements of the nascent global civil society.

POLITICS AND ECONOMICS IN THE DISCOURSE

In the unlikely event that foreign consumers and companies were to become highly mobilized in opposition to human rights violations, it might be sensible for the other Southeast Asian countries to leave the Singapore School to the one ASEAN member least dependent on foreign investment, that is, Singapore itself. But the fact is that even while the republic's leaders cultivate their image of obligations-and-order-over-rights, Singapore has suffered no appreciable reduction of foreign investment or other adverse economic consequence. Increasingly sharp rebuttals to western criticism throughout most of the region suggest that the calculation seems to be that the minimal economic costs of standing up to the west and especially to the United States on human rights issues are more than offset by domestic political benefits.

Ultimately, the internal political consequences of statements about human rights are as preeminent for Southeast Asian as for American political actors. When President Suharto speaks out on human rights he, like President Clinton, is acting foremost as a domestic politician. Even Lee Kuan Yew's remarks in the Philippines can be regarded mainly as grist for the media in Singapore itself. The point is not that a sharp distinction between domestic and international political debate is always appropriate. Rather the two are mixed. Nor are we contending that the international significance of the discourse is nil. Political actors themselves rarely acknowledge the immediate political meaning of the discourse, but it was expressed

with candor and precision by a Singapore government official writing in an American academic forum. "There is...a natural tactical convergence of interests between the Western media and human rights activists and those aspiring Asian elites who are challenging established governments." (35) In other words, perceiving their countries as relatively small and historically vulnerable, Southeast Asian elites worry that influence from abroad may boost the support, resources, and morale of otherwise feeble domestic oppositions.

This proposition expresses an essentially narrow concern for the political status quo. The self-interest it embodies is normal, but the fact that it is so openly shared by incumbent authorities in the region is more striking, and this sharing brings us to a final observation about the human rights discourse. Just as economic processes are defying the limits of traditional nation-state boundaries, political alliances and activities also are assuming a more transnational character. The emerging regional sharing or at least resonance of governmental strategies and tactics that infringe human rights is a noteworthy harbinger of this trend. Restriction of Megawati Sukarnoputri's freedom to attend meetings of her own political party in East Java, blackouts of information on the Democratic Action party during the Malaysian election campaign, and persecution of Chee Soon Juan, an unsuccessful opposition candidate for parliament in Singapore, may be less brutal than the Burmese approach to political challenges. But these instances of intolerance and intimidation of oppositional parties and movements are representative of a regional style and prioritization of internal control across Southeast Asia. Significantly, ASEAN integration as indicated by such state action and by the consolidation of the Singapore school is mirrored in the expansion of regional NGOs active on human rights (and environmental) issues. The Union of Civil Liberties, headquartered in Bangkok, thus was among the first sources of protest against Malaysia's crackdown on the Al-Arquam Islamic sect in August 1994. The Asian Forum for Human Rights is also based in Bangkok, and Amnesty International has shifted the base of some of its Southeast Asian programs to Thailand as well. (36)

In view of the global character of their business and the publicity attached to these decisions, the imposition of corporate codes of responsibility, such as the Levi Strauss "Business Partner Terms of Engagement" and "Guidelines for Country Selection," also signals a trend away from state-bound human rights discussion. The same may be said of international labor movement involvement in the discourse. In both cases associations with "western" social and cultural traditions and especially with western nation-states remain. But ever so slightly the nation-state appears to be losing its domination of the context of this and similar discourses. Economic globalization undoubtedly speeds this process. That may be the most significant linkage of economics and human rights in the long run, not, as the vigor of the Singapore school shows, a trend toward more progressive human rights outlooks and practices.

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1 Southeast Asian exports to the United States, already by far the world's leading importer, increased by 8.6% in 1993. Moreover, the types of goods imported by the U.S. and other western industrial countries correspond more closely to the types of goods produced for export by ASEAN members than do the imports of other less developed countries. See Asia Yearbook 1994 (Review Publishing, 1994), pp. 26-28. From 1985 to 1992 the share of exports directed to the U.S.A. increased for Southeast Asia as a whole, and Indonesia was the only country showing a decline in this Statistic (Asian Development Outlook 1994 [Manila: Asian Development Bank, 1994], p. 242).

2 These dynamics are the focus of Susumu Awanohara's analysis of disagreements within the

U.S. political system about policies toward human rights in Asia in "Collision Course," Far Eastern Economic Review, February 3, 1994, pp. 18-20.

3 Joyce Barrett, "National Labor Group Targets Retailers on Standards at Latin American Plants," Women's Wear Daily, July 11, 1995, p. 9. See also Bob Ortega, "Broken Rules," Wall Street Journal, July 3, 1995. p. A1.

4 Of course, relaxation of persecution of one dissident may not signal a general improvement in human rights policies; and in Burma the opposite appears to be the case according to Bertil Lintner, "Legacy of Fear," Far Eastern Economic Review, July 27, 1995, p. 23. Since her release, Aung San Sun Syi herself has questioned ASEAN's constructive engagement approach (interview in the Thai English language newspaper "The Nation," as reported by Dan Robinson in "Indonesia-L" electronic newsletter, July 31, 1995).

5 To be sure, this point is debatable. It is clear from the remarkable submission to the Far Eastern Economic Review from Malaysian Prime Minister Mahathir Mohamad that he at least believes that "western leaders" could without difficulty have prevented the tragic events in the former Yugoslavia. ("Bosnia and The West," Far Eastern Economic Review, September 7, 1995, p. 38).

6 "The Pacific Century," Far Eastern Economic Review, June 2, 1994, p. 20.

7 "LA Cops Bust Sweatshop, Liberate Thai Workers," Women's Wear Daily, August 4, 1994, p. 2.

8 However, the Far Eastern Economic Review did summarize the report. The Review's columnist editorialized that, "As the champion of human rights in the world, the U.S. should set an example and show the rest of the world how to live up to the provisions of the international covenant, not how to get around them" (Frank Ching, "U.S. Role on Human Rights Reversed," Far Eastern Economic Review, June 22, 1995, p. 40).

9 "Prison Labor, Prison Blues," Label Letter (March/April 1995), p. 1.

10 For example, see Human Rights Watch and American Civil Liberties Union, Human Rights Violations in the United States (New York: 1994).

11 See the Straits Times, July 18, 1995, p. 1.

12 C. V. Devan Nair, ed., Socialism That Works...the Singapore Way (Singapore: Federal Publications, 1976). The volume reacted to left-wing socialism and its advocacy of matters more far flung than, but including, human rights.

13 Melanie Chew, "Human Rights in Singapore: Perceptions and Problems," Asian Survey (November, 1994), pp. 933-48. For a more official and diplomatic expression of Singaporean views, see Bilahari Kausikan, "Asia's Different Standard," Foreign Policy, vol. 92 (Fall 1993), pp. 24-41.

14 Alex B. Brillantes, Jr., "The Philippines in 1992: Ready to Take Off?," Asian Survey (February 1993), p. 228. Not so incidentally, Kausikan cites post-Marcos Philippines as evidence that excessive democracy leads to lawlessness and economic failure (Kausikan, "Asia's Different Standard," p. 35). Southeast Asian elites outside the Philippines were especially troubled by events in Manila in February 1986, during which "people power" was manifested in massive and successful political action in the streets.

15 "Executed Maid Hailed as Heroine," Champaign-Urbana News-Gazette, March 19, 1995, p.

A6. Any misconception that this is an isolated problem should be laid to rest by F. Landa Jocano's article, "Culture Shock: The Case of Filipina Domestic Helpers in Singapore and Hong Kong," *Solidarity* (Manila) (July-December 1994), pp. 61-66.

16 Renato Constantino, "Agreeing to Disagree," *Far Eastern Economic Review*, June 30, 1994, p. 26.

17 See S. Jayasankaran, "Plastic Explosive," *Far Eastern Economic Review*, January 26, 1995. p. 44.

18 David E. Sanger, "Clinton's Call for Pacific Harmony Meets a Chorus of Criticism from Asians," *New York Times*, May 2, 1994, p. A10.

19 Cited, significantly, in Jon S. T. Quah, ed., *In Search of Singapore's National Values* (Singapore: Times Academic Press, 1990), p. 92.

20 Michael Haas, *The Asian Way to Peace: A Story of Regional Cooperation* (New York: Praeger, 1989). Also see Fareed Zakaria, "A Conversation with Lee Kuan Yew," *Foreign Affairs* (March/April), 1994, pp. 109-26.

21 "Asia's Welfare: Learning from the West's Forgotten Values," *Far Eastern Economic Review*, June 23, 1994, p. 5.

22 Clark D. Neher, "Asian Style Democracy," *Asian Survey*, (November 1994), p. 954. Neher's analysis provides an overview of the human rights discourse in the context of broader political and philosophical considerations.

23 Human Rights Watch/Asia, *The Limits of Openness: Human Rights in Indonesia and East Timor* (New York: Human Rights Watch, 1994), especially ch. 4, "Labor Rights in the Marsinah Case."

24 For an account of the process leading to Levi Strauss and Company's seminal application of "global sourcing guidelines" to the company's business relationships in Asia, see "Levi Strauss & Co.: Global Sourcing (A)," Harvard Business School Case No. 9, 395-127 (Boston, MA: Harvard Business School Publishing, November 29, 1994).

25 See Bob Ortega, "Broken Rules," *Wall Street Journal*, July 3, 1995, p. A1. A follow-up study is found in Pascal Zachary, "Levi Tries to Make Sure Contract Plants in Asia Treat Workers Well," *Wall Street Journal*, July 28, 1995, p. A1.

26 Official promotion by Singapore state authorities of private investment in Burma is described in Michael Vatikiotis, "Catching the Wave," *Far Eastern Economic Review*, February 16, 1996, pp. 48-51.

27 Vatikiotis, "Catching the Wave," pp. 48-51.

28 "Press Muffles Sourcing Outcry," *Women's Wear Daily*, December 19, 1994, p. 16. For an account of the pressure created by such activities on Unocal, as well as recent congressional initiatives supporting stronger U.S. government sanctions, see Michael Vatikiotis, "Talking Tough," *Far Eastern Economic Review*, July 13, 1995, p. 65.

29 Sara U. Douglas, *Labor's New Voice: Unions and the Mass Media* (Norwood, NS: Ablex Publishing Company, 1986), especially pp. 239-50.

30 *Far Eastern Economic Review*, October 20, 1994, p. 13.

31 Champaign-Urbana News-Gazette, November 16, 1994, p. A-7.

32 See Bob Hebert, "Buying Clothes Without Exploiting Children," New York Times, August 4, 1995, p. A15.

33 The broad multilateral framework within which these measures now are situated is a product of the Uruguay Round trade negotiations concluded in December, 1993. For a summary see United States International Trade Commission, The Year in Trade: Operation of the Trade Agreements Program, USITC Publication 2796, (Washington, D.C.: USITC, 1994), pp. 24-28.

34 This failure is notwithstanding the fact that minimum wages in Indonesia generally are no more than \$2 per day, often closer to \$1. See "Government Does Nothing but Talk About Minimum Wage Compliance," Indonesian Business Weekly, April 16, 1993, p. 48.

35 Kausikan, "Asia's Different Standard," p. 36.

36 Michael Vatikiotis, "Going Regional," Far Eastern Economic Review, October 20, 1994, p. 16. This report includes descriptions of coordinated governmental responses as well as transnational human rights advocacy.

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