ETHICAL CHALLENGES IN TRANS-PACIFIC RELATIONS

SELECTED ESSAYS | 2013 CONTEST

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1914–2014

FIRST TRANS-PACIFIC STUDENT CONTEST

What is the greatest ethical challenge facing U.S.-Asia relations? Carnegie Council for Ethics in International Affairs challenged American and East Asian students to partner and submit a joint essay or video to answer this question—whether about U.S.-Asia relations in general, or U.S. relations with a particular East Asian country. Each entry had to be a collaboration between a citizen of the United States and a citizen of an East Asian country.

The contest received entries from undergraduate, graduate, and postgraduate students from the U.S., Cambodia, China, Indonesia, Japan, Malaysia, Myanmar, the Philippines, Singapore, South Korea, Taiwan, Thailand, and Vietnam. In total, nearly a hundred students paired up to publicly post their entries on the Council's social media site, **Global Ethics Network** (**www.globalethicsnetwork.org**). As one participant from China remarked, "[T]his competition is a wonderful experience and a great chance for us to deepen understanding of two countries."

This contest is part of **Ethics for a Connected World**, a three-year global education project to mark the Council's 2014 Centennial. The winners, Robert D. O'Brien and Shiran Shen, received a trip to New York City to attend the 2013 Council Global Ethics Network Annual Meeting and to give a presentation on their work.

Carnegie Council for Ethics in International Affairs

Founded by Andrew Carnegie in 1914, Carnegie Council for Ethics in International Affairs is an educational, nonprofit, nonpartisan organization that produces lectures, publications, and multimedia materials on the ethical challenges of living in a globalized world. Its work is rooted in the premise that the incorporation of moral principles into discussions of international affairs will yield a more peaceful, just world. The educational value of the Council's programs lies in its three-part formula: thematic focus on ethics, access to world-renowned experts, and an in-house studio that produces original video and audio resources for a global market.

Henry Luce Foundation

This contest was made possible by a generous grant from the Henry Luce Foundation, established in 1936 by the late Henry R. Luce, co-founder and editor-in-chief of Time Inc., to honor his parents who were missionary educators in China. The Foundation seeks to bring important ideas to the center of American life, strengthen international understanding, and foster innovation and leadership in academic, policy, religious, and art communities.

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Engaging Students in a Trans-Pacific Conversation on Ethics

By Devin T. STEWART, Senior Program Director, Carnegie Council

It may be a cliché, but the world is changing. That was the theme of the U.S. government assessment of threats this year—as well as the contest that produced this book.

For the first time, the U.S. director of National Intelligence listed cyber threats, displacing terrorism, as the top security risk to the United States. Along with President Obama's "pivot" or rebalancing of foreign policy assets toward Asia, this new security environment brings U.S.-Asia relations back to center stage in world affairs. Obama has declared American prosperity in the twenty-first century will depend on cybersecurity.

But will a corresponding set of cyberethics follow suit?

Some signs are encouraging. Increased tensions between the United States and China over cyber-attacks have pushed the two nations to agree on a new dialogue on establishing cybernorms—which happened to be the recommendation of the winning essay of Carnegie Council's 2013 Trans-Pacific Student Contest.

"Cybersecurity is a new issue, a global issue, and an important issue. Breaking it apart into its ethical underpinnings provides a framework for effectively addressing it at the bilateral level. Bilateral cooperation can, in turn, drive a broader global conversation on creating a system of norms that provides for a more secure cyber realm," write the authors.

Symbolically, our winning essay was written by a student from the United States and one from China, and it identified cybersecurity as the biggest ethical challenge in U.S.-Asia relations. The authors, Robert D. O'Brien and Shiran Shen, will be invited to join Carnegie Council's annual Global Ethics Fellows meeting in New York City. These annual meetings aim to advance ethical dialogue between cultures, and perhaps can play a role in finding peaceful solutions to international disputes.

This year's Trans-Pacific Student Contest was a first for us in some ways, and we are happy to report that our experiment was a success. Carnegie Council has held international student contests for years but this was the first time we asked Americans and Asians to collaborate on submissions, which included both essays and videos, and all submissions were posted online for public viewing.

The collaborative nature of the project suggests that the arguments reflected concerns that were shared across the Pacific Ocean. This is to say, the issues identified were not those particular to one cultural perspective; they reflected a more pluralistic view. Moreover, the submissions were created by students, so the insights represent the concerns of the next generation.

Along with cybersecurity, topics of other student submissions also mirrored changes in U.S.-Asia relations and in the world at large. Some of those topics included the opening of Myanmar, the rise of China and increased threat of war, the moral conundrums of sweatshop labor and economic growth, and the challenge of inter-generational justice and climate change disasters.

Just a couple of years ago, few people would have imagined that, after decades of isolation, Myanmar would open its doors to the world so dramatically. Despite crumbling infrastructure, challenges in healthcare and education, and spreading religious violence, Myanmar's democratic change represents hope to its people as well as to many around the world, as students noted. After President Thein Sein's first official White House visit, Myanmar became host to the prestigious World Economic Forum meeting in its capital Naypyidaw in June.

Nevertheless, Myanmar's religious strife demands a strategic rethink in U.S. policy, argue authors Thaw Zin Aung Gyi and Reid Lidow. "If the U.S. is serious about the pivot, and recognizes its ethic of responsibility to Myanmar, then it will work to build state capacity by shifting from a wait-and-see approach to a proactive "Three Pillars" [economic, political, and inter-cultural] engagement model," they write.

The world may be changing but old fashioned balance-of-power Realism is still in play. The rise of China—one of the most significant changes in international affairs today—has been accompanied by a growing risk from territorial disputes in East Asia. International relations theory tells us that when the balance of power shifts, the threat of conflict may increase. As

students pointed out, these conflicts may be mitigated by managing the role of the military in addressing these disputes.

Authors Ana Martinovic and Iris Soriano point to a dilemma some military officers have noted in the past: "It may be a moral duty for the U.S. to comply to its security-treaty with Japan, but is it worth jeopardizing its relationship with China? This is an ethical challenge that the United States needs to confront."

Moral questions regarding sweatshops have been around since the Industrial Revolution. But the record deaths from the collapse of the Rana Plaza factory in Bangladesh this spring forced average shoppers to consider the ethical implications of their purchasing choices. Yet are sweatshops a necessary evil of economic growth? Authors Benjamin Adam Schorr and Annabelle Wong remind us that, "Even as U.S.-Asia relations aim at boosting overall economic progress, these countries cannot overlook the moral obligation of respecting and defending fundamental human rights, and must continuously work at reconciling these divergent concerns."

Finally, scholars have explored the ethical implications of climate change. But its consequences, potentially including extreme weather, mass migration, and even armed conflict, will likely only become more apparent in the future, raising a question of inter-generational justice. Should current generations sacrifice economic development for the sake of future generations? Authors Tsering Jan van der Kuijp and Lin Lilin pinpoint this problem: "Most worrisome about climate change is not just how it will affect tomorrow's weather but how it will impact the children of the future. Out of this dilemma between boosting industrial production and curbing climate change emerges the greatest ethical challenge for China and the United States: how to safeguard the health and well-being of their people while guaranteeing the same for future generations."

New York City
June 2013

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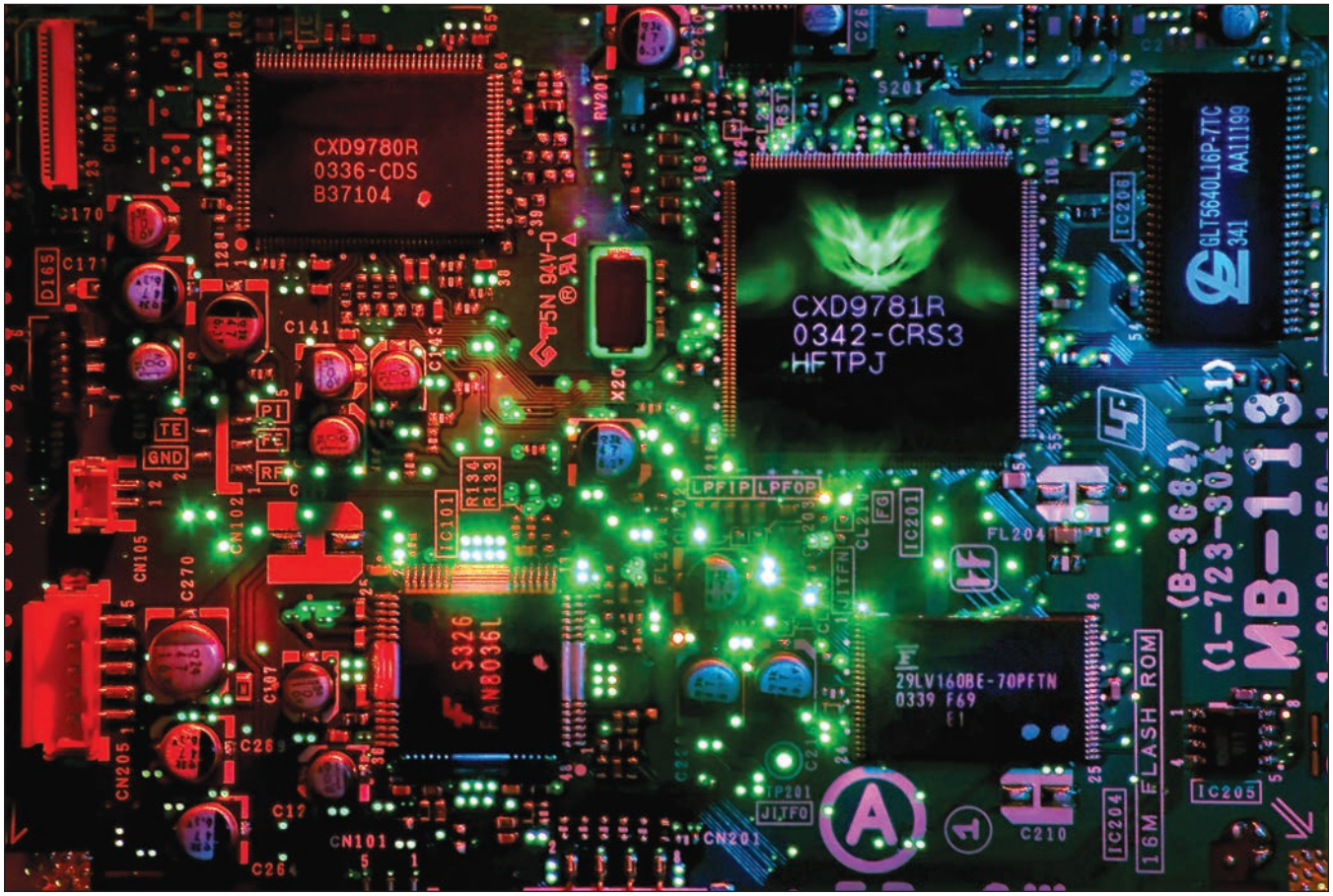
The U.S., China, and Cybersecurity: The Ethical Underpinnings of a Controversial Geopolitical Issue

Addressing the fundamental ethical considerations of cybersecurity will provide a better framework for easing bilateral tensions than tit-for-tat negotiations and public naming and shaming.

By Robert D. O'BRIEN (United States) and Shiran SHEN (China)



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Inside a circuit board

The rise of Asia is one of the most significant developments in the twenty-first century geopolitical landscape. Pundits who dubbed the twentieth century the "American Century" are now predicting that the twenty-first century will be the "Pacific Century." Asia's ascendance is driven in large part by the return of China, whose economic and political might has been growing at unprecedented speeds, to a position of international prominence. China's re-emergence as a significant global player has heightened the importance of the bilateral relationship between the United States and China, the two largest economies in the world. These two countries, which feature markedly different political systems and cultures, have an unprecedented opportunity to cooperate in reshaping global norms in the name of the greater good. To do so, however, they will have to overcome numerous bilateral disputes, many of which are grounded in divergent views on ethics.

Human rights and climate change are two of the most prominent areas where divergent Chinese and American views, determined in large part by differing stances on various ethical questions, are inhibiting cooperation. In this essay, however, we would like to examine another issue that looms large in both U.S.-China ties and international relations writ large—cybersecurity. Though commonly conceptualized as a strategic geopolitical issue, we contend that its underpinnings are comprised of a series of ethical considerations. Moreover, we believe that addressing some of these fundamental ethical

considerations will provide a better framework for easing bilateral tensions and promoting cooperation than surface-level tit-for-tat negotiations and public naming and shaming.

Cybersecurity is an issue that has rapidly ascended in importance in the U.S.-China relationship. U.S. military and security officials are increasingly wary of the adversarial effects of potential cyber warfare. In his confirmation hearings for the post of secretary of defense in 2011, Leon Panetta warned, "the next Pearl Harbor that we confront could very well be a cyber attack." China is widely assumed at both the popular and elite levels in the United States to be the biggest initiator of cyber attacks on U.S. government, business, and media networks. On the Chinese side, the view is a bit different. Chinese officials, too, feel that they are victims in the cyber realm and note that a considerable proportion of malicious cyber activities globally have originated from computer hosts located in the United States. This latent sense of U.S.-China distrust in the realm of cyberspace is dangerous as it can exacerbate the broader strategic distrust about each other's current and future intentions, brewing hostility that is threatening to the health of the most important bilateral relationship in the world.

Cybersecurity is an important geopolitical issue, but framing it in pure strategic terms neglects its core—a series of basic ethical considerations. Economically, these include questions about the ethics of espionage targeting private sector entities as well as, more generally, the ethics of intellectual property. In the politico-military realm, cybersecurity raises general ethical questions about intelligence gathering and reasonable diplomatic and military responses to intrusions and attacks that occur in the cyber realm.

Cybersecurity is a new issue, a global issue, and an important issue. Breaking it apart into its ethical underpinnings provides a framework for effectively addressing it at the bilateral level. Bilateral cooperation can, in turn, drive a broader global conversation on creating a system of norms that provides for a more secure cyber realm.

The Role of Cybersecurity in U.S.-China Relations

Cybersecurity has quickly catapulted to the top of the U.S.-China bilateral agenda. The two sides, however, have expressed very different understandings of the situation, making resolution of the dispute difficult. While some nascent forms of dialogue have begun, a grander vision for addressing the problem is needed. We believe that vision can be found in isolating the ethical dilemmas at the core of the issue.

Stories on suspected attacks from Chinese hackers—whether government-affiliated or not—have been prevalent in the U.S. media in recent years. In 2010, *The New York Times* reported that investigators had tracked cyber attacks on Google to Shanghai Jiao Tong University (SJTU) and a vocational school in eastern China. The most notorious case came in 2011, when a McAfee white paper documented Operation Shady RAT, an ongoing series of cyber attacks since mid-2006 that have hit at least seventy-two organizations, including defense contractors, businesses, the United Nations, and the International Olympic Committee. According to McAfee, the Internet security company that executed the investigation, the operation was "a five-year targeted operation by one specific actor" and the targeting of athletic oversight organizations around the time of the 2008 Beijing Olympic Games "potentially pointed a finger at a state actor behind the intrusions." This state actor is widely presumed to be China. More recently, the security firm Mandiant released a report stating that cyber spying collaboration had been discovered between SJTU and the People's Liberation Army (PLA). According to Mandiant, several papers on computer network security and intrusion detection were co-authored by faculty at SJTU and researchers at PLA Unit 61398, an allegedly operational unit actively engaged in cyber espionage.

The media's activism coupled with American private sector angst has spurred a U.S. government response. Recognizing the severity of the problem, the Department of State has elevated the issue to a place of prominence in its annual strategic dialogue with China. The White House has also taken notice. In early March, President Obama and National Security Advisor Tom Donilon both publicly criticized China for its role in supporting cyber attacks and cyber espionage targeting U.S. networks. President Obama also conveyed his concerns personally to Xi Jinping during a phone call to congratulate Xi on his recent installment as China's president. More recently, Donilon stated that cybersecurity should be included in all major U.S.-China bilateral economic discussions. The U.S. perspective is clear—China is at fault and needs to rectify its wrongdoings.

With the United States publicly denouncing China's alleged role in cyber attacks on American organizations, Chinese officials and public intellectuals have responded in several ways. Some highlight the uncertain nature of attributing cyber attacks to a particular entity since a hacker can take control of another computer in nearly any country to launch malicious cyber activity without the owner even being aware of it. Others react with rage, condemning the U.S. side for making "groundless" accusations and "carrying a Cold War mentality." To them, this is simply another American plot to demonize China. Still others point out that China is a major victim of cyber attacks. In December 2011, several of China's most popular online shopping,

microblogging, social networking, and gaming websites were hacked, leaking the account information for more than 100 million usernames, passwords, and emails. According to He Rulong, spokesman of the Chinese Embassy in London, 6,747 overseas servers were found to have controlled more than 1.9 million mainframes in China with Trojans or botnets in February and March of this year. Who do these Chinese officials and pundits identify as the initiators of these attacks? The United States. According to a 2009 Xinhua News report, about 40 percent of cyber attacks on Chinese computer systems in 2005 originated in the United States.

While the issue of cybersecurity has become one of great importance in U.S.-China relations, steps to address it remain rudimentary in nature. On April 13, 2013, U.S. Secretary of State John Kerry announced that the two sides had agreed to establish a cybersecurity working group. A little over a week later, the chairman of the U.S. Joint Chiefs of Staff, General Martin Dempsey, convened a joint conference with Chinese General Fang Fenghui, who pledged to work with the United States because the consequences of a major cyber attack "may be as serious as a nuclear bomb." General Fang, the chief of the PLA General Staff and a member of the Central Military Commission, indicated that he would be willing to establish a cybersecurity "mechanism," with the caveat that progress might not be swift.

These steps toward dialogue are positive in nature, but they are only small bricks in the construction of a bridge that needs to extend across a great divide. One challenge to improving the bilateral dialogue can be found in the framing of the issue itself: cybersecurity is typically couched within a strategic geopolitical context. We contend that viewing cybersecurity as simply a strategic and technological matter, however, proves restrictive, neglecting the fundamental ethical questions at its core. Identifying these ethical questions not only adds further nuance to our respective understandings of the issue, but also provides a framework for addressing it.

Cybersecurity and Ethics: The Economic Aspect

One example of the ethical foundations of cybersecurity can be found in the economic aspects of the issue. The American mainstream media and U.S. government statements have painted this as a fairly straightforward problem—China is stealing precious intellectual property from American companies. Yet a closer look at the issue yields a measure of its complexity. More specifically, norms regarding the ethics of economically motivated cyber espionage remain underdeveloped and viewing the procurement of commercial data as pure theft fails to take into account cultural considerations regarding the ethics of intellectual property protection.

In recent months, numerous reports have been released identifying China as a thief—the illegal procurer of sensitive American proprietary information. It is important to note however, that even assuming these reports are accurate and China does procure economic data from American firms through cyber espionage, the People's Republic is not alone in doing so. Indeed, a recent U.S. National Intelligence Estimate notes that France, Russia, and Israel have engaged in hacking for economic intelligence. The diversity of these countries—a democracy, an authoritarian regime, and a democracy founded on religious grounds—is indicative of the fact that relevant norms on cyber espionage are neither universal nor well-established. Such a fact creates an area of ethical fuzziness that makes assertions of right and wrong as regards economic cyber espionage problematic.

More importantly, the issue of economically motivated cyber espionage is underwritten by difficult questions regarding intellectual property. This is a longstanding area of contention between the United States and China, but one worth rehashing. In short, different cultures employ different practices of idea attribution, a reality which is all-too-often overlooked. American academic papers frequently feature hundreds of footnotes; many serious papers by Chinese scholars employ only a few footnotes. Who is right? Do Americans excessively individualize the production of knowledge, losing sight of its true social value, or do Chinese academics understate the role that individuals play in creating ideas? And what role does culture and tradition play? In the U.S., students are encouraged at a very young age to "think outside the box" as well as to "find your own way of learning." Americans are taught to use the ideas presented to them to chart their own, unique course forward. In China, by contrast, students learn primarily through rote memorization—the consumption of knowledge and later reproduction of it on standardized tests. Such a system has its roots in the ancient practice of imperial examination, in which prospective officials proved they were worthy of governing by demonstrating their mastery of the content and style of Confucian wisdom. Examinees sometimes spent a lifetime in preparation, memorizing the work of sages such as Confucius and Mencius so as to reproduce it in essays that were notoriously rigid in form. In other words, in China, imitation can be not only the sincerest form of flattery, but also the sincerest form of respect. This cultural norm, in turn, influences conceptions of the ethics of intellectual property itself, posing questions like: Is intellectual property itself always ethical, particularly when one takes into

account the disparities in wealth, health care, and access to technology it can create? And shouldn't the true value of knowledge be founded on its social impact and not a financial measure?

These ethical considerations make the U.S. accusation that China is a thief problematic, not only from the perspective of "right" versus "wrong," but also in terms of finding common ground from which to address the cybersecurity issue. Both sides, then, could benefit from taking a step back to look at core ethical questions about economically motivated cyberespionage: a) What are the international norms in this area and what should they be? And b) how should intellectual property be conceptualized and how should its protection be encouraged?

Cybersecurity and Ethics: The Politico-Military Aspect

Ethics also stand at the core of considerations regarding cybersecurity's politico-military dimensions. Important ethical questions in this realm include: What type of interstate cyber espionage is acceptable? And what are ethical forms of response to incidences of cyber espionage and cyber attack?

At a fundamental level, espionage of any type stands on questionable ethical footing. That being said, in practice states both acknowledge and allow espionage to occur. Such espionage, however, is not without its own set of ethical guidelines. One prominent example of this was the so-called "Moscow Rules"—the tacitly agreed-to set of regulations for interstate espionage between the United States and Soviet Union during the Cold War. Defense Group International Vice President James Mulvenon, among others, has noted that these rules simply do not exist in the cyber realm. Without these mutually constituted social guidelines on ethics in the practice of espionage, how are state cyber intelligence agents supposed to determine what is permissible as opposed to what "crosses the line"?

On the military front, ethical questions regarding appropriate responses to incidents of cyber espionage and cyber attack also stand prominent. Here, the consequences of an unclear ethical framework for response entail huge risks. Cyber warfare is an extremely new tactic. Thus, the issue of appropriate and proportional response remains an important and uncharted territory. If U.S. intelligence operatives hack into a Chinese military network and destroy plans that are integral to China's construction of its new aircraft carrier, what is an ethical response? Can Chinese intelligence agents respond by launching a cyber attack on an American bank that wreaks widespread havoc, thereby hurting the U.S. government's economic position? More alarmingly, what happens if a cyber attack by one side on the other is deemed so damaging that a conventional military response is taken into consideration?

Here, again, the dialogue between the United States and China would benefit from a clear focus on a series of ethical questions. Without ethical guidelines on interstate espionage and emergency response mechanisms, bilateral mutual distrust stands to grow and the potential for a major military conflict, in the cyber or conventional realm, remains perilously high.

China, the United States, and Cybersecurity: The Opportunity

By focusing on the ethical underpinnings of the cybersecurity issue, the United States and China can chart a path forward in addressing the bilateral dispute. As the two most significant players in international cyberspace, the two sides can expect dividends from cooperating in establishing norms in the cyber realm. Since strategic mistrust regarding cybersecurity has a spillover effect on overall bilateral relations, cooperation in setting norms on permissible cyberspace behavior can help ease tensions between the two countries. Moreover, U.S.-China bilateral collaboration in addressing the issue can serve as a critical step towards promoting multilateral efforts aimed at ensuring a more secure cyber realm.

The task of bridging the divide between Chinese and American understandings of cybersecurity is not an easy one. Tensions are high and the stakes—the health of the bilateral relationship and the safety of the cyber realm—are even higher. Nevertheless, there is a path forward for the two countries and it can be found in a consideration of the fundamental ethical questions that constitute the issue of cybersecurity itself. By clarifying their respective views on a series of simple ethical questions, the United States and China will increase mutual understanding, creating a more conducive environment for dialogue. This dialogue, in turn, will make possible agreements on certain new norms in the cyber realm.

Ultimately, the United States and China are only two countries in a complex international system. They alone cannot solve problems involving multiple stakeholders. By working to create new norms, however, they can mature the multilateral dialogue on issues like cybersecurity, helping to make possible global solutions to important global problems.

April 30, 2013

A Pivot and a Promise: The Future of U.S.-Myanmar Relations

The United States needs to move beyond a "wait and see" approach towards Myanmar and encourage broader reforms by boosting state capacity in three essential areas: the economic, political, and cultural.

By Thaw Zin Aung GYI (Myanmar) and Reid LIDOW (United States)

U.S. Government Works / Pete Souza www.flickr.com/photos/whitehouse/ (CC)

Barack Obama strikes bell at Shwedagon Pagoda, Yangon.

Speaking at the University of Yangon last November, President Obama declared the United States "a Pacific nation," with a future "bound to those nations and peoples to our West." The visit to Myanmar, the first ever by a sitting U.S. president, was the culmination of nearly two years of policy reforms and reengagement directed toward the long ignored state. What made this reengagement possible was a combination of a new foreign policy rulebook adopted by the Obama administration advocating a rebalancing—or pivot—into the Asia-Pacific, along with a democratization effort by Myanmar's reviled military junta. Operating on a geologic timescale in foreign policy terms, Myanmar seemed to make an about-face overnight as political prisoners were released, Aung San Suu Kyi was elected to parliament in free and fair elections, and a nominally civilian government worked to broker ceasefire agreements with ethnic groups. Simultaneously, the United States normalized diplomatic relations with Myanmar, installing a new ambassador and easing toward a sanctions drawdown.

Several months after President Obama's visit, it is clear that U.S. policy towards Myanmar needs an adjustment. In an August 2012 *New Yorker* story by Evan Osnos entitled "The Burmese Spring," Osnos observed that unlike what was seen during the Arab Spring, "Burma's opening has so far defied the narrative logic we've come to associate with political transformation: there is, as yet, no crowd picking through a ruined palace, no dictator in the dock." That was then. And while the homes (palaces by Burmese standards) of former military generals and crony businessmen still remain standing, the homes of minorities are smoldering. In Rakhine state, the persecution of stateless Rohingya Muslims persists. In Kachin state, the Kachin Independence Army

continues to wage a bloody war against the military, and other decades-old ceasefire agreements have broken down amidst the reforms. And throughout the country, a recent wave of violence between Buddhists and Muslims has resulted in a series of protests and deaths that has spread to neighboring countries. It may be business as usual in Naypyitaw, but it is clear that the new Myanmar is being born in blood.

The United States has made an impressive effort to step up engagement with Myanmar in line with the rest of the world, but it's time for a change. In what has become known as the "wait-and-see" approach, all policy movements by the U.S. come in a graduated fashion only after the Burmese government pushes past key reform metrics. To help nudge the government, the U.S. uses an additional tool: the two prongs of engagement and pressure. Early in the reform process, this approach worked as designed—as Myanmar plucked the low-hanging fruit of political prisoners and rigged elections off the poison tree, the U.S. was ready to both take partial credit for the reforms and roll out new engagement policies. This tit-for-tat approach can only go on for so long, and it has run its course.

Now, the United States needs to be even more patient with Myanmar and encourage broader, more comprehensive reforms over smaller, transient victories, and this can be accomplished by boosting state capacity in three essential areas: the economic, political, and cultural sectors. First, economic cooperation with Myanmar must be deepened as American firms enter the state, and all ventures must be defined by socially responsible practices. Second, political capacity must be expanded, especially with respect to a virtually nonexistent judiciary and a highly flawed constitutional document that continues to undermine real reform in the parliament, and this can be achieved through heightened "soft power" type exchanges. And third, internal cultural issues relating to ethnic groups must be peacefully resolved. If the United States is serious about the pivot, and recognizes its ethic of responsibility to Myanmar, then it will work to build state capacity by shifting from a wait-and-see approach to a proactive "Three Pillar" engagement model.

The First Pillar: Economic Engagement

In the September 2012 Center for Strategic and International Studies Myanmar Trip Report, the investigative team, composed of several leading Myanmar observers, concluded that the U.S. government must "support substantial levels of assistance for capacity building at all levels," beginning with investment. Thus far, the most visible signposts of the U.S. reengagement effort with Myanmar have been the many economic markers of American firms rushing into what they perceive to be one of the last untapped markets on the planet—a "Wild West" of sorts. General Electric was one of the first major companies to make a bet on Myanmar, signing a deal in July 2012 for a US$ 2 million contract with Yangon hospitals. Soft beverage giant Coca-Cola reentered the Myanmar market last year (2012) after a sixty-year absence and announced the construction of a domestic bottling plant through a local partner. PepsiCo followed in tow leaving North Korea and Cuba the only U.S.-soft drink-free states in the world—a club Myanmar no doubt sought to exit. MasterCard is working with Myanmar's CB Bank helping to build an electronic banking infrastructure beginning with ATMs, and soon tourists and businessmen entering the country won't have to come with wads of crisp U.S. dollars or Chinese renminbi. Most notably, Google CEO Eric Schmidt toured Myanmar in March of this year and shortly thereafter announced a Burmese version of Google.

With so many suitors rushing the Myanmar market, it is easy to see why GDP growth for 2012 was 6.5 percent and U.S. FDI topped US$ 1 billion, and both metrics show no sign of losing momentum. Myanmar stands as a rare monetary howitzer when compared alongside the sagging global economy, so what is the problem? As U.S. business interests enter Myanmar, there is a real risk that they will follow in the same footsteps as China. That is good for the balance sheets and the bottom line, but bad in just about every other imaginable way. China uses Myanmar as an extractive resource pit where upstream industries ravage the Burmese land and people with no regard for sustainability. In November of last year, hundreds of monks and local community members protested the unsustainable business practices at the Letpadaung Copper Mine, which is owned by a Chinese military-backed company, Wanbao Mining Co. In what was widely perceived as Beijing nudging Naypyitaw and President Thein Sein to solve the problem, the Burmese police moved to suppress the demonstration by cracking down on the protesters, burning many homes, and wounding hundreds. Whether the dispute is over a copper mine, hydroelectric dam, or oil and gas pipeline, the people of Myanmar tend to view China as a "taker" and not a "giver." Moreover, the United States should scrutinize both its own business intentions as well as those of its new Myanmar partners.

Speaking with one of the authors of this piece in an interview, Myanmar journalist, dissident, and national icon U Win Tin acknowledged that the "U.S. presence in Asia is very tangible and rather great." He went on to say that in terms of development "the U.S. can help, [however] the U.S. is not the great industrial nation" it once was, so perhaps it can focus on building democratic capacity. To a degree, U Win Tin is right. So far, U.S. economic

engagement with Myanmar has stayed away from the highly extractive industrial and resource sectors; Coca-Cola is hardly the banality of evil. This is bound to change in the coming years as U.S. firms seek to tap into some of the largest natural gas and offshore oil reserves in the world. Myanmar would be wrong not to capitalize on its resources, and the United States would be foolish not to compete for contracts in a free, fair and open marketplace, but all of this must be done sustainably. In the words of U Win Tin, "China is a menace" because of their actions, and the United States must work with local communities to minimize industry's footprint. Rather than working to suppress protests as seen at the copper mine, the United States would be wise to learn from China's mistakes and instead sit down with those who question the development motives of others. In short, if Myanmar is the "Wild West," then the United States must be the cowboy in the "white hat."

The Second Pillar: Building Political Capacity

If the party line emanating from the Myanmar Ministry of Foreign Affairs (MOFA) is any indication of current policy attitudes toward the United States, then America must adjust its Myanmar policy approach. Speaking with the authors of this piece in a closed meeting in Naypyitaw, two MOFA directors-general revealed that Myanmar is tired of the U.S. two-pronged approach and that "we [Myanmar] take the engagement, but not the pressure part." During the interview, the comment came off like a child at the dinner table not wanting to eat the vegetables, but upon closer evaluation there is real promise in this rebuke of U.S. foreign policy. The directors-general went on to say that reforms are being undertaken at a breakneck pace, "not because of U.S. pressure, but because we feel we have to do this—for the national reconciliation process." And while this level of awareness on the part of the government is heartening, there remain real fissures in Myanmar's political system leading to fits and starts in the reform process.

President Thein Sein has made an effort to confront corruption within Myanmar's political system head on, going so far as to make an internal speech "rebuking" political cronyism and arguing, "good governance is still very weak in Myanmar and still falls shorts of international norms." The United States has an opportunity to help strengthen Myanmar's political system, but in doing so it must be careful not to send the message that it wants to make Myanmar in its image—a neocolonial undertaking of sorts. Perhaps the greatest structural political hurdle facing Myanmar can be found with the Constitution, a document which became law in 2008 and lacks the current democratic values the new quasi-democratic government is trying to espouse. The document's mere inception is a blight on Myanmar's history, as it was rushed into law by the military in the days after Cyclone Nargis made landfall, claiming over 130,000 lives. Written and tailored to serve the interests of the former military junta, the 2008 Constitution allocates one quarter of the seats in Parliament to military officials. Designed to create a dichotomy between civilian and military affairs, constitutional divisions between these two groups have worked so well that Thein Sein is having trouble enforcing ceasefire agreements the military seeks to void. The most recent example of this power division came with the military reneging on a 1989 ceasefire agreement with the Shan State Army-North, brokered by the State Law and Order Restoration Council (SLORC), resulting in displacements and deaths. Additionally, Myanmar's judiciary is limited and highly corrupt.

The opening for the United States is obvious. First, America can make a positive impact with Myanmar with respect to constitutional and judicial issues by starting a dialogue, a conversation that is presently being ignored in favor of more politically savvy discussions such as prisoner releases and foreign investment laws. The United States can begin this conversation by opening up "soft power" dialogue channels, the Fulbright Program being a prime example. While the present Fulbright Program in Myanmar is in its infancy, the United States would be wise to create two new programs. The first program would extend the opportunity to Burmese academics to come to the United States for one year of study or work at an academic institution or policy organization in Washington, D.C. This "Capital Scholar Exchange Program" will allow some of Myanmar's leading thinkers to come to the United States, study and work on their own terms, and return to Myanmar with ideas of their own. Additionally, the other side of the soft power highway should be opened up and enthusiastic Americans should be able to apply to undertake research in Myanmar in the same way they can in over 100 other states worldwide. While the availability of this opportunity in Myanmar is not a question of if but rather when, the United States would be wise to move swiftly before hot topics, such as the flawed constitution and corrupt judiciary, go cold.

If the United States decides that soft power engagement should be employed in Myanmar, namely through academic exchanges, then caution should be exercised. Critiquing the soft power concept, United Nations Special Rapporteur Richard Falk makes the convincing argument that "the idea of using power of any kind to democratize other sovereign states is an imperial undertaking at its core." The United States must not fall into the trap that American democracy is the only kind of democracy, and that is why two way cultural exchanges—defined by

curiosity and a lack of prejudice—are key to forging a healthy, sustainable political future in Myanmar.

The Third Pillar: Finding a Cultural Common Ground

As the saying goes, it is important not to throw stones in a glass house. When it comes to diversity, and cultures clashing, the United States' history is not as proud as many would like it to be: Native Americans have been forcibly removed from their land; African-Americans have been subject to racist laws; and Muslims have been treated as a suspect class following the 9/11 attacks. The shameful list goes on, but for every failure the United States makes, an effort to repair wounds and engage in a national reconciliation process ensues. This is a story that must be shared with Myanmar.

Increasingly, when Myanmar makes news the topic now is clashes with minority groups, and the severity of this problem cannot be overstated. In Rakhine state, a rape and killing of a Buddhist woman last May spurred a series of protests against Muslims, and in an old junta-style action, martial law was declared in the state. Subsequently, police were deployed to the area to maintain the rule of law and suppress protests. However, it appears from news footage that their presence was largely ornamental. In the process, there began what has been described as a "pogrom" against Rohingyas. Speaking with a reporter who covered the Rakhine state crisis, under the condition of anonymity, the individual commented, "There is a real feeling of potential ethnic cleansing. The uprising [in Rakhine] has shades of Darfur." Additionally, over the course of the last year, tensions between the Kachin Independence Army (KIA) and the Burmese military have been ratcheted up resulting in frequent skirmishes and a series of deaths in the northern regions of the country. This has been against the backdrop of a more recent phenomenon: statewide protests—which have turned violent—against Muslims. The U.S. Embassy in Yangon, and Ambassador Mitchell, have done an excellent job applauding the good reforms and challenging the bad developments, but these core violent ethnic clashes cannot be allowed to persist.

The tools in the U.S. toolbox available to help guide Myanmar out of a series of ethnic crises are strictly words; America can get away with playing "Scrabble," but a game such as "Risk" is off the table. The solution to these conflicts can, in part, be found in the first and second pillars of engagement. Economically, the Burmese government should make an effort to give minority groups, whose land is affected by extractive business ventures, an economic stake in the success of the company. This could mean giving minority groups actual shares—a literal stake—or setting up a revenue distribution fund that provides a monthly or annual check to these groups that can then be reinvested in community development programs. It is a reality that economics set the agenda, whether at the household or national political level, and more needs to be done to give minority groups a stake in the success of Myanmar. With respect to the second pillar, the political system must be reformed in such a way that Myanmar becomes more of a federal state where minority groups—the Shan, the Karen, the Kachin—hold allocated elected seats both at the local level and in the national parliament. Most importantly, the United States, through formal diplomatic engagement, must share the stories of its cultural failures. The truth is not always flattering, but being honest with Myanmar will help to avoid repeating the painful ethical lapses of the past.

The United States and Myanmar: Moving Forward, Working Together

The United States reengaging Myanmar does not have to be all about the pivot. China is not going anywhere and will remain one of Myanmar's largest trading partners for some time to come. Furthermore, Myanmar is unlikely to fall into any "bloc" due to its history as a nonaligned state that prefers to hedge its bets rather than become over-reliant on any one state. Going forward, the United States needs to prove that the pivot is just as much about building cooperative, mutually beneficial relationships with long ignored states—such as Myanmar—as it is about balancing against China. And this commitment begins with the "Three Pillars" of engagement: an economic deepening, political capacity building, and a commitment to a diversity of cultures.

Returning again to Evan Osnos' words, Obama's actions in Myanmar have been nothing less than "a high profile bet on men of immense moral flexibility." It's time for the United States to double-down on the bet. It's time for America to acknowledge its ethic of responsibility and for the United States and Myanmar to move forward, working together.

April 29, 2013

The Ethical Challenge in Sino-U.S. Relations: The Threat of War

The United States' predilection to find military solutions to political problems, and China's failing search to legitimize an ailing political system are paradoxically different and yet two heads of the same coin.

By TONG Zhichao (China) and William YALE (United States)

U.S. Pacific Fleet www.flickr.com/photos/compacflt/ (CC)

Chinese sailors render honors to Secretary of the Navy, the Honorable Ray Mabus, during a visit to the People's Liberation Army Navy hospital ship *Peace Ark*.

The greatest ethical challenge confronting the United States and China is that in both countries, decision-makers are increasingly scoping out foreign policy strategies that will inevitably lead to military conflict. On the U.S. side, decision-makers often look for military solutions to what are really political problems. They consider geopolitics, and in fact fall back on geopolitical fatalism in thinking about China as an inevitable enemy. In China, the Chinese Communist Party (CCP) is buffeted every day by internal pressures, and is thus coming up with new foreign policies that it thinks can legitimize itself and distract the people from domestic problems. But in reality these policies have the side effect of rationalizing hyper-nationalism, which could push the CCP into being more antagonistic towards the United States. Taken together, problems in both countries could create a security dilemma, or put in more colloquial terms, a death spiral into conflict.

It didn't used to be this way. Forty years ago, the United States and China reconciled their vast ideological differences and previous hostility towards each other because of a very practical challenge: the threat of the Soviet Union. The decision-making calculus on both sides was predominately realist—by joining forces, the United States and China could rebalance international relations and put the Soviet Union in a weaker position. After the fall of the Soviet

Union, the United States and China had to come up with a new paradigm for the relationship. Although this rationale for the relationship has never been completely settled, for the most part, good relations have been realized through mutual economic benefit—the United States has invested billions of dollars into the Chinese economy and helped it develop, while the Chinese have, in time, sold the United States cheap goods and offered the country cheap credit. In fact, economics has been the brightest part of the relationship, and indeed what has kept the relationship going along as well as it has.

But today, mutual economic benefit is widely perceived as inadequate to indefinitely sustain good relations. On the U.S. side, the military plays an outsized role in determining the character of the Sino-U.S. relationship. Overwhelmingly, the U.S. Department of Defense (DoD) relies on geopolitics to predict a powerful, antagonistic China; after that, it simply plans based on that assumption. Starting in late 2011 and early 2012, the Obama administration rolled out a new Asia-Pacific strategy: the Pivot (or Rebalance) to Asia. The Pivot was supposed to be comprehensive, striking a balance between engagement and hedging; between soft and hard power; and between the diplomatic, international development, and military components of the U.S.'s foreign policy apparatus. And to some extent, the economic and diplomatic sides have materialized: for example, with the Trans-Pacific Partnership, a free trade agreement currently being negotiated with countries spanning both sides of the Pacific (although it excludes China, partially by China's choice).

However, what has mainly appeared instead of diplomatic and economic engagement is an overemphasis on military hedging. Starting shortly before the official unveiling of the "Pivot to Asia," it was made public that the DoD was designing a new operational concept, intended especially for use in the Asia Pacific. This new operational concept is called AirSea Battle. It is a concept that combines the strengths of the Navy and the Air Force to combat what is known in military jargon as A2/AD (anti-access/area-denial). A2/AD, in turn, refers to a combination of asymmetric threats that are intended to thwart a conventional military (like the U.S. military) as it approaches the coast of a foreign country. Such technologies could include ballistic and cruise missiles, diesel and nuclear submarines, land-based attack aircraft, anti-satellite technology, and cyber warfare in order to cripple the U.S. military. While the DoD and outside think tanks have strenuously denied that the Pivot to Asia or AirSea Battle is intended to combat China, it is clear that China is the target, because it is developing precisely this A2/AD strategy (Iran is to a lesser extent developing it as well).

AirSea Battle proposes many ways to negate the Chinese asymmetric threat in the event of a conflict: hardening forward operating bases from attack (such as in Guam or eastern Japan); incapacitating Chinese ground and space-based ISR (intelligence, surveillance, and reconnaissance) capabilities; conducting strikes on ballistic and cruise missile launch and production sites in Chinese territory; and eventually enforcing blockades against Chinese commerce and energy shipments.

Of all these potential missions, striking targets deep within Chinese territory would be the most difficult, the most expensive, and the most contentious. Official publications emphasize that "attacking in depth" (more jargon meaning attacking deep within enemy territory) is essential to the success of the AirSea Battle concept and that current DoD assets will be less useful to conduct this mission into the future.

For this reason, the DoD is currently developing new weapons systems, such as Prompt Global Strike (PGS) and the new Long-Range Strike Bomber (LRS-B), both of which are designed primarily to hit targets deep within mainland China. PGS consists of a hypersonic glider launched on top of a ballistic missile, delivering a conventional warhead anywhere in the world in under an hour. But there is a catch—it is possible that the launch of such a missile could be confused by Russia or China as a nuclear launch. The LRS-B, meanwhile, completes similar missions without quite the destabilizing factor. But still, given how expensive it is likely to be (at least $500 million each, but likely much more given cost overruns), we must always ask the question: Is there a strategic reason for developing this weapons system?

These developments are ethically troubling in and of themselves, but in reality they are only a small part of a larger system. The DoD and others believe that AirSea Battle will prevent a future Sino-U.S. conflict. And to some degree, they are right. It is important to have a credible deterrent in order to avert war. But is AirSea Battle, especially weapon systems like PGS, the right kind of deterrent? Under the geopolitical logic that the DoD has adopted (well represented by the book *A Contest for Supremacy* by Aaron Friedberg), war is seen as almost inevitable, as if the United States and China were the British Empire and Germany on the eve of World War I. If left unchecked, this kind of thinking will result in ever-greater tit for tat as both sides attempt to achieve virtually impossible levels of security. It is the sad truth that the current Sino-U.S. military situation has the makings of a security dilemma. If we let geopolitics determine U.S. relations with China, we are going to end up with World War III.

In reality, a Sino-U.S. war would be overwhelmingly against the national interest on both sides. Actual conflict would represent the complete failure of both U.S. and Chinese foreign policy. Both sides would be economically

crippled by war, but China would suffer more. Blockade operations alone would immediately cut off seaborne trade and energy conduits, slowly suffocating and circumscribing Chinese action. The economic consequences of war would be received highly unfavorably by the Chinese public, and could even threaten the CCP's hold on power. Finally, the DoD assumes that China would start this hypothetical war; this however has serious logical flaws, given that China could not support such a war if it started it. China does not have the ability to project power that the U.S. does; A2/AD as a strategy is not geared to projecting power, but rather defending and controlling the maritime area around China. In a potential conflict, China would be limited close to home. This is contradictory to an offensive, power-projection strategy.

As it stands, AirSea Battle is a strategy that will largely exacerbate the latent Sino-U.S. security dilemma, not prevent war. The failure to craft an appropriately comprehensive strategy lies as much with the U.S.'s civilian leaders as its military leaders. The Sino-U.S. relationship is at its heart a political problem, not a military one. And yet the current administration has let the military largely define the Pivot to Asia. This is a mistake. The president has an ethical obligation to craft national strategies that explicitly attach political purposes to the use of military force. Historically, the U.S. military has been a force for good in the Asia Pacific, by upholding stable governments, free markets, and a just international order. But this too was as much about good diplomacy as it was about smart military deployments; the U.S.'s modern Asia Pacific strategy must be also.

On the other side, China is marching towards a security dilemma, but from a different angle. Domestically, China suffers from stark insecurities. The economy is unbalanced, social and economic inequality is stark, environmental problems loom large, corruption seems intractable, and citizen discontent boils upwards in the form of mass protests. But the largest problem is currently the lack of legitimization of the CCP. The CCP, of course, previously relied on revolutionary Marxist-Leninist-Maoist thought. But in the last thirty years, this has been insufficient since China moved towards a capitalist market. So China now emphasizes nationalism and a historical narrative of "national humiliation" perpetrated upon China by the Western imperial powers in the century before China's unification under Mao. Taken together, these are not just ideologies to legitimize the CCP, but also methods to quell internal dissent, by encouraging average people to take their discontent and latch it onto foreign countries.

In recent years, nationalist figures in Chinese foreign policy have sought to systematize this thought and make it more coherent. There is a dangerous possibility that they will succeed in adopting an ancient Chinese concept, *Tianxia*, meaning "all under heaven," which places China at the center of a hierarchical world order. *Tianxia* at its heart is a way to provide justification for Chinese exceptionalism. During recent years there have been Chinese scholars like Zhao Tingyang, Qin Yaqing, and Yan Xuetong who advocate a Chinese model of international relations theory based on *Tianxia*. According to them, *Tianxia* embraces a universal ethical system that is superior to the Westphalian system, which allows for too much conflict among nation-states. They urge Beijing to use its increasing power to reassert China's traditional moral world order. As Zhao Tingyang, a well-known intellectual in the Chinese Academy of Social Sciences, wrote on the back of his book *Tianxia Tixi*, "the real problem facing the world is not the existence of failed States, but the presence of a failed world." Some Chinese scholars tend to believe that *Tianxia* will create a great utopia on the international stage. *Tianxia* can also be seen as the philosophical foundation for the "Harmonious World" promoted by the CCP's ex-party chief Hu Jintao.

The CCP itself will actually be too happy to encourage such an intellectual development. Being assertive in foreign affairs provides them the cover that the party desperately needs so as to distract the Chinese people from domestic conflicts. In addition, Chinese exceptionalism based on *Tianxia* also responds to the party's need to label everything as "having Chinese characteristics." It could justify the party's refusal to adopt liberal democratic political reforms. After all, if China could refuse Western modes of thinking in international relations, why could it not refuse Western political systems? In other words, *Tianxia* may give the CCP additional legitimacy and staying power.

What ethical challenge does this pose for Sino-U.S relations? There are two types of the *Tianxia* system that will pose problems. The "hard" version, if implemented, will be a total disaster for Sino-U.S relations. There is no doubt that the hard version of *Tianxia* is a hierarchical order with China in the dominant position. Ancient China, under the influence of *Tianxia*, never viewed its neighbors as sovereign nations equal to itself. Instead it always treated them as inferior partners or vassal states. The massive naval power of the fleet of 27,000 soldiers on 250 ships led by Zheng He during the Ming Dynasty, after all, did "shock and awe" foreigners into submission. Moreover, the supposedly peaceful Zheng He used military force at least three times; he even captured the king of modern-day Sri Lanka and delivered him to China for disobeying Ming authority. So if the CCP chose to enforce this hard version of the *Tianxia* system, whether because they truly believe it or they merely want to distract people's attention from domestic unrest, China will increasingly be in conflict with its neighbors. And

with America's return to the Asia Pacific, this will definitely result in military conflict with the United States.

The "soft" version of *Tianxia*, however more peaceful and open-minded than the hard version, could still create problems for Sino-U.S. relations. It reflects a more cultural missionary attitude of *Tianxia*. The construction of Confucius Academies around the globe is a good example. It advocates Chinese exceptionalism by spreading exceptional Chinese ethics around the globe. After all, under the ancient *Tianxia* system, China did not colonize neighboring states like the Roman Empire did. The neighboring states submitted to China because of its cultural dominance. With China's revival, many Chinese intellectuals are reviving the great traditions of Chinese culture. There is no doubt that China now is going through a great cultural renaissance. Traditional Chinese clothes are increasingly popular and the government directly promotes the celebration of traditional Chinese festivals. There are even markets for traditional Chinese schooling based on the Confucius style.

The problem is that no matter how hard China tries to advertise *Tianxia* as being benign (for example, they may claim that "harmony with difference" has a great place in traditional Chinese culture), the soft version of *Tianxia* is still a comprehensive ethical doctrine that is only accepted in China. It will definitely result in ideological conflicts with the ethical code based on Western liberalism shared by most Americans, and indeed, the entire modern international order. Under the geopolitically fatalistic assumptions being made by many decision-makers in the United States, it is entirely possible that the U.S. could mistake attempts to implement "soft *Tianxia*" as actually "hard *Tianxia*," thus provoking even more serious conflict. The soft version of *Tianxia*, through advocating the application of traditional Chinese ethical codes on a global scale, tries to accomplish something impossible.

How do we handle this great ethical challenge? There is no doubt that political reforms will be necessary in China. Otherwise the CCP will continue to manipulate this *Tianxia* concept so as to stay in power. After all, nationalism through revival of one's national traditions has been used by all authoritarian regimes around the globe. And the discussions above show that the CCP will try to use the hard side of *Tianxia* as much as they can. Communism has few true believers in China now; thus nationalism is the best chance for the CCP to keep its legitimacy.

Chinese citizens, intellectuals, and especially the Chinese government need to face the fact that this is a pluralistic world. The utopian dream based on *Tianxia* may have little appeal to people believing in different comprehensive doctrines. The United States, with its tradition of liberalism, will never be converted to this traditional style of Chinese thinking. The ideological conflict between communism and capitalism resulted in a Cold War between the Soviet Union and the United States. The same scenario may happen again if we let *Tianxia* define Chinese foreign policy. In order to deal with insuperable ideological differences, a real strategy would be to focus on practical measures to improve Sino-U.S relations. The same applies to the United States as well. Both sides desperately need to compromise, and have a more nuanced historical perspective of the other.

In the end, these two massive problems—the United States' predilection to find military solutions to political problems, and China's failing search to legitimize an ailing political system—are paradoxically different and yet two heads of the same coin. The two can be seen to be one unity because they exacerbate the dangers of the other—if China were to descend into an economic slump and decide it had to pump Chinese nationalism and *Tianxia* into overdrive, then the United States would be forced to conclude that its military buildup is rational and well-reasoned. And if the United States continues to give China the impression that it seeks to "contain" China with the Pivot to Asia, then to China, *Tianxia* only makes more sense as a strategy to combat an antagonistic United States. But if both can exacerbate each other, then the amelioration of either strategy can also improve outcomes in the other country. This will require strategic trust, which in turn will require solid, practical moves by both sides to clarify their long-term intentions and strategies.

April 30, 2013

Senkaku/Diaoyu Conflict Endangers U.S. Rebalance to the Asia-Pacific

It may be a moral duty for the United States to comply with its security treaty with Japan, but is it worth jeopardizing its relationship with China?

By Ana MARTINOVIC (United States) and Iris SORIANO (Philippines)

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Aerial photo of contested islands.

On the international level, the significance of the relationship between the United States and China is twofold. First, these two nations stand alone as social and political powerhouses, and second, they heavily depend on each other economically. The United States may have the largest military and economy, but China's economy continues to grow at an unprecedented rate, most notably serving as the world's greatest exporter of goods such as electrical machinery and equipment. China exported over US$ 300 billion worth of goods in this category during 2009, and $71 billion worth was exported to the United States. Due to the recent downfall of the U.S economy, hospitable relations with China must be maintained. China could serve as a key factor in the rebuilding and stabilization of the future in America. The current territorial conflict in the East China Sea between China and Japan, however, threatens this relationship and its potential to aid the U.S. economy. A preexisting security treaty from 1951 obligates the United States to get involved and defend Japan if armed conflict occurs. If a conflict did in fact break out between Japan and China, by the treaty, the United States would have to support Japan. This would clearly hinder the U.S. relationship with China. Though it appears to be a moral duty for the United States to follow through with its written obligations, it would be in the best interest of the United States to remain out of the conflict to most successfully secure a prosperous economic future.

In recent years, the Obama administration decided to shift the focus of the U.S. Department of Defense from the Middle East to the Asia-Pacific region. This strategic shift, known as rebalancing, is welcomed by the Asia-Pacific region. The United States will be emphasizing defense and security cooperation in the region. Besides military service, the United States also hopes to provide allies with assistance in developing human rights. It can be assumed that the United States carried out this strategy in response to growing tensions with North Korea, wanting to show its commitment to its strongest allies: Japan and South Korea. Joseph Yun, an assistant secretary in the State Department Bureau of East Asian and Pacific Affairs, recognizes that "the future prosperity and security of our nation will be defined by events and developments in the region." Not only will this rebalancing allow the United States to cultivate amicable relationships with Asian nations, but it will subsequently help the U.S. economy for the following reasons.

The United States increased investments in the Asia-Pacific over the past few years, with considerable benefit to its economy. Investments increased by $20 billion from 2009 to 2011. The increase in exports links directly with increasing jobs for Americans, which is beneficial for economic welfare. Because of its status as a top exporter not only in the

region, but also globally, China has become the main focus of the United States in the Asia Pacific. China will, in upcoming years, become the world's most powerful nation due to the rate at which it is developing infrastructure and increasing its manufacturing processes. Though the nation does not pose any threats to the United States or rest of the world due to its high status, it is important for countries to take China seriously and to try to be in good standing with it. As such, it is important for the United States to keep a positive relationship with China because the United States depends on Asia for its successes just as Asia depends on the United States for its international market. Unfortunately, the current threat to the U.S. association with China is the conflict in the East China Sea between China and Japan. The United States may end up in a position to get involved in the conflict and if the United States makes the wrong decision, it could destroy the U.S. plan to rebalance in the Asia-Pacific.

To expand on the issue, China and Japan are engaged in a territorial conflict with regard to islets in the East China Sea, known as the Diaoyu by the Chinese and the Senkaku by the Japanese. Historically, Japan's government annexed these islands in 1895. A Japanese man started a business on one of the islets that failed in the 1940s. Since the failure of his business, no one has inhabited the islets. Since the islands were essentially empty, the United States used these islets for military occupation after World War II, but in the early 1970s the United States returned them to Japan, excluding sovereignty rights. During this same period, the United Nations declared that there was a possibility of oil and gas reserves surrounding the islets. Not surprisingly, this news brought a heightened interest in the islets for both Japan and China. Throughout the twentieth century, China claimed ownership of the islets, but no vital action to obtain the islets occurred, therefore dispute was avoided. Regardless, serious tensions between Japan and China began to spark in fall 2012.

In September 2012, Japan's cabinet announced that it would purchase three of the five islets from a private owner. China became enraged over the proposition and warned Japan against the purchase, stating that doing so would lead to serious consequences. The United States joined China and advised Japan against the purchase. Kurt Campbell, a U.S. assistant secretary of state for East Asian and Pacific Affairs, stated that "even though we warned Japan, Japan decided to go in a different direction." It was clear to the United States that Japan's purchase could trigger a big conflict with China, but Japan went ahead with it anyway. Now in 2013, we find both nations defending their sovereignty rights over the islets.

China continues to stand firm in its belief that the islets are under its authority and has expressed this clearly to both Japan and the United States. Though China has not attacked Japan militarily, it has been sending ships and aircraft to scout the region as a symbol of confrontation toward Japan. China has also taken the extra step and escalated to the point of locking targets onto Japanese aircraft and ships. China's provocative actions seem troubling to the rest of the world, so the question becomes whether or not the competition will lead to armed conflict if Japan does not relinquish the islets to China.

The United States has repeatedly declared that it does not want to get involved in the territorial conflict in the East China Sea and hopes that the two nations will settle the dispute among themselves by coming to a peaceful agreement. Nonetheless, the United States also mentioned that if armed conflict does occur between Japan and China that it will intervene to defend Japan. The obligation of U.S. intervention is due to the U.S.-Japan

www.wikipedia.org (wikimedia creative commoms)

Senkaku/Diaoyu/Tiaoyutai Islands.

Security Treaty written after World War II. Article I of the Security Treaty states that American forces "may be utilized to contribute to the maintenance of international peace and security in the Far East and to the security of Japan against armed attack." It directly states that the United States must support Japan as an ally in the event that a foreign nation attacks them. This implies that the United States will necessarily have a role in supporting Japan militarily if armed conflict occurs between China and Japan.

The United States, however, cannot afford to get involved in this situation. It would immediately jeopardize the U.S. relationship with China, which in turn damages the entire defense strategy of rebalancing to the Asia-Pacific. Ultimately, the strong alliances formed with Asian nations such as Japan draw the United States into regional conflicts that the United States simply cannot afford. The United States and China have a complex, interdependent relationship. Even though both nations have different ideologies, they both depend on each other economically. Despite this relationship, China has stated that the presence of both the Japanese and Americans around the islets is seen as "provocative." China knows that the United States has obligations to Japan and this causes doubt in China as to whether the United States is truly aiming to strengthen its relationship with China. China has also indicated that U.S. support is another form of containment. The Chinese government assumes that the United States and its allies want to restrict China's power because it is such a rapidly growing nation. The powerful nations in the West, such as America, must therefore feel threatened by this growth and want to suppress it. Joseph Yun, acting assistant secretary in the Bureau of East Asian and Pacific Affairs, said, "Let me be clear that we have no interest in containing China, but rather our policy is designed to increase cooperation with China on a wide range of bilateral, regional, and global issues." Yun aims to console China by assuring it that the new U.S. role in the Asia-Pacific will be mutually beneficial. Unfortunately, his words may not be satisfying enough for China because of regular meetings held between Japan and the United States about updating defense plans over the East China Sea islets.

To avoid potential conflict between the United States and China, the United States should continue to remain neutral and uninvolved in the territorial conflict. It may be a moral duty for the United States to comply with its security treaty with Japan, but is it worth jeopardizing its relationship with China? This is an ethical challenge that the United States needs to confront. It would be in the best interest of the United States to let Japan know immediately that it will not support them militarily in case of armed conflict with China. The United States needs to disregard the language in the security treaty and leave territorial conflicts to be handled solely by the region. It is a disagreement between China and Japan which should be left entirely alone by the United States. Announcing this reinforcement to China will strengthen the relationship between these two countries by eradicating any possible ulterior motive that China believes the United States holds against them. It is more important for the United States to strengthen its relationship with China because of the nation's growing power rather than to commit itself to a security treaty with Japan written in the past.

Let us reiterate that the U.S. shift to the Asia-Pacific region is an important defensive move. This region provides many opportunities for Asian nations to form alliances with the United States which benefit each nation's security and development. The U.S. plan to further increase its investments in the Asia-Pacific should alleviate any hostility between the Unites States and other Asian countries if the United States chooses to develop a powerful defense strategy. Therefore, the United States should remain out of the Diaoyu/Senkaku conflict completely. Supporting Japan will hinder the U.S. relationship with China, whereas leaving Japan and China to settle it themselves enhances the independence of the Asia-Pacific. It is ethically important for the United States to let the security treaty go and to reassure Japan that it has no negative intentions because of the withdrawal, but rather it should not be engaged in other nations' territorial conflicts. This decision will help make the rebalancing policy more successful by preserving its relationship with China because it is the key country making this shift possible.

May 1, 2013

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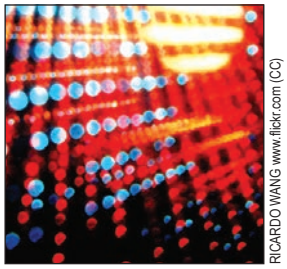

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This Is How You Lose: Against Political Pressure by Militarism

Militarization has hurt bilateral and multilateral U.S.-Asian relations more often than it has helped.

By Alexandra Nicolette KHOO (Singapore) and Sean LAGUNA (United States)

Official U.S. Navy Imagery www.flickr.com/photos/usnavy/ (CC)

Sailors aboard the guided-missile destroyer USS *Mustin* (DDG 89) direct an SH-60B Seahawk helicopter.

The story is familiar: The United States sees Asia as a strategic region for reinforcing its military hegemony, prompting its "Pivot to Asia" policy. China views the United States as a competitor for regional dominance. Long-time American allies Japan and South Korea see the United States as a deterrent to possible Chinese coercion. Southeast Asian nations do not take explicit sides but opt to use the great power rivalry as a hedge against dominance by either power. We hear debates about the responsibilities of the United States to its allies, and China's need to reassure neighbors and be reassured in turn. Yet, in all this, militarization is left unquestioned as the preponderant policy tool, although it underlies all these critical issues. U.S.-Asia relations have become increasingly characterized by the military dimension, as if countries have become accustomed to finding security in their respective destructive capacities.

A critique of militarism is not a critique of the military. Rather, it is a protest against the knee-jerk recourse to military power as a state's means of securing autonomy and influence. In a region fraught with tension, U.S. military engagement and Asian arms competition likely do more to stunt the development of security institutions than give them breathing space. In some cases, hypersensitivity to military strength has dissolved and replaced practical negotiations about real issues with wasteful defense spending. For instance, at the April 2013 symposium on Japan-China relations held by the Keizai Koho Center, Japanese experts on China issues voiced how an excessive policy focus on Sino-Japan military tension has led to a decline in Japanese exports to and investments in China that undercuts Japan's global competitiveness. Militarism has destabilized the region and threatens to destabilize it further, while distracting from critical issues like trade, national debt, underemployment,

environmental protection, and human rights. It reduces foreign policy to the hollow, never-to-be-fulfilled threat of war.

An Ethical Look at Power

The devotion to military primacy has a fundamentally ethical undercurrent because it involves the metric by which countries relate to each other. Any given country in the U.S.-Asia interaction judges the relative power of any other country primarily based on their defense capabilities and military presence in the region. Smaller Asian countries are responding to Chinese maritime assertiveness with defense spending, especially on offshore patrol vessels (OPVs). Japan's politics have revolved almost solely around securing maritime access, a largely political and economic issue they are addressing through military spending. While this course of action has obvious drawbacks, Japan faces clear pressure from China to ensure "regular access to sea lanes," claims Japanese naval expert Alessio Patalano of King's College, London.

Naturally, countries can uphold security through force, and countries with that force, with the capability to exercise force, will do so in a way that reflects their own best interest. Countries, particularly the United States, that actively pursue a security role guarantee that they have priority in doing this, and thus can use it as a means of control. Other countries that do not have such capabilities have to concede to those that do, and cannot ensure that the exact details by which the powerful countries uphold security align with their beliefs and goals. In a system where the powerful countries helped form a security community this would pose less of a problem, but the United States has not fostered such a relationship with Asia, leading to a deficit of trust. This ethical challenge has been exacerbated by the exclusionary tendency of U.S. regionalist initiatives; security arrangements that usually focus on particular sets of states, rather than being widely open to those actors found within the region. This environment has induced those countries to militarize to guarantee their autonomy and influence. The use of military force has become a means of exerting pressure best met by reciprocal military force.

Focusing on this particular type of power acquisition has led to a limited normative perspective of it; to attain power, primarily one route exists: militarization. This imposes a certain ethical constraint. Reducing the domination of military force in foreign policy involves loosening this constraint and favoring a more useful metric for power, one that will mutually benefit the United States and Asia, one that will efficiently use resources and encourage progress from Asian countries, as opposed to wasting resources and derailing progress. Nations need to reestablish normative metrics for power that yield autonomy and influence to countries that deserve it. They need to develop a new language for their international discourse that involves more than just the implication of military force as control.

The ethical notion of power in political arenas goes far back to the seventeenth century with Locke's *Second Treatise of Government* (and before), distantly predating the current arena of international politics. To compare persons in national politics to states in international politics:

"He who attempts to get another man into his absolute power, does thereby put himself into a state of war with him....for where-ever violence is used, and injury done, though by hands appointed to administer justice, it is still violence and injury, however coloured with the name, pretences, or forms of law, the end whereof being to protect and redress the innocent, by an unbiassed application of it, to all who are under it; where-ever that is not bona fide done, war is made upon the sufferers."

Power through violence has irrevocable drawbacks that invalidate it from being an ideal system. Currently, the United States and Asian countries use militarism to garner power—not "absolute power" but relative power—and similar drawbacks are manifesting themselves. Locke goes on to suggest that "to avoid this state of war...is one great reason of men's putting themselves into society, and quitting the state of nature: for where there is an authority, a power on earth, from which relief can be had by appeal."

Locke suggests an institutional approach to avoiding a state of war, namely by establishing an authority that protects and enforces an ethical metric of power. But this does not prescribe a means for doing so. While it may sound like it, this does not suggest an institutionalist approach to international policy over a realist approach. Instead, note that this is in itself the challenge faced in U.S.-Asia relations, and that, more generally, it should be addressed in a "limited and conditional" way (invoking Occam's Razor alongside numerous Lockean ideals). Some totally laissez-faire method may exist for establishing a new metric, such as through nations identifying and adopting policies that are otherwise in their favor as well, with no need for the overhead of some centralized authority. These policies might produce means of establishing power that naturally supersede military power.

It is frankly embarrassing that the current international political arena has degenerated into a macroscopic yet impotent version of this state of war: functionally unable to fulfill itself through all-out war, yet still, for some reason, valued, and wielded as if it were effective. A new system needs to develop that will replace this and refocus the progress of humanity, as contributed to by the United States and the many Asian nations, among the most influential in history.

The Limited Coercive Utility of Brute Force

Proponents of militarization may argue that the political stakes in Asia necessitate having military potency. Indeed, brute force is the surest way to secure a number of political objectives. This includes acquiring territories, seizing resources, and overthrowing regimes, reminiscent of the colonization of Asia. However, times have changed. The legal equality of nation-states and with it, the principles of sovereignty and noninterference form the cornerstone of modern international relations, codified in the United Nations (UN) Charter. This has fundamentally persisted even with the onset of the Responsibility to Protect doctrine. Might no longer justifies action.

Further, upon closer inspection, many political objectives require the compliance of the target country in order to be achieved. No regime can be physically forced to change its foreign or domestic policies. The U.S. failure to coerce North Vietnam and create a viable, independent, non-communist South Vietnam, despite having military superiority, is a case in point. Military strategic interaction aside, the actual human and material cost of forcing a change through artillery attacks is often underestimated by political leaders and is likely to exceed their cost tolerance. This yields an end result where political vulnerability such as domestic public backlash imposes a withdrawal prior to ultimate military victory.

A country's ability to extensively project military power could even be counter-productive to international bargaining or cooperation. At first, this notion may seem contrary to the conventional wisdom that coercive threats are more effective when coming from a great military power. However, coercive diplomacy extends beyond the use of threats to secure interstate agreements and is a complex balancing of concessions, sanctions, and credible commitments. Multilateral support also plays a crucial role, but it is the credibility of reassurances that the desired change is in policy, not regime, that makes or breaks deals involving a mutual interest. A threat-issuer's military primacy heightens the target country's anxiety that the former will be emboldened to make additional demands in the future if an agreement is reached, precisely because of the backdrop of military force as a means to induce acquiescence. According to a game-theoretic interpretation of reputation-building, hoisting military power can prevent the threat-issuer from correctly evaluating the incentives of a target. Threats that are not designed to procure information about the goals of a target instead obscure those goals. As such, relying on military power as a means of coercing targets drives a stake between the future as perceived by both parties. The threat-issuer hopes to seal a path toward its own goals, while the target country is encouraged to develop a cost-tolerance to war and to avoid acquiescence, concerned about the slippery slope to full submission and "future exploitation." In an article entitled "Goliath's Curse: Coercive Threats and Asymmetric Power," Todd S. Sechser sums up the policy implication nicely by noting that "successful coercive diplomacy requires not only a sharp sword, but the ability to sheathe it."

At the very least, North Korea's recalcitrance demonstrates the futility of straight-on intimidating a lesser power into compliance. More specifically, a reexamination of the first North Korean nuclear crisis of 1993–94 reveals that the only partial coercive successes occurred in conjunction with conciliatory diplomacy. Jimmy Carter might have been able to reach an agreement with Kim Il-Sung to allow the International Atomic Energy Agency (IAEA) inspectors to stay at Yongbyon among other terms because the impending alternative was hostile UN sanctions. However, the Clinton administration's persistent failure to compel or coerce North Korea to refrain from collecting more spent fuel rods that could be weaponized shows the necessity of conciliatory diplomacy that signaled benign intent. Either way, interstate bargaining requires a nuanced approach that militarism is more likely to undercut than help.

In view of the riskiness, costliness, and unlikelihood of invoking a military response, militarization is a skewing of national priorities that may unnecessarily divert resources away from the people. This is most pertinent in Asia where arms spending has been on the rise even when worldwide spending has declined. According to the Stockholm International Peace Research Institute, ("Trends in World Military Expenditure, 2012"), China's military spending rose by 175 percent in real terms from 2003 to 2012 while Indonesia saw an increase by 73 percent and Vietnam's spending escalated by 130 percent over the same period.

Specifically, Southeast Asian military purchases include "fourth-generation" or "fourth-generation-plus" fighters, submarines, and main battle tanks; air-to-air and air-to-ground weapons; anti-ship cruise missiles; and reconnaissance systems. One strains to identify actual use cases for the purchased equipment, especially in light of the pacifist, noninterference, and overall friendly discourse within ASEAN. Uses do exist but mostly lie on traditionally political and economic turf, such as the use "of new naval vessels to patrol territorial waters and enforce exclusive economic zone (EEZ) rights."

Richard Bitzinger, an Asian defense specialist, suggested that the purchases might "reinforce mutual insecurities and suspicions," and that they can "be very expensive and ultimately even imprudent...siphoning scarce government funding away from more urgent social needs." Many of these arms purchases

spanned long periods of time or were delayed because of insufficient funding, suggesting that when funds did exist, they were, for some reason, prioritized for defense spending. Undeniably, if such spending does nothing more than uphold the status quo, it is unnecessary; if the spending is put to use, it can have a range of impacts on security dynamics, likely destabilizing in nature.

A Regional Order Destabilized

The current militaristic shade of U.S.-Asian security relations encourages regional rearmament, which triggers uncertainty about neighboring countries' intentions and worsens the regional trust deficit. Asia is the locus of numerous fault lines prone to conflict eruption with tensions between China and Taiwan, and North and South Korea. As weapon sophistication increases and new capabilities present the potential to change the nature of warfare, even acquisition as part of arms modernization could upset military balance and add to greater insecurity.

The arms race between China and Taiwan in particular demonstrates how as militaries become more capable in a precarious situation, tension is likely to escalate as each side tests the other's strengths and weaknesses. Just about two weeks ago in mid-April, Taiwan's five-day Han Kuang exercises sought to test 145 different types of equipment such as navy frigates and anti-ship and anti-air missiles, while hundreds of thousands of Chinese troops were stationed along the Taiwan Strait, together with hundreds of warplanes and 1,000 tactical ballistic missiles. This showcases the perils of thinking of security in predominantly military terms. Yet, U.S. Gen. Martin Dempsey recently told American troops at Yokota Air Base in Japan that "the best way to avoid war is to prepare for it."

It is unclear why an open-ended arms buildup is often advocated as if it were the cheaper way to achieve security and reduce uncertainty than other means of institutionalizing the status quo. What is clear, however, is that the pervasiveness of militarization has hurt more often than it has helped bilateral and multilateral U.S.-Asian relations. A world without military force may be a utopia but to obsess about force is to lose sight of true interests.

May 1, 2013

Chairman of the Joint Chiefs of Staff www.flickr.com (CC)

Chairman of the Joint Chiefs of Staff Adm. Mike Mullen with Chinese Gen. Chen Bingde, Chief of the People's Liberation Army during a ceremony welcoming Mullen to Beijing, China, 2011.

In Case of Intervention, Break Glass: How the China-U.S. Impasse on Syria Could Be Used to Move the G2 toward a Unified Global Ethic

As exemplified by the dispute over intervention in Syria, China and the United States have different values. Can we build a bridge to work toward a universal ethical code?

By Gage DeMont HANSEN (United States) and Jasper WONG Yun Guang (Singapore)

Voice of America / Elizabeth Arrott commons.wikimedia.org/ (CC)

A poster of Syria's president at a checkpoint on the outskirts of Damascus.

The idea of a G2 strategic global partnership between the United States and China was proposed by Fred Bergsten of the Peterson Institute for International Economics in 2005. That proposal was advocated by the former U.S. national security adviser Zbigniew Brzezinski after Bergsten's testimony before the Committee on Foreign Affairs' Subcommittee on Asia, the Pacific and the Global Environment in the U.S. House of Representatives in 2009. The G2 would be a symbol to the world that China and the United States share an interest in global security and be akin to the "comprehensive partnership" the United States maintains with Japan and Europe. There was even a minor resemblance between the G2 and the bilateral relations policy anticipated by President Obama's speech before the first Strategic and Economic Dialogue in April of 2009. However, the concept of a G2 received a serious setback in a May/June 2009 article in *Foreign Affairs*, arguing that formally upgrading the relationship would ignore, or at least fail to accept, the glaring "mismatched interests, values, and capabilities" between these two economic powerhouses.

The divergent interests and values became unavoidably clear when China and the United States reached an impasse during the UN Security Council (UNSC) resolution on Syria. The impasse was accentuated in comments by U.S. Ambassador Susan Rice on the escalating death toll when she said, "any further bloodshed that flows will be on their [Russia's and China's] hands." Were the Responsibility to Protect doctrine (R2P) considered customary international law, rather than remaining in a state of scholarly limbo, the

conviction to R2P principles would have given impetus to the U.S.'s lead in the intervention of Syria, with its normative terms couched in liberal values. The March 28, 2011 speech Obama gave at the National Defense University, replete with the inevitability of 'liberal values,' was significant in its justifications, couched in normative terms, to intervene in Iraq and Libya. This conception of liberal values is often associated with the individualism of Western culture and, in international law, is espoused in the International Convention on Civil and Political Rights (ICCPR), which protects the civil and political liberties of citizens of its signatories. The ICCPR is ratified by the United States, but, despite having signed it in 1998, China's only official statement on the ICCPR has been that, "The signature that the Taiwan authorities affixed, by usurping the name of 'China,' to the [Convention] on 5 October 1967, is illegal and null and void." On the other hand, it is notable that this position is reversed in the case of the International Covenant of Economic, Social and Cultural Rights (ICESCR).

Despite the progress and benefits that liberal values have provided Western democracies, it is often stated that the universality of the rights found in the Universal Declaration of Human Rights (UDHR), and especially those found in the ICCPR, is merely another imposition of Western ideals on the rest of the world. Now the world has seen China, an illiberal behemoth, championing the rights of the community, consistent with their adherence to the ICESCR, and succeeding economically and politically in ways that Francis Fukuyama told us were consigned to the rubbish bin of history. By suppressing the rights of the individual in the name of the nation-state, China is not just posing new challenges to the values held in esteem by the United States, it is simultaneously reinvigorating the concept of Westphalian Sovereignty, which was prevalent in the nineteenth century international order, in a twenty-first century context.

When attempting to devise a global ethic for the world, the choice between a liberal perspective and a communitarian interest is often juxtaposed in an artificial dichotomy, but is it possible that they are simply two sides of the same coin? Given the wording of the Five Principles of Peaceful Coexistence, a more altruistic restatement of state sovereignty, it can be discerned that China's willingness to allow for the plurality of political systems as opposed to a monolithic conception of governance can be understood as something other than an aversion to democratic principles. It may be seen as allowing a more "organic" mapping of social relations into political structures. In modern day China, it appears that Deng Xiaoping's pragmatic aphorism "It doesn't matter whether a cat is white or black, as long as it catches mice," has guided China, previously wedded to Maoism, to adopt a more utilitarian and pragmatic world view. This is significant in the sense that pure pursuit of ideological principles, no matter how perfectly conceived in the theoretical realm, will be judged through history by its consequences and outcome. As anecdotal evidence goes, new global poverty estimates confirm China's leading role in meeting Millennium Development Goals. This new pragmatic perspective works from a big picture, addressing problem-solving at a macro-level; working from a consequentialist reasoning, its ethical perspective has been anathema to the deontological logic of U.S. foreign policy. However, if China continues to succeed using this approach, then liberal values may face a legitimacy problem.

Accepting the concept of an amalgamation of the—now competing—value systems, the Chinese influence on a global ethos may then pose a challenge to those established tenets of human rights based on individualism. It is the traditional Chinese conception of "Li" and "Fa," translated to English as Confucianism and Legalism, and it provides a competing ideology to Liberalism. Given Confucianism's emphasis on an individual's socialization of unequal relations, it justifies paternalism through the prioritizing of a strong nation-state and the limiting of individual demands. Confucians' concept of the individual in society is an ethical perspective that entitles the individual to self-realization through the cultivation of their individual virtue. For the Western philosopher, what may appear as a denial of individual rights should rather, in a true amalgamation, be seen as an acceptance of individual responsibility toward not just the greater good, but also the continuation of the greater good.

That debate, between individualism and a continuation of the greater good, is happening in U.S. domestic politics right now; more specifically, in the areas of health care, social security, and taxation. The proponents of individualism in the United States are wedded to the natural rights paradigm of Hobbes, Locke, and Rousseau, which first establishes the individual's rights through a veil and in an abstract or vacuum. Only after they determine what the ethical decision would be within the abstract do they remove the individual and allow them to interact with society. The proponents of the greater good in the United States build on the communitarian critique of rights-oriented liberalism from Rawls, MacIntyre, and Mills, which presupposes the conception of a good life within a community and establishes the rights of individuals as a means to accomplish that ideal. This raises two questions: (1) Ignoring any conflict between individual and communal rights paradigms, should any system's structural ethos be neutral to competing moral questions? (2) If U.S. domestic policies cannot reach a compromise on these competing values within one paradigm, how can China and the United States hope to reach a compromise in a cross-cultural paradigm?

The Case of Syria

When these questions are directed toward the G2 impasse on Syria, the artificial dichotomy is placed front and center. China regards the right to political stability as achievable through a political settlement between the incumbent government and opposition. That right is reinforced by their interpretation of Article 1, paragraph 1 of the UN Charter, which relies on an emphasis on Article 2, paragraph 7. However, that begs the question as to whether political stability is more important than the case for regime-change that claims to draw a linkage between the latter and the cessation of "atrocities." As Qu Xing, president of China Institute of International Studies, has pointed out, China believes that the basic principles that govern state-state relations in an international system (i.e. non-intervention) as laid out in the UN Charter cannot be undermined by "selective" normative considerations. To do so would open up a Pandora's Box in which intervention becomes a viable policy option, as opposed to a measure of last resort. Strategically speaking, China's approach is fashioning foreign policies that are conscious of long-term unintended consequences over highly-charged "populism" in the international community.

On the other hand, the United States accepts the idea of political renewal as the answer to those atrocities committed by governments against their civilians. The defense of an individual's right to self-determination, which the United States supports by echoing the Arab League's declaration to grant Syria's UN seat to representatives of the opposition—thus granting the opposition the ability to seek assistance with their right to self-defense in accordance with Article 51 of the UN Charter—is reinforced by their interpretation of Article 1, paragraph 2 of the UN Charter. Recent revelations that the Syrian government may have used chemical weapons on its people could represent a red line for the United States, but that begs the question as to whether it should preempt the formation of a solution to the conflict. It may be universally appalling, but as counterintuitive as it sounds, moral questions about impunity may not be the most important factor when determining the ethical solution to a crisis. The United States may have become hypersensitive to the suffering of those nations in its purview, but the old adage of Benjamin Franklin, "They that can give up essential liberty to obtain a little temporary safety deserve neither liberty nor safety," implied a certain acceptance of suffering as a necessary element in the quest for self-determination. Current U.S. policy simply suggests that the international community has a responsibility to limit that suffering when sufficient evidence is presented that a threshold has been reached and the incumbent power has failed, leaving the opposition with the only legitimate claim.

In vetoing the UNSC resolution on Syria, which would have resulted in sanctions directed at the government, a flurry of passionate outcries have condemned China and Russia for the decision "to veto this resolution aimed at ending the bloodshed in Syria," including Susan Rice, the American ambassador to the UN, calling it a "dark day." The resolution's direct effect was to cripple the government on the basis of its acts of violence against civilians, an application of R2P doctrine that would essentially grant the revolutionaries equal claim to the legal personality of the state of Syria. However, critics reasonably contend that expecting that the ouster of the incumbent government will lead to the end of bloodshed at the same time, is wishful thinking. They need only point to Egypt or Libya to show that the revolutionaries are not likely to have a unified plan for the post-bellum period, given that in an unstable environment political tussles are more likely to happen. The idea that a domestic, political settlement free from foreign interference is more sustainable and would result in a lower casualty rate is what has driven China's approach. Often the casualty rate is determined by the considerations of "hard" power at play. When instruments of violence are removed from contending parties, nonviolent action produces "lower casualty rates" even as it pushes aggressively for its political goals. China's logic may be more relevant because of the evolving sectarian nature of the conflict that, besides being waged between a pro- and anti-Assad faction, is also described by commentators such as Josef Olmert (University of South Carolina) as part of a larger conflict involving the Sunni community and the Alawite community. Becoming a sectarian conflict opens up the possibility that a post-Assad Syria could fracture like Yugoslavia.

The United States and its NATO allies relied on their interpretation of Article 1, paragraph 2 of the UN Charter, as well as R2P doctrine, to justify intervention in Libya and would do so in Syria if given the opportunity. China and Russia abstained from the vote on Libya after receiving requests from the Arab League and the African Union for UN involvement but have repeatedly vetoed the vote on intervention in Syria. This is possibly because Libya's homogeneous population has geographic divides but did not represent a fracturing threat to the current sovereign territory of the state.

China's own claims to a sovereign right over its territory and fractured populations often rely heavily on a domestic right to non-intervention under Article 2, paragraph 7 of the UN Charter. China's claim is dependent on a communitarian interpretation of history and on the right of the collective to determine the identity of the collective, which is supported by the holding of *Reference re Secession of Quebec* that defines the principle of self-determination as possible within the confines of an existing state. China's claim is contrary to that of the Tibetan Government in Exile, which claims they possessed status as an independent people between 1912 and 1950; and again, to the reality of the de facto independence that

the Government in Taiwan has had over its territory and would thus be a violation of the UN Charter Article 2, paragraph 4, Right to Political Independence, if interpreted in accordance with the right of individual self-determination.

At the very least, the invasion of—the autonomous, or independent territory, of—Tibet violated the right of the Tibetans to self-determination in accordance with Article 1, paragraph 2 of the UN Charter as interpreted by the United States in the intervention of Kosovo. The United States claimed that Kosovo's declaration of independence did not violate any principle of territorial integrity, because under international law, only states must comply with this principle, and not internal entities. Upon a declaration the minority group, if a legitimate representation of the people, becomes an independent state, the territorial integrity of which is protected by Article 2, paragraph 4. The state from which they seceded is thus restricted from intervening. The U.S. interpretation of Article 2, paragraph 4 relies on the logic and suggestive authority of The Declaration on the Recognition of New States in Eastern Europe and the Soviet Union, and was exemplified in the United States and NATO recognition and intervention in Kosovo. This interpretation is recognition of the individual's right to self-determination which accumulates, one by one, into the right of a recognizable social group of people to define themselves, which stands at odds with the right of the collective to define its membership.

In Syria, the Chinese have made the interpretation of the right to self-determination subordinate to the right to sovereignty in order to reinforce domestic stability and their growing international influence; while in the recent past, the United States has repeatedly used drone strikes in ways that have undermined, with frequency and disregard, the sovereignty of, inter alia, Pakistan, Sudan, and Somalia. These underlying issues further distort the search for a unified ethical paradigm that the G2 can support. However, they do not negate the reality that, in practice, states share similar problems, goals, and interests, which leaves a distinct possibility that they also share the desire for a unified ethical paradigm that provides sufficient expected outcomes.

Conclusion

While academic analysis of the issue may seem to suggest one state's paradigm for intervention over the other, in reality ethical dilemmas are often more complex than can be described in one paper, and certainly more complex than can be explained in one blog. The current manifestation of the global ethic may represent a manageable compromise today, but the dilemmas of a cross-cultural cold war of applied ethics will force the international community, most especially the G2, to review the means of interpreting the UN Charter and why certain authorities are valued over others. Can we find a way to establish a cross-cultural bridge or airlock that would allow the two paradigms to work in tangent toward the same goal of a Universal Ethical Code which is applicable in all paradigms? Perhaps the abstract, or vacuum, used by the proponents of individualism in the United States can be used toward a better end, one where the entire community is looked at through a veil. The proponents of the greater good could then break the glass on the vacuum seal, exposing the perfect community to the rights of those individuals of which it is comprised. The veil would allow for equity to be paramount, but the introduction of individual rights, after the lifting of the veil, would force the system to deal with them using a sort of reverent pragmatism as a means to accomplish the ideals of both cultures.

The international community should use the case of Syria to see that a division has arisen between China and the United States as to the exact nature of the Syrian problem. The United States has focused on the atrocities committed by the government of Assad, invoking the language of R2P. China has focused on the domestic nature of the conflict, invoking the language of sovereignty. Each subsequently prescribes the solution that addresses the conflict that their language has described. As a unified voice, the G2 should seek to find a solution that applies the principle of R2P, but in a manner that emphasizes the positive steps the opposition has taken to claim the legitimate right to sovereignty. It would mean China's acceptance of intervention in Syria, and the ouster of Assad, but it would require an acceptance on the part of the United States that protection must first require preventative measures. This compromise would establish a responsibility for the G2 to identify potential instability and mandate their early "soft intervention" in risk-prone regions, not through direct interference in domestic matters, but through an insistence on domestic dialogue between opposing parties. This way China can ensure that their interest in the Article 2, paragraph 4, Right to Territorial Integrity is reinforced through expected actions on the part of the UN and its member states.

These types of obligations would require diplomatic relations between governments and opposition groups who have gained substantive control over subsets of the state and work with the aim of improving the economic/social welfare of people in high-risk regions. They would also ensure more attention is given to the unifying similarity of the outlook of both Aristotle and Confucius, which argue that political rule should bring benefits to the community and that the exact benefit is up to the polity to decide. This goal was not defined by a narrow conception of what is "good," but by the acceptance of a system to which the achievement of an understanding of "good" that is dynamic and flexible could be achieved.

April 29, 2013

Sewing Dissension: The Struggle for Labor Rights in Cambodia's Garment Industry

The United States cannot take other nations to task for their lack of human rights and poor living conditions while U.S. companies are actively perpetuating these conditions.

By Abigail GREGG (United States) and Elita OUK (Cambodia)

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A garment factory in Phnom Penh, Cambodia.

If you are browsing around the latest clothing lines from stores such as H&M, Nike, or Walmart, there's a good chance that you will notice some items with a label saying "Made in Cambodia." Labels with origins in other countries are not surprising; at present, the majority of garments sold in the United States are manufactured in other areas, mostly Asia. In 2011, Cambodia exported over 2,000 million dollars' worth of products to the United States, making it the sixth largest apparel supplier to the U.S. market. While in some ways this is good news for a country that until the early 1990s was closed off to most of the rest of the world, this new economic growth has created its own set of problems. Cambodia is still developing, and many of its citizens are impoverished and in need of work. Because of the cheap and abundant workforce, companies from the United States are eager to invest, and some businesses, the garment industry especially, have taken off. The same workforce that fuels this growth, however, is also easily taken advantage of, and with workers as abundant, and regulations as lax as they are in Cambodia, there is little to no incentive for the large manufacturers who hire them to care about the health and safety of the individual worker.

Since opening to the West, Cambodia's economy has seen continuous improvement, with its GDP rising at more than 6 percent annually from 2010 to 2012. This rapid economic growth is largely attributed to the country's garment sector, which accounts for 70 percent of the country's total export. The garment industry began to flourish in Cambodia around the 1990s. Since then, hundreds and thousands of young Cambodians left their homes and paddy fields on a journey to the outskirts of the city. Roughly a decade later, more than 500 factories have been established and almost 400,000 garment workers employed. Although the developed world is now open to trading with Cambodia, many of the connections are still established through China, on whom a large portion of the U.S. garment and manufacturing industry already relies for production. Some of this outside production in China can be further outsourced to Cambodia, decreasing the cost even more and allowing for greater output over a given time period. However, this means that labor conditions are increasingly distant from those paying for and regulating the labor, and that

there is almost no direct interaction between the two ends of production, and little incentive for those in power to care about the conditions in which their products are manufactured.

The growing Cambodian garment industry offers opportunity for both the U.S. corporations investing in them and the jobs created for the growing Cambodian workforce. However, as these opportunities increase, it is important to make sure that the jobs that are being created are ones that adhere to basic ethical standards. This is difficult, because the reason why U.S. corporations outsource jobs like garment work to overseas is that labor in these other countries is cheaper, even after increased costs of shipping are factored in. Since many other countries have a lower cost of living, and have much lower standards for treatment for their workers, there is ample opportunity for U.S. firms to cut costs. The motivations behind this are strictly monetary, so it is difficult to convince corporations to raise wages or invest in safer, healthier infrastructure, as there is always somewhere cheaper and poorer, with lower standards where they can relocate their business to. Because of this, there is some compromise made between cheap, efficient labor and the standards to which a company is held.

Garment work, which takes up the entire day, six or seven days a week, is physically demanding, but pays very little—barely enough to live on. Because they need work, and lack the training and education to do something more rewarding and stable, these Cambodian workers—most of whom are young women—take garment factory jobs, and depend on them for as much support as possible. Under the current conditions, however, this is not a sustainable employment opportunity for many girls. It is so demanding, and the conditions are so harsh, that many girls have to stop working after several years due to health problems. Coupled with malnutrition—for which low wages are also responsible—this poses a serious threat to these women's ability to earn a living anywhere, much less the garment industry. This can keep them at home, in the provinces, and increases the burden on other members of their family. To help their families, children as young as fourteen will lie about their age and leave school to start work in the factories. With almost no regulation, and little enforcement of the age minimum for workers, factories readily accept these girls as workers.

For these young women, days can begin as early as 4 AM. They are picked up for work by a cattle truck and left to stand at the back. There are no seats, windows, or doors. Packed together with other workers, they have to cling to the rope on the car's roof to stay on board, with hardly any room to move about. After a journey of roughly two hours, they arrive at the garment factory, swipe their cards at the security gates, go to their assigned stations, and begin work in front of the machines. The majority of these workers are young rural women who can hardly read or write. They have absolutely no idea about the brands and fashions to which their daily work contribute, they simply follow orders. At 5 PM, thousands of garment workers swarm out of the factories and return home in the same swinging truck they took in the morning. For those who live prohibitively far away from the factory, there are small, confined spaces in the city that they can rent for around twenty dollars a month, in addition to electricity and water costs. For those making minimum wage, however, the rent fee is still quite steep, so even these cramped rooms must be shared with other girls.

For the last several years, various reports on massive fainting cases, unpaid wages, and protests have made headlines on local media channels in Cambodia. In 2011 alone, the number of garment workers who fainted in the factories exceeded 2,000. Just earlier this year, two separate fainting incidents, amounting to 175 fainting workers, occurred within the same week, at what is considered one of Cambodia's "model" factories. These incidents are possibly due to exhaustion, inhalation of toxic substances, and poor nutrition. With a minimum wage of seventy-five dollars per month, a typical Cambodian garment worker can only afford to spend around a dollar on food each day. Although repeated incidents are indicative of poor health and can in some cases lead to brain damage, fainting in and of itself is not generally fatal or seriously damaging. However, losing consciousness is always dangerous because of the risks associated with falling. In a crowded workplace full of large, powerful machines, even a momentary blackout or stumble in the wrong direction can cause serious injury and jeopardize other workers as well. Even in a factory where everything was meeting the standards, fainting would put the workers at risk. In unmonitored factories that do not meet even basic conditions, the risk increases.

Although an abundance of cheap labor can attract foreign jobs, it also makes that segment of the population susceptible to the terrible labor conditions that this cheap labor entails. U.S. corporations must ask themselves ethical questions concerning their labor practices overseas. If these corporations were hiring workers at a factory in the United States, they would be held to a set of minimum labor practices that ensure they provide minimum wage and regulated working conditions that do not create hazardous situations for their employees. In Cambodia, they are not held to these same criteria. Additionally, since they are a U.S. company, it is hard for the Cambodian government, or other internal forces to regulate their actions. It is also easy for U.S. corporations to renege on agreements for improved conditions, steady work, or even pay, as in the case of the garment workers who were denied their pay by Walmart. Although this particular case was somewhat resolved, due in a large part to outside pressure, situations like this are common, and often

fly under the radar outside of the developing nations they affect.

Because it does not cause much trouble for them at home, or increase cost significantly, the U.S. corporations involved in these human rights violations have little incentive to work for change. An underpaid, uneducated workforce cannot stick up for itself, giving those with power and money little reason to improve their lives. Keeping these workers oppressed throughout their lives ensures a steady stream of desperate, disenfranchised families whose children will also work any job, under any conditions. Whether or not there is a financial advantage to this, there are, in most countries, labor rights. There are also generally acknowledged human rights, which the United States claims to champion in other arenas. As with anything else, in the case of labor standards, change begins at home. The United States cannot take other nations to task for their lack of human rights and poor living conditions while U.S. companies are actively perpetuating these conditions. Although the United States retains immense amounts of power and wealth, its influence is shrinking, and many formerly powerless countries like Brazil and China are becoming stronger global forces. For a long time, the United States has gotten away with not respecting the needs of citizens in developing countries. In a more equal global playing field, this will no longer be possible, should the United States want to maintain good international relations. Even if the current international dynamic remains constant for the near future, it could only help the United States to care about not only its own citizens' rights, but the rights of people all over the world. Since the United States is, at its essence, a capitalist force, it is up to the government to make sure that their corporations are not sabotaging other interests abroad. Any investment, or even aid, that the United States contributes to Cambodia will be meaningless if Cambodia's problems are also being caused by U.S. sources. If workers in the United States are granted a certain ethical standard of labor and living conditions, it is immoral to systematically deny these same rights to other people working for U.S. companies simply because they do not live on U.S. soil.

Another important aspect to consider is the increase in economic inequalities that comes at the expense of this exploited workforce. While the garment industry in the United States makes billions of dollars in revenue each year, the people working at the bottom line of the workforce remain very poor. Additionally the potential for corruption increases when suppliers come into countries with weak implementation of law. Much of this is due simply to laziness, a complete disregard for the lives that are being affected when they cut corners. Whatever it is, the business is not as "clean" as it should be. A World Bank report on business environment in Cambodia reveals that more than half of the firms established in Cambodia admitted to having to provide "gifts" to officials so that they can "get things done." Money that could otherwise be added to tax revenues or used to improve the working standard in the factories goes into the pockets of individuals. This not only results in economic inequality between different countries, but also within Cambodia itself. It is unethical to turn a blind eye to such practices that give unfair advantages to people who are under more favorable circumstances. Although inequality within a society is common, drastic differences can create a sense of distrust and resentment among people. These same inequalities fueled the Khmer Rouge Regime in Cambodia from 1975 to 1979, resulting in the killing of 1.7 million people, most of whom were Cambodian elites and intellectuals, a tragedy from which the country is still recovering. To maintain a stable and just society, there needs to be compassion and moral principles to abide by. Healthy labor relations between the United States and Cambodia should be determined not only by the overall positive economic development on both sides but also the well-being of the low level workers, whose voices often go unheard.

Labor disputes remain an ongoing ethical challenge in the relationships between the United States and Cambodia. Harsh working conditions coupled with low wage and various forms of exploitation have led to hundreds of protests over the years. While it is the Cambodian government's responsibility to consistently review minimum livable wage and safe working environment standards, they can only do so much. Corruption and fear of losing exports to even poorer nations with lower cost and fewer demands result in half-hearted efforts to protect workers' rights. Therefore, it is also the responsibility of big corporations to assert strict policies to suppliers and regularly monitor their standard of practice. It is also very important for the media to continue to expose sub-standard conditions. Buyers have the right to know where their new T-shirt comes from, and at what cost. Only then can they decide whether or not it is a cause they stand for. If they choose to, they can play an important role in influencing the fashion industry to re-evaluate its ethical practices abroad, which affect the lives of millions of people who are working in this sector—not only in Cambodia, but around the world.

Similar or even worse scenarios for garment workers exist in other developing countries. If we allow companies to operate without a basis of conscience, these tragic denials of basic rights will only be spread to other impoverished parts of the world that the industry has yet to reach. The uneducated and underrepresented populations, who work the longest hours, deserve at the very least a living wage and an assurance of safety from the economy they are contributing to. An ethical approach to trade and business will do much more to empower these young Cambodian women and others like them than the aid that is supposedly provided for this purpose.

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Policy Innovations has the right tone—critical but not shrill.
—David Callahan, Demos

Policy Innovations features some of the most cutting-edge ideas on shaping globalization in an accessible, hip, and tech-savvy format.
—Steven C. Clemons, New America Foundation

Two Faces of Economic Development: The Ethical Controversy Surrounding U.S.-Related Sweatshops in Developing Asian Countries

Sweatshops must be eradicated, but not in isolation from the systemic conditions that gave rise to their pervasiveness in the first place.

By Benjamin Adam SCHORR (United States) and Annabelle WONG (Singapore)

[Sir] Bali www.flickr.com/photos/sirbaleee/ (CC)

Mannequins in a shop window.

Many aspects of the average American's material lifestyle can be attributed to trade relations between the United States and Asia. A significant portion of the clothes they wear, the toys they grew up with, and even the technology they use, was produced somewhere in Asia. Commerce with major developing nations like China and Indonesia is reportedly crucial for America's own continued economic prosperity, since its overall manufacturing investments in developing nations are in tens of billions of dollars and huge numbers of plants there operate on a contract basis with American companies. However, many Americans are unaware that their appetite for consumerism fuels a deeply controversial industry, and just as foreign-manufactured goods are often more than meets the eye, the sweatshop debate is highly intricate.

The definition of a sweatshop remains broad, describing any factory which may have unreasonably authoritative overseers, dangerous and unhealthy (both physically and psychologically) working conditions, and which enforces long hours with low pay. The term is also frequently used to describe factories employing child labor. Many developed nations, including the United States, have at some point engaged sweatshop production facilities on a large scale, and a major segment of the world's remaining sweatshops are located in Asia. As the West continues its long-standing tradition of fostering what many would liken to slave labor, an ethical examination of these business practices becomes increasingly important.

From a business perspective, sweatshops are overwhelmingly lucrative since they capitalize on low-wage labor in developing countries and significantly reduce production costs. Many major clothing and footwear companies, for example, have been linked to sweatshops. Brands such as Nike, GAP, Converse, and Levi's, have all been guilty of numerous violations of requirements for reasonable working conditions in their production facilities. All of their headquarters and customer bases are located in the United States, while the manufacturing component of the production process is carried out in Asia. Such companies have been criticized as being complicit in the

exploitation of workers because they fail to correct the manufacturers' malpractices, of which they are aware but often claim are hard to correct. An internal report carried out by Nike, for instance, found that nearly two thirds of the 168 factories making Converse (one of the company's brands) products failed to meet Nike's own standards for manufacturing.

Sweatshops: The Ugly Face of Industrialization

One of the biggest hallmarks of sweatshop labor is that the workers are simply underpaid, especially considering the kinds of working conditions they endure. Minimum wage levels in countries such as Thailand, the Philippines, and China, are significantly lower than that of the United States. The federal minimum wage per hour in the United States is currently at US$ 7.25, while it is $1.48 in Thailand, 69 cents in the Philippines, and 67 cents in China. However, workers are frequently paid less than these estimates suggest—amounts barely enough to survive on, even considering the lower cost of living in these regions. Many developing Asian countries have official minimum wage levels, but the lack of uniform and comprehensive regulations with nationwide coverage across all labor groups and industries remains a huge problem. For instance, minimum wage regulations in Cambodia only apply to the garment and shoe-sewing sectors, and in Sri Lanka only to thirty-five industrial trades. Furthermore, the lack of institutional regulatory effectiveness in enforcing compliance is an even greater problem.

Since turnover is extremely rapid, sweatshop workers are not guaranteed these meager salaries over the long term. For example, the International Textile, Garment and Leather Workers' Federation (ITGLWF) investigated a factory in Indonesia and found that over 80 percent of their workers were on short term contracts. Such factories hire and fire workers as volatile production needs change, with little regard for their employees' job security or welfare. These workers have no financial security to speak of, and also reported they did not get any sort of severance pay. In addition, these laborers are also subjected to violence, another common aspect of sweatshop operations in the developing world. Workers at a Converse plant in Sukabumi, Indonesia, reported that their supervisors threw shoes at them, slapped, kicked, and called them dogs and pigs. It is hard to measure the frequency and severity of physical and verbal abuse in these settings, as fear deters workers from reporting such cases and there is a characteristic lack of supervision. Furthermore, many sweatshop workers are children; roughly one in eight children in the Asia-Pacific are between the ages of four and fifteen and work in a sweatshop. India has the highest rates of child labor of any country in the world, employing over 55 million children, many of whom were sold into labor by their families.

A Case for Sweatshops?

Despite the projected expansion of sweatshop operations, the harsh working conditions associated with it are frowned upon by the average person in the developed world. About a decade ago, a movement to boycott sweatshops became prominent in mainstream culture, with protests demanding that large U.S. corporations stop buying and selling goods that came from extraneous, dangerous, underage, and under-paid labor. Kathie Lee Gifford's clothing line for Wal-Mart is a prominent example; when it was discovered to be produced by sweatshops, activists in the United States expressed their disgust and Wal-Mart cut all ties with the manufacturers, essentially closing down the factories supplying that line. It appeared to be a victory for human rights, yet the Chinese immigrant workers who had been paid little or no wages for their sixty-eighty hours of toil each week, were outraged. Workers have consistently expressed concerns at the closing of even the most dismal sweatshops, and the constant and ready supply of sweatshop labor can be attributed to the fact that developing Asian countries and their peoples are in dire need of these economic opportunities, which outweighs their aversion to exploitative working conditions. Is the negative reaction in the developed world to sweatshops and their ethical violations essentially misinformed?

Some of the world's leading economists have cited sweatshops as a necessary step in modernization and development. Jeffrey D. Sachs of Harvard and Paul Krugman of the Massachusetts Institute of Technology have asserted that sweatshop manufacturing for foreign markets—especially in the production of goods like clothing and shoes—is an essential preliminary move toward economic prosperity in developing countries. Many credit these labor-intensive industries for propelling the Asian "Tigers" (Hong Kong, South Korea, Singapore, and Taiwan) into the economically developed world. A study on poverty relief and development by Spain's University of Santiago de Compostela also suggests that such sustainable international investment in low income countries is important to economic progress. America's sizeable investments in developing Asian countries represent not only investments in production facilities, but also add to the latter's investible resources and capital formation, transfer production technology, skills, innovative capacity, and organizational and managerial practices, as well as provide access to international marketing networks, all of which are exceedingly helpful to these developing economies.

Are sweatshops a necessary evil, and what should the governments of the United States and developing Asian countries do?

A Conflict of Interests

Having personally witnessed the conditions in sweatshops and despite opposing the exploitation of workers,

Harvard economist Jeffrey Sachs still claims that many nations have no better hope for economic progress than such manufacturing facilities, which pay mere subsistence wages. He asserts that these jobs were the stepping stone for Singapore and Hong Kong, and are necessary to alleviate rural poverty in places like Africa. Does this mean that the moral outrage at sweatshop labor is unfounded? More importantly: What are the morally acceptable limits to the various types of costs incurred by the pursuit of economic progress and material well-being? There are no easy answers, but the first step to addressing these concerns involves identifying the relevant moral agents and their respective goals. Three key groups include:

1. The governments of the United States and developing Asian countries: They are responsible for protecting the interests of their peoples, including but not limited to their fundamental human rights and material well-being.

2. U.S. corporate businesses which employ sweatshop labor in developing Asian countries: Their primary concern with profit maximization is—in the case of sweatshop labor—in conflict with the need to honor human rights such as those to fair and decent working conditions.

3. People in developing Asian countries: The need to satisfy the basic conditions for survival often motivates them to put up with exploitative treatment.

Our aim in examining the ethical challenges to U.S.-Asia relations is to determine the best course of action for the first group in its exercise of political authority to address affronts to the third group's human rights, in relation to the second group's profit-motivated activities. We must consider that most in the third group would prefer the meager benefits that accrue from toiling in sweatshops to the grim alternative of being without this means of subsistence which could, in many cases, consequently lead to starvation and death. Despite the 'string of tragedies'—the latest of which involved the April 24 collapse of the Rana Plaza factory building and 190 deaths *[Editor's note: As of May 13, 2013, the final death toll was 1,127]*—Bangladesh's garment industry is still thriving. Workers there were paid as little as thirty-seven dollars a month, but Bangladesh's garment manufacturing sector generated 20 billion dollars in exports in 2012 for the impoverished country. The practical problem revolves around the fact that sweatshops are mutually beneficial, making both employees and workers better off, even if the latter are not as much better off as critics think they ought to be, thereby making it more difficult to give force to the normative arguments against sweatshops.

Moral Decision-Making in the Contemporary Environment

The intuitive objection to sweatshops is based on notions of desert; clearly, sweatshop laborers deserve better working conditions, and it is unfair where they are deprived of just compensation for their labor. John Rawls' concept of "the veil of ignorance" would suggest that it cannot be fair for sweatshop workers to suffer under such appalling working conditions, precisely because even the very corporate business owners who fuel the demand for sweatshop labor cannot condone this from an objective and disinterested perspective. Considering the inequalities between the United States and developing Asian nations, which have become more entrenched over the course of history, people in developing Asian countries are relatively worse off than those in the United States, with or without regulations against sweatshop labor. It therefore appears that sweatshop labor is an aspect of U.S.-Asia relations that is symptomatic of a systemic disadvantaging of the latter. Rawls would suggest that in circumstances like these, the only morally acceptable course of action is one in which the net benefits accruing to the least-advantaged people of developing Asian countries is maximized. In practical terms, this means that U.S.-Asia relations must pay special attention to these low-wage laborers and work toward better working conditions in production facilities so as to eventually eradicate their endemic exploitation.

On the other hand, the harsh realities of the existing economic environment suggest that the situation is more complicated. Despite the fact that workers in the developing world are in great need of help, which sweatshops are well-positioned to provide, it cannot justify a special obligation on the part of business corporations or sweatshops to suffer a shift of burdens in the provision of higher wages, better working conditions, et cetera. If U.S. companies had to incur greater production costs in this manner, there would be fewer economic initiatives for them to set up manufacturing facilities in developing Asian countries, whose comparative advantage is low-wage labor. For instance, the Bangladeshi government, according to Scott Nova from the Worker Rights Consortium, understands that strict labor rights regulations would raise manufacturing costs and cause retailers to place orders elsewhere. The projected rise in minimum wage levels by up to 44 percent in Southeast Asia has left manufacturers in the region—who rely on hiring factory workers for less than 200 dollars a month—concerned about the possible exodus of investment that could dampen the region's continued competitiveness. Everyone suffers, but low-wage workers would be worst hit.

Companies are not charity organizations and are inevitably subjected to market mechanisms, but this does not mean that they can maximize their profits without regard for the well-being of sweatshop laborers. Immanuel Kant's practical moral imperative asserts that human beings must be treated as ends in themselves and not merely as a means, and so sweatshops are inherently unacceptable from a deontological perspective since their workers seem to be treated as mere instruments in the amassing of business profits. Yet, if sweatshop labor was simply banned, people in developing Asian countries who are critically reliant on these

jobs for survival would suffer even more, and this is all the worse for their Kantian right to self-determination. This suggests that in the real world—or at least in this case—ideas of absolute right vs. wrong are at best inadequate, and cannot be conflated with ideas of better vs. worse, which account, more importantly, for the relative outcomes of decisions.

The Kantian right to self-determination has great intuitive force and cannot simply be abandoned. Yet, if deontology alone is an unsatisfactory approach to evaluating the moral value of sweatshop labor, perhaps the existing conditions of the modern economic world call for a supplementary utilitarian approach. Utilitarianism—defined by the likes of Jeremy Bentham and John Stuart Mill—considers how everyone's collective welfare may be maximized. Sweatshop workers are relatively better off than if they had no such work, as are the companies which benefit from lower production costs, and the governments of the United States and Asia, which further benefit from lucrative economic relations with each other. Normatively speaking, sweatshop labor is morally wrong and should be banned. Practically speaking, however, there are shades of gray representing better and worse outcomes of moral decision-making within the existing political and economic environment. Theoretically, the need to respect human rights is directly associated with deontology and not utilitarianism. Yet, the utilitarian relativization of outcomes appears—counter-intuitively—to support human rights in the case of sweatshop labor better than a strictly deontological approach which flatly denies that sweatshop labor could ever be morally acceptable.

U.S.-Asia Relations and Sweatshops: The Normative Picture

Relations between the governments of the United States and Asia form the bedrock of their economic dealings, and are indispensable to addressing the ethical issues surrounding sweatshop labor. From a broader perspective, it seems that the biggest ethical challenge facing U.S.-Asia relations is that of negotiating between different moral obligations amid circumstances which render them incompatibilities. The issue of sweatshop labor is an instance of how the governments of these nations are confronted with tradeoffs between the short and long-term as well as other different aspects of their people's interests. Developing Asian countries have a strong interest in attracting foreign investment from the United States in a bid to accelerate economic growth and transformation and have, in the past decade, begun liberalizing governmental policies. Yet, this also encourages sweatshop labor, and the governments of developing nations appear guilty of condoning human rights violations. Alternatively, banning sweatshops leaves all parties worse off, especially in the longer run and more critically impacting people in these developing Asian countries.

The broader ethical question is whether the U.S. economy is progressing at the expense of its Asian counterparts, and what determines if this situation is morally acceptable. So far, this article has shown that given today's circumstances, sweatshop labor is at least morally ambiguous and at best permissible, especially if one is purportedly concerned about the interests of Asian sweatshop workers. Despite the fact that sweatshop workers are relatively better off with rather than without this means of employment, the fact remains that their present working conditions are affronts to human rights and can never under any circumstances be encouraged. Consequently, sweatshop labor—even in the current context—may be practically but never normatively permissible. This acute distinction between practical and normative perspectives can never be overlooked; ethical issues operate at both levels, while each may generate very different recommendations as in the case of sweatshop labor. Even while sweatshops are conceived in practical terms as the lesser of two evils, their moral value remains questionable at best.

Sweatshops must be eradicated, but not in isolation from the systemic conditions which gave rise to their pervasiveness in the first place. Meenakshi Ganguly from Human Rights Watch suggests that consumers could help pressure retailers to bring about change. She cites the example of blood diamonds, where the industry was forced to change when consumers became more aware and avoided purchasing diamonds that were not properly sourced. The governments of the United States and Asian countries need to take active steps to eliminate the underlying causal factors supporting the demand for sweatshop labor without worsening the present condition of sweatshop workers. Besides raising awareness, they could work towards developing minimum wage regulations and labor laws, having these enforced on both sides, while simultaneously developing closer economic and political ties and additional economic incentives (besides low-wage labor) and infrastructure to continue attracting U.S. companies to engage in mutually beneficial business partnerships. The materialization of positive developments could span decades, but these initiatives remain crucially important.

In conclusion, the controversy surrounding sweatshop labor is indicative of the ethical challenges facing U.S.-Asia relations, highlighted by the need to negotiate incompatibilities between the relative costs and advantages that result from their interactions, and more broadly, between the practical and normative perspectives on such issues. What must be done is not always congruent with what should be done, although we cannot afford to lose sight of the latter. Human persons are the essential units that constitute and give meaning to nations and economies. Even as U.S.-Asia relations aim at boosting overall economic progress, these countries cannot overlook the moral obligation of respecting and defending fundamental human rights, and must continuously work at reconciling these divergent concerns.

May 1, 2013

Speaking Against the Silence: An Ethical Analysis of Censorship Practices within China Today

The greatest ethical challenge facing U.S.-China relations is censorship, since the United States supplies the technology that enables the Chinese government to censor its citizens.

By Qingchuan LV (China) and Brian YU (United States)

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Demonstrators, 2008, Canberra, Australia.

Introduction

Had this essay been published in China, there is a strong chance you would not be reading it right now, and an even stronger chance that we would be in prison. Had this essay been published in China, the writers would have needed to download special software in order to circumvent a virtual army of censors, 30,000 strong, in order to upload this essay to the Internet. But even if you were somehow to get a hold of it, most of the words on this screen would be blacked out. And had this essay been published in China, these writers would go to sleep every night with the thought that tomorrow morning an official from the State Administration of Radio, Film, and Television would come to take one of us away to be questioned and arrested, if not beaten. From there, we would be interrogated and sent to a reeducation camp for ten years, all for writing this essay. Our crime would not involve murder, rape, embezzlement, or anything of a violent or harmful nature. Our only crime would be writing an essay that spoke out on a subject that many have been forced into silence about. And for this we would have gone to jail, had this essay been published in China.

In writing this essay, then, these are some of the challenges we have had to

circumvent and overcome. Our names are Qing and Brian, and we are college students living in China and the United States, respectively. We are publishing these words from the safety of the United States, a country whose founders set on paper the right of its citizens to have freedom of expression 237 years ago.

We express the idea that the greatest ethical challenge facing the United States and China is the Chinese government's censorship of its citizens. This remains a problem for both the United States and China because the United States supplies the technology that allows China to continue its current practices with censorship. It is impossible to say how many have been imprisoned due to China's censorship laws, primarily because that information itself is censored. Various sources place the number anywhere from 50 to 500 people.

This essay is dedicated to those who believe that freedom of expression should be a fundamental human right. It is dedicated to those who have been harassed, beaten, and imprisoned for this belief, and to those who still persist in believing in it despite these transgressions. We write this essay in the hopes that, while it may not free those who have dissented against the government, it will give voice to an issue on which 1.3 billion people on this Earth remain voiceless.

Background

The *Merriam Webster Dictionary* defines censorship as "the act of censoring, or examining materials for objectionable matter." It seems that China has had a long history of censoring its opposition. During the Cultural Revolution, China's infamous Red Guards targeted items that were of foreign or historical value because they thought that these objects represented the old ways of thinking. They believed that any person that thought in a way that undermined their power was simply wrong. For this reason, countless artifacts of historical or sentimental value have been destroyed for the sole purpose of preventing ideas that undermined the ruling party from taking root. This is a practice that continues today.

Since the inception of the Internet in China in 1994, the Communist Party of China (CPC) has strongly regulated the flow of information that passes through the country. According to a *Time* magazine article on March 7, 2009, all Internet traffic passing in and out of China is routed through a central databank of servers, at which approximately 30,000 members of China's Internet police sort through to delete any material deemed subversive.

This massive filtering system has been dubbed "The Great Firewall of China." It seems ironic then that whereas the Great Wall of China was used to keep invaders out, the Great Firewall is used to keep Chinese citizens . . . in the dark. This has become an ethical quandary for both the United States and China because U.S. companies supply China with the technology needed to build the Great Firewall. Internet companies operating within the United States have agreed to censor themselves as they enter China, with Google creating Google.cn in order to conform to the Chinese government's regulations. While these companies argue that supplying citizens with some information is better than none at all, the fact remains that the United States is aiding the Chinese government in censoring its people.

Morality

But one must ask the question of whether Chinese censorship (and by default, American companies who knowingly obey censorship regulations) is ethically justifiable. By operating with the consent of the Chinese government and doing business in China, these companies have essentially agreed to follow censorship regulations while in China. Some could argue that governments should have the right to censor things that would harm people. The United States does this to a degree when it restricts sexuality and violence. However, one must take into account that it does so with the intent that it does not traumatize or expose children to this negative imagery. But when an American company sells products that aid censorship with the goal of simply making more money, this greatly damages the company's reputation. According to a May 20, 2008 article in *Wired*, Cisco sold approximately $100,000 dollars worth of routers to China by marketing them as "tools of oppression" that could target Chinese religious minorities. Since then, Cisco has faced two lawsuits and has been denounced by human rights groups worldwide.

In light of the stiff punishments and harassment that come with speaking out against the government, one is forced to realize the notion that the motive behind censorship in China is simply to keep the ruling party in power. There can be no moral basis for silencing and harming those who criticize the government for the sake of holding onto power. And by extension, through providing the government with servers that stifle opinions, and websites that run within the censorship framework, the United States is also at fault.

In 2007, *Wired* reported that in 2002, a pair of Chinese reporters named Shi Tao and Wang Xiaoning were sentenced to prison for simply emailing a Chinese humanitarian group based in New York. In 2012, Mr. Wang was released after being imprisoned for ten years, while Mr. Shi still remains in prison today. What is alarming is the fact that it was the American corporation Yahoo! that voluntarily handed over information that led to the arrest of these reporters. Had Yahoo! refused to hand over Mr. Shi and Mr. Wang's email accounts, these men

would not have been subject to the harassment and suffering that they endured.

In 2009, after ethnic riots by people in the remote Xinjiang region left 140 people dead, China blocked Facebook, Twitter, and YouTube in an attempt to staunch the flow of information. According to IDG News Service, on July 6, 2009, videos of police and paramilitary troopers in the area went viral. Government censors immediately cut off Internet in the area, and began blocking social networking sites. It is worth noting that during the Arab Spring movement in 2011, Egyptian President Hosni Mubarak, in an attempt to quell protestors, also cut off all Internet in his country. Twitter played a huge role in this protest, by helping to organize protests that would eventually overthrow Mubarak.

To this day, China has banned Facebook, Twitter, and YouTube with the fear that these social media platforms would be places to organize protests. Because of this, Chinese platforms have sprung up that mimic the functionality of Facebook and Twitter, such as Weibo and Renren. The downside is that these sites censor themselves and have expressed little intention of loosening these restrictions. But while the intention of these sites regarding censorship is unclear, American companies, such as Google, have made it well-known that they intend to move towards a freer China and bring uncensored information to everyone.

The penalties for posting content on the Internet that makes the government look bad can be severe, inciting harsh punishments. People who post articles that the government has deemed "subversive" could potentially face fines of up to $1,800 and jail time. According to a Human Rights Watch report in 2007, Chinese journalists are intimidated to write positive things about the government by thugs in the pay of the government.

Even foreign journalists who work in China have to be wary. According to David Barboza, a *New York Times* correspondent based in Shanghai, "in areas where people are nervous about foreign journalists, you will be harassed and detained." Internet users in China are required to use their real names when logging on, with all keystrokes recorded and monitored by government systems. What is frightening is that with the weight of these punishments hanging above every keystroke in China, people have begun to censor themselves. According to James Fallows in a March 18, 2009 *Atlantic* article, "The idea is that if you're never quite sure when, why and how hard the boom might be lowered on you, you start controlling yourself, rather than being limited strictly by what the government is able to control directly."

Defiance

But as powerful as government censorship within China is, the stories of people who have defied these rules have been equally as powerful. One of the most inspiring stories came in 2005, when a blind self-taught lawyer named Chen Guangcheng began exposing tales of the 130,000 horrendous abortions forced upon pregnant women by the Chinese government. For daring to expose an issue that the government did not want attention drawn to, he was sentenced to four years and three months in prison. According to www.indexoncensorship.org on October 24, 2011, from there he was placed under house arrest, and his daughter was banned from going to school. Under Chinese national law, by this time he was supposedly a free man. However, the local government ignored these rules and surrounded his house with guards. According to an April 30, 2013 Reuters report, more than 60 million yuan (US$ 9.5 million) was spent on security and web cams to keep Chen under house arrest. Those who tried to visit him were severely beaten and robbed.

On April 22, 2012, the blind activist made a daring escape out of house arrest by climbing over his wall, and meeting with activists at a rendezvous point who escorted him to the U.S. Embassy. The night that Chen escaped, censors lost control over the topic, and comments on Chen rapidly blazed through Chinese social networking sites and blogs. On March 5, 2012, *The Washington Post* reported that after local papers published editorials attacking Chen, Chinese netizens swarmed to the comment section in defense. This reached such a frenzy that the *Beijing Daily*, a Chinese newspaper controlled by the government, became a blocked search term. After being offered a position as a visiting scholar by New York University, Chen was able to take his family to the United States.

One other tale that emerges from the blacked-out print of Chinese media is a censor named Zeng Li. According to the Chinese Media Project (a project by Hong Kong University) on April 4, 2013, Zeng worked as a media censor for the newspaper *Southern Weekly*. His primary job was to act as a buffer between government propaganda censors and reporters. After an editorial at the *Southern Weekly* was rewritten to advocate government propaganda, writers at the paper held a strike for three days. Zeng's anonymous post on a blogging platform "Who revised the New Year's greeting at *Southern Weekly*?" brought to light many previously unknown censorship techniques that were being used.

On March 28, 2013, his farewell letter detailed some of the regrets of his career saying, "in the end I woke up, I would rather not carry out my political message than go against my conscience. I don't want to be a sinner against history." Zeng's story is remarkable in that it represents the idea that not even censors are comfortable in silencing the voice of the people, and that these people know that what they are doing is not right.

Zeng died three days into his retirement from intestinal bleeding. As one reporter at *Southern Weekly* put it, "Zeng died from overdrinking. You can only imagine why he drank."

But even though it is the Chinese people who are suffering from the government's crackdown on censorship, it is important to remember that it is companies based in the United States who are responsible for this technology. When such companies defy the Chinese government it sends a symbolic message that American companies do not have to be silent on an issue that silences and oppresses billions.

On January 13, 2010, CNET News reported that Google had been the victim of a sophisticated attack by Chinese hackers who gained information and email addresses of human rights activists within China. Google was understandably outraged, and announced that it would cease following Chinese government regulations and stop filtering its own search engine. The Chinese government, in essence, had gone from passively disallowing citizens to access the Internet to completely making an offensive against human rights activists. Google then decided to move its Chinese headquarters to Hong Kong, which carried special jurisdiction that allowed Google to enable unfiltered searches to everyone who accessed the website without violating Chinese government rule. These days, it is the Chinese government that filters the search engines of its own people. While Google's move to stop self-censoring didn't end censorship in China, it was a move in the right direction; and served as a precedent reminding companies that they did have the power to give people a voice.

The Future of Censorship

The future of where Chinese censorship will go from here is uncertain. The fact remains that China is committing what some would deem human rights violations by censoring the media and oppressing its people. It is also undeniable that by selling the technology that makes up the Great Firewall, the United States is also responsible for the oppression of the Chinese people. In 2007, Representative Chris Smith (R-NJ) attempted to pass a bill that would force U.S. Internet companies to follow American laws regarding censorship even in other countries, or else not operate. Unfortunately, the Global Online Freedom Act failed to pass in Congress that year. But even if the United States stopped companies from operating within China, China would still manage to find other ways to censor its citizens into silence, presumably by purchasing technology from other countries, such as Japan and Germany.

According to an *Atlantic* article on April 22, 2013, Chinese Internet use has gone up to 560 million people and will continue to rise in the coming years. As the Great Firewall evolves, so has the technology to circumvent it. Today, a quiet industry has sprung up that allows Chinese citizens to bypass the Great Firewall via proxies and other special programs. But as long as the Communist Party of China continues to be the ruling party, and freedom of expression is outlawed, the Chinese can never truly speak their minds without fear of reprisal. Many governments that have censored the media of its people were eventually overthrown by people who tired of having their voices silenced. This happened in the Soviet Union and most recently in Egypt. But because it would bring instability to 1.3 billion people, overthrowing the Chinese government would not be the answer. The only viable solution would be for the government itself to decide to untie the gags that bind China and get rid of its censorship laws of its own accord.

Unfortunately, that day has not arrived yet. On April 24, 2013, *The New York Times* reported that although Chen Guangcheng was in the United States, he feared that his extended relatives in China would suffer severe consequences. That same day, Chinese officials ordered the official questioning of his relatives under the charge of harboring a fugitive. The grim reality of this situation is that these family members will be harassed and face punishment for harboring someone who dared to seek the truth.

In 1949, Chairman Mao chose to isolate China from the rest of the world, turning it into an isolationist communist country. During that time, many people suffered and starved, and the Great Wall, once a symbol of what the Chinese could build if they came together, became a prison to hold them in. In the past eighty years, China has gone from a completely closed country to one of the largest and most prosperous economies in the world. But as prosperous as China is, its people are still starving for information, and suffering for it. The Great Firewall serves no purpose but to keep the ruling party in power, incinerating everything that says otherwise.

We live in a connected world, and the simple matter is that by silencing its own people, China is disconnecting itself from this world. In an age when the Internet has brought ideas, information, and people together from all corners of the globe onto a screen that can fit in the palm of your hand, the Chinese government still has the ability to screen and censor the Internet. It carries the power to harass, intimidate, and jail anyone that it finds to be a dissident. The government would have censored this essay too, had it been written in China. But while the Chinese government carries the ability to censor words, there remains one thing that the government cannot censor: Hope.

April 29, 2013

Confronting Traditions and Contextualizing Modernity: The Challenges of Protecting Women's Human Rights in Southeast Asia

The greatest ethical and moral challenge facing U.S.–ASEAN relations is to address the fact that the ASEAN Human Rights Declaration is promoting cultural relativism regarding women's human rights.

By Julio AMADOR III (Philippines) and Michele CANTOS (United States)

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Hoi An, Vietnam.

The central moral challenge of this century is gender inequity. In the nineteenth century it was slavery, in the twentieth century it was totalitarianism, and in this century it is the oppression of women and girls throughout the world.

—Sheryl WuDunn, journalist

Women and girls in Southeast Asia face gender-based discrimination, harassment, and extortion, and are among the top victims of physical and sexual violence in the world, putting them at an increased risk of poverty, ill health, and death. The Association of Southeast Asian Nations (ASEAN) has taken many strategic steps to address women's human rights, always emphasizing regional and culturally sensitive approaches. However, the recent adoption of the ASEAN Human Rights Declaration has provoked a wave of criticism from the international community and the United States, as this approach is said to dilute, rather than enhance, women's rights and provides ready-made justifications for its members not to comply with international standards of human rights. As the United States seeks to elevate its relations with ASEAN to a strategic level, the greatest ethical and moral challenge facing U.S.–ASEAN relations will be addressing the cultural relativism regarding women's human rights promoted by ASEAN.

Sex trafficking has become a serious public health and human rights concern in the region, as an estimated 200,000–250,000 women and girls in Southeast

Asia are trafficked each year. Women who have been physically and sexually abused have higher rates of mental health issues; they are at a higher risk of contracting HIV/AIDS and other sexually transmitted infections; and they are also in danger of having unwanted pregnancies, miscarriages, and unsafe abortions. Physical and sexual violence not only deny women the most basic element of human dignity, but in many instances create stigmas that stifle their ability to engage in productive activities such as education, income generation, and politics. They are systematically obstructed from entering formal markets and are locked into a vicious cycle of poverty that has a devastating ripple effect on their households and communities. The UN Economic and Social Commission for Asia and the Pacific identified Southeast Asia as a region that is facing large gender disparity in male-female income inequality along with an asymmetric representation of women in vulnerable employment, meaning that women are still among the lowest wage earners in jobs that endanger their well-being. Promoting women's human rights is an essential component of societal development, is a major indicator of a country's well-being, and should be of the utmost importance for a thriving region such as Southeast Asia.

Almost from its inception in 1967, ASEAN member states have recognized the importance of promoting and respecting women's rights and have undertaken a regional approach to the advancement of these rights. Member states adopted the Declaration of the Advancement of Women in the ASEAN Region (1988), the ASEAN Declaration on the Elimination of Violence Against Women in the ASEAN Region (2004), and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (2010). Cementing its commitment to the promotion and protection of human rights across the globe, ASEAN member states have also signed and ratified the Convention on All Forms of Discrimination against Women, the Beijing Platform for Action, and the Millennium Development Goals (MDGs), of which Goal Three (promote gender equality and empower women) and Goal Five (improve maternal health) directly address issues pertaining to women and their human rights. However, the adoption of the ASEAN Human Rights Declaration in 2012, in which leaders of member-states reaffirmed their commitments to their previous declarations on human rights, has raised criticism from the international community and the United States.

The U.S. Department of State remains committed to partner with ASEAN on the protection of human rights, and "in principle supports the ASEAN Declaration on Human Rights." However, it has made very clear that while the ASEAN Human Rights Declaration follows the Universal Declaration of Human Rights (UDHR), which Myanmar, the Philippines, and Thailand supported at the United Nations General Assembly, many of its principles and articles are problematic. Articles 6 and 7 of the ASEAN Human Rights Declaration, for example, use the concept of "cultural relativism" and in the view of the State Department, suggest that rights in "the UDHR do not apply everywhere; stipulating that domestic laws can trump universal human rights; incomplete descriptions of rights that are memorialized elsewhere; introducing novel limits to rights; and language that could be read to suggest that individual rights are subject to group veto." Other regional organizations have drafted similar declarations on human rights. The African Union, for example, established the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (The Maputo Protocol), which most of its members have ratified. However, neither the Maputo Protocol nor other declarations have included language that called for regional and national contexts to be considered in human rights.

ASEAN is arguably one of the world's most successful regional organizations. However, the "flaws" in its human rights declaration have raised deep concerns among senior UN officials, human rights advocates, and hundreds of civil society groups at the national, regional, and international level. The document is criticized for "falling short of international human rights and law," as well as dismissing international humanitarian law, including the Geneva Convention of 1949. The document makes no particular commitment to improve the lives of women and girls and it asks that human rights be considered within regional and national contexts, "bearing in mind different political, economic, legal, social, cultural, historical and religious backgrounds," which makes issues of gender, gender identity, and sexual orientation vulnerable to national prejudices and, ultimately, does not require countries to respect human rights. The declaration is seen as providing ready-made justifications for human rights violations of the people within the jurisdiction of ASEAN member states, as the fulfillment of the rights outlined in the document are made subject to national laws rather than institutionalizing commitment and respect for human rights.

The ASEAN Human Rights Declaration should be considered a concrete first step that commits ASEAN to human rights protection and promotion. Nevertheless, it is difficult to ignore that it poses a threat to advancing the human rights of women and girls, particularly those living in conflict areas such as Myanmar. ASEAN's commitment should be continuously evolving and improved upon so that a future document will be unhesitating in its commitment and full adherence to the UDHR. To some extent, some regional

contextualization of what are considered universal human rights can lead to a better understanding of what can and cannot be realized by countries that adopt such top-down international norms. However, while a respect and consideration for regional contexts is important and valuable to understanding the ability of nations to implement, this should not translate into a redefinition of what a human right is. The preamble to the UDHR clearly states that gender equality is a basic human right and before the declaration was even finished the UN had already established the Commission on the Status of Women. This is indisputable and should not be undermined by regional agreements. With this in mind, ASEAN's attempts at providing an "ASEAN way" in the implementation of human rights commitment can lead to avenues for further dialogue and cooperation between itself and interested countries so that a full adherence to the UDHR will be possible in the future. It has been a pattern in international relations that adopting international standards and norms does not necessarily lead to their implementation at the national level.

The challenges that we have identified both at the regional and national levels in Southeast Asia lead us to conclude that more efforts are needed to improve the status and welfare of women in this region and therein lies the greatest ethical challenge for the United States. If the situation of women in the region is to improve, how to promote and protect the rights of women in Southeast Asia, while tentatively working with ASEAN to use its own approach should therefore be among the top policy considerations that ASEAN and the United States must focus on. The commitment to the protection and promotion of women's human rights presents many opportunities for cooperation and dialogue between ASEAN and the United States. The Obama administration has so far shown a resolve to the strengthening of U.S. ties with ASEAN and has taken decisive steps towards raising the U.S.–ASEAN relations to a strategic level. During ASEAN's fourth Annual Leaders Meeting, coinciding with the thirty-fifth anniversary of U.S.–ASEAN relations, both parties agreed to institutionalize U.S. presidential engagement by raising their meeting to the level of an annual leaders' summit. That is, President Barack Obama and his successors will have to attend this high-level meeting every year. And, indeed, this use of soft–power involvement is welcomed by ASEAN.

The challenge for the United States will be to remain consistent in its "soft" approach towards the region and to not overstep its bounds in the region. As it boasts itself a leader in the promotion of human rights and women's rights throughout the world, the United States will need to continue a dialogue with ASEAN on these issues. The Department of State's Office of Global Women's Issues is working ardently to ensure that the rights of women and girls are fully integrated into the formulation of conduct of U.S. foreign policy. Partnering with the White House, USAID, the Department of Defense, and other agencies, as well as with civil society and the private sector, the Department of State has launched "multiple and wide-ranging global initiatives" that seek to promote women's social and economic development, integrate women into peace and security building, address and prevent gender-based violence, and ensure women's full participation in civic and political life. One such initiative was the Asia Pacific Economic Cooperation (APEC) Women and the Economy Initiative, which provides a mechanism to integrate gender consideration into APEC activities and provides policy advice on gender and equality issues. However, more can be done.

Protecting and promoting Southeast Asian women's rights cannot be just a top-down process; parallel efforts at the community-level should be actively pursued. An analogy for this is the making of a beloved Filipino rice cake called *bibingka*. *Bibingka* is prepared from glutinous rice by soaking it, then grinding it into flour to make into dough. This delicacy is prepared by putting hot coals on top of a special *bibingka* stove to even out the cooking below; there is even heating so the rice cake is cooked from above and below. This is how ASEAN and the United States could move forward. Agreements and policies at the regional level need to be complemented with programs and projects at the community level to ensure success in promoting and protecting women's human rights. ASEAN already has its regional agreements and some regional institutions. The United States could do more, not only by engaging the ASEAN at the leader's level, but also by investing in programs and projects that empower women.

Among the concerns where ASEAN and the United States could work together on concrete efforts is the protection of women who are migrating to other countries in search of work. Increasingly, women in the region, especially from the Philippines and Indonesia, have become migrant workers, leading to the phenomena of the feminization of migration. This is changing social and familial structures and an increasing number of children are growing up without the presence of their mothers, putting them at risk for abuse and neglect. ASEAN and the United States could pool resources to draft national policies and implement programs that seek to mitigate and ultimately address the problems that families and societies are facing when women leave their families to work elsewhere. Projects such as halfway houses for abused and trafficked women could be done in ASEAN countries with U.S. support. Coupled with livelihood projects that endeavor to empower

women, these sanctuaries could work to ensure that Southeast Asian women who have been victims of abuse can live on and move forward with dignity and pride. The ASEAN Socio-Cultural Community (ASCC) Blueprint also identifies several opportunities for cooperation such as the 1) promotion of equal access to education for women and girls; 2) promotion of skills development for women; 3) providing access and learning opportunities on ICTs (information and communications technologies); 4) prevention of exploitation of women and girls using ICTs, such as internet pornography; and other such aspirations that could find expression in concrete programs and projects. The protection and promotion of the rights of women, however, need to be a continuous and evolving affair that ASEAN and strategic partners, such as the United States, should commit to without hesitation.

Women not only support the social fabrics of ASEAN member-states; they are increasingly becoming their economic backbones. Recalling the UN Millennium Development Goals Number Three goal (promote gender equality and empower women) and Goal Five (improve maternal health), there is consensus among the international community that women's human rights are at the forefront of any development scheme, as their well-being positively affects the rest of society as well.

Yet, their roles and their rights have not been fully recognized, protected, and promoted. Sexual and gender-based violence are increasingly prevalent in conflict-torn regions, disproportionately affecting women and children, and further impacting women's rights to reproductive health as well as all areas of health and social welfare, particularly in our developing nations. In conflict areas such as in certain places in Myanmar, women bear the brunt of the impact of the fighting. The stateless Rohingya women have also now been forced to board boats to escape the violence directed against them. In Southern Mindanao in the Philippines, women are the most affected by years of insurgency and rebellion.

Women have had to raise children under extreme conditions, to deal with familial and kin conflicts, and to play the role of peacemakers. Historically, in many Southeast Asian societies women had privileged positions due to the acceptance of tracing ancestry both from maternal and paternal lines, which diluted strict patriarchal power. Southeast Asian women had a unique sphere of power and influence in households and societies of the pre-colonial era, with considerable autonomy in areas such as medicine, healing, and mysticism, which was considered their realm. The advent of colonialism brought with it, among other things, the degradation of women's roles in societies and the diminishing of their influence in politics and public life, and placed enormous constraints on their fundamental freedoms. It is only right and just, therefore, that joint efforts in this area should intensify and deepen. The United States could play a cooperative role with ASEAN. People-to-People exchanges, diplomacy, and concrete projects and programs could be instruments that will help the two parties to work together to promote and protect women's human rights. The future of ASEAN will be shaped to a great extent by the contribution of its women. The ethical challenge therefore is to protect and promote their human rights as the community building process continues.

April 30, 2013

The Ethical Challenges of Climate Change and Intergenerational Equity

As the world's two largest polluters, preserving intergenerational equity poses the greatest long-term ethical challenge for China and the United States.

By Tsering Jan VAN DER KUIJP (United States) and LIN Lilin (Taiwan)

David www.flickr.com/photos/randomwire/ (CC)

Crossing a bridge.

We will respond to the threat of climate change, knowing that the failure to do so would betray our children and future generations.

—U.S. President Barack Obama, 2013

Introduction

There is an international scientific consensus that by the middle of this century, global climate change will begin to inflict devastating droughts, storms, and crop damage on future generations. Some ecologically sensitive regions of the planet have already experienced increased incidences of famine and disease outbreak, facilitated largely by irregular weather patterns. Land desertification in Sudan, water resource shortages in the Middle East, abnormally strong monsoons in South Asia, and record temperature highs in parts of North America have all been at least partly attributed to climatic shifts. At issue is the notion that anthropogenic emission of greenhouse gases is the major driving force behind the changing climate.

The engines of industrial growth that propelled the United States to superpower status and lifted over 600 million Chinese out of poverty have potentially debilitating consequences for the planet. As the world's two largest polluters, the United States and China face tremendous hurdles in overcoming the dilemma of pursuing economic growth while stemming the tides of climate change and environmental pollution. Accounting for over 40 percent of carbon dioxide pollution, the leading climate change-inducing chemical, the United States and China are in a unique position to protect future generations from the consequences of climate change. These two nations must therefore assume both responsibility for and leadership in solving this complex global problem.

Ethical Challenge and Moral Responsibility

Since climate change is an enduring phenomenon, the liability placed on the welfare of future generations is of central importance. Most worrisome about climate change is not just how it will affect tomorrow's weather but how it will impact the children of the future. Out of this dilemma between boosting industrial production and curbing climate change emerges the greatest ethical challenge for China and the United States: how to safeguard the health and well-being of their people while guaranteeing the same for future generations.

Consideration for the welfare of the future drives the policy motivations of all actors, ranging from the state to the smallest family unit. Just as the United States implemented a Social Security pension system to ensure the welfare of future citizens, so too the Chinese government established a grain quota system to guarantee an adequate food supply for its citizens. Every

environmental protection regulation is accompanied by this regard for the future as well. On the critical issue of climate change, however, this same concern for future generations has been notably absent. This group faces greater risks to the hazards of climate change than the current one due to its lack of representation and access to decision-making processes. In both the United States and China, there is no *a priori* governing rule protecting this group.

The need and responsibility for intervention on behalf of future generations can be deduced from two overarching and sometimes competing moral paradigms that intrinsically guide all state actors and their decisions: deontological and consequential. The deontological model emphasizes individual rights, equitable process, and moral accountability. Most paramount is what can be described by moral philosopher Immanuel Kant's categorical imperative—"Act only according to that maxim whereby you can, at the same time, will that it should become a universal law." In other words, in order to justify a particular action, the application of that action in similar circumstances must always be justifiable, regardless of whom the actor or the affected party is. Thus, if we were to protect the current generation from an imminent threat, then according to this principle we must do the same for future generations. For instance, it is a widely accepted notion that states have a moral obligation to protect their citizens from impending environmental hazards and natural disasters. By extension, therefore, states must also protect their future citizens from similar circumstances involving these hazards.

The consequentialist moral paradigm bases justifiable actions on end results and desirable social goals, such as maximizing total welfare or utility. Regardless of the procedures taken, states should endeavor to maximize the general welfare, even at the expense of individual rights and just processes. Following this model, the ostensible divide between current vs. future interests ceases to exist because climate change does not have a beginning or an end. The effects of shifting weather patterns are being felt now, and climate change is a continuous, albeit gradual, phenomenon. Adopting a consequentialist approach would compel states to intervene on behalf of all affected generations: it is undoubtedly in the interests of society as a whole to live free from the devastating effects of climate change. According to this framework, therefore, the desirable social goal of a secure and prosperous citizenry encompasses all generations and requires all nations to advance the welfare of these groups.

That these moral paradigms implore nations to take action to protect future generations demonstrates the ethical ramifications of climate change, in addition to the overt practical reasons. These ethical dimensions reflect the complexity of tackling global, lasting issues like climate change, but they also provide an additional impetus for China and the United States to cooperate and address these challenges on a moral, equitable basis.

For China and the United States, preserving intergenerational equity poses the greatest long-term ethical challenge. As the greatest threat to it, climate change knows no boundaries, cannot be reasoned or bargained with, and will inflict harm on each and every citizen both wealthy and poor, even those not yet born. But herein lies the problem: because climate and environmental change are gradual, incremental global phenomena, the effects also will not be realized immediately. As a result, there appears to be no pressing need to protect unborn future generations from the unsustainable lifestyle of the current one. Nevertheless, this lack of urgency to act on behalf of future generations remains a symptom rather than a direct cause of inaction on climate change.

Underlying Causes of Ethical Challenge

On the surface, the lack of action between these two great nations appears to stem from the need to pursue economic growth and visible returns. After all, prevailing theories of welfare economics stress present resource consumption over deferred consumption. Nevertheless, a thorough examination of the history, dialogue, and actions surrounding Sino-U.S. relations reveals a more deep-rooted reason for this inertia, stemming from a legacy of mistrust brought about by an entrenched and obsolete Cold War mentality. Both nations suffer from this obstructionist mindset, as they constantly find themselves at odds over trade disputes, human rights, industrial espionage, and more.

Mistrust and misperceptions of each other's motives have created a foreign policy gridlock or outright opposition on a range of matters. China opposes sterner measures by the West to remove the Assad regime from power, fearing more Western intervention in Syria might bring unwanted foreign influence closer to home. Similarly, in response to a U.S. Senate bill threatening higher tariffs if China did not raise the value of its currency, Chinese Foreign Ministry spokesman Ma Zhaoxu exclaimed that the United States needed to "stop pressuring China through domestic lawmaking." Perhaps the greatest driver of current mistrust lies in the Obama administration's recent "pivot to Asia" strategy. In doing so, the United States plans to bolster its military capabilities and alliances in the Asia-Pacific region, increasing the presence of conventional forces right next to China's doorstep. China's Defense Ministry responded that "any strengthening and expansion of military alliances is an expression of a Cold War mentality [that] does not help to enhance mutual trust and cooperation between countries in the region." As a result, many Chinese perceive the United States as a revisionist power seeking to curtail China's political influence and

damage its core interests in economic development and territorial sovereignty.

From the perspective of China's trans-Pacific counterpart, the United States hopes to maintain a stable global order that respects universal human rights and international law while dispelling notions of its impending decline. China's opposition to decisive action in Syria and its perceived foot-dragging in currency appreciation reform make the country appear insensitive to humanitarian crises and defiant of global free trade norms, respectively. Moreover, the United States has consistently held that its overseas involvement in the Diaoyu/Senkaku islands dispute and the "Taiwan question" have been in the interests of peace and stability. The purpose of the "pivot to Asia" strategy is to ensure that all regional actors, including China, are being treated fairly and adhere to international norms of conduct.

Yet, such a viewpoint inevitably drifts into the territorial sovereignty of other nations, an especially sensitive issue for China. Following the "Century of Humiliation" brought on by colonial Western powers and Japan, China has become increasingly suspicious of any perceived attempts at circumventing its rise. What the United States has often perceived as belligerent, muscle-flexing by China against Japan, Taiwan, and the Philippines, China has seen as defending its territorial sovereignty and national dignity. Any intervention by the United States into Asia-Pacific regional affairs could mask a hidden motivation of containing China's rise.

This reinforcing sentiment of mistrust and apprehension has managed to permeate even the debate on how to deal with climate change. During UN climate talks, China has been wary of U.S.-sponsored political and diplomatic initiatives that lead to binding emissions caps or mandatory emissions monitoring schemes. Efforts to control the carbon pollution brought by industrialization could slow down China's economic growth while allowing already-industrialized countries to avoid taking responsibility for decades of prior emissions. China's top climate change official Xie Zhenhua maintained that during the process of industrialization and urbanization, developed countries were able to freely emit carbon pollution and take advantage of unfettered industrial growth. In a sense, those countries had a head start in the race towards industrialization and development. Developed countries reached their emissions peak when per capita GDP reached about $40,000; China, however, started to address climate change when its per capita GDP reached only $4,000. Thus, Xie's argument goes, developed nations like the United States should take the lead in controlling carbon emissions, especially since this group is responsible for the bulk of emissions already in the atmosphere.

Nevertheless, media reports, public opinion, and official government responses reveal another side of the argument, that by requiring all nations to participate in binding emissions controls, the United States seeks to cap China's inevitable rise to economic and political power. Mandated emissions limits would effectively amount to limits on domestic economic growth. This would be an indirect but potent method by which a Western superpower like the United States could contain China and subtly curb its growth ambitions.

From the perspective of history, China has reason to be wary of foreign influences on its domestic affairs, beginning with the Opium Wars in the 1800s and continuing on until the end of the "Century of Humiliation" in the mid-1900s. During this time of foreign intervention and imperialism, China was repeatedly subjected to outside control of its economic, political, and diplomatic affairs. Any indication of repeating history is anathema to the rapidly-growing country, making it appear obstructionist or even belligerent when intervening forces are present. As a result, when the United States engages China during climate negotiations, there is already heightened tension, misperception, and mutual distrust.

This is what makes the challenge of combating climate change so great: on every level—political, economic, personal—obstacles stand in the way of real action on climate change. China pushes back on widely-backed multilateral emissions reduction proposals, and the United States fails to observe the role of national dignity and territorial sovereignty in Chinese affairs. Yet those who stand to suffer the most have no way of voicing their concerns. The underlying causes of this global gridlock—mistrust and misperception—show not just the complexities of achieving solutions to climate change but also the importance of mutual understanding in international relations, particularly Sino-U.S. relations.

Solutions

There is a fundamental difference between these two nations in priorities, responsibilities, and perceptions. To address these roadblocks and pave a pathway to climate change cooperation, the United States and China must establish a foundation for official, constructive dialogue. One example that has been floated by analysts has been a series of "G-2" summits in which both countries would effectively place all concerns and preconditions on the table and engage one another in constructive dialogue. They would explain official positions and goals while voicing concerns and reservations about one another's climate change abatement schemes. Moreover, the United States and China not only account for the largest proportion of carbon emissions but also broadly represent the "North-South" divide on climate policy within the international community. Over the years of climate negotiations, an intense division has emerged between developed nations (North) and developing nations (South) over matters as how the burden of reducing emissions should be shared;

whether industrialized nations should act first to cut emissions; and how much historical versus current emissions matter. The best prospects for building an international consensus over climate policy will arise from developing such non-traditional alliances across this "North-South" divide. Doing so would help encourage reluctant states to coalesce around a compromise that considers all interests and concerns. Of course, a bilateral Sino-U.S. institution will not by itself solve the climate change problem, but it would form the basis for negotiations that can start effectively to address it.

As a leading voice in international affairs, the United States is in a unique position to lead on this issue and take significant steps to work with China. Historically, the superpower is also the largest emitter of climate-altering gases and therefore bears a high degree of responsibility for any future consequences. Thus, the United States must act first to reduce its own climate-altering emissions; this would convince China of the sincerity of U.S. efforts and reduce fears about indirect western intervention in China's domestic policy. In return, as an able representative of "Southern" concerns, China would help build the trust and confidence needed to break through the deadlock on international climate negotiations. With its status as the largest greenhouse gas emitter and most populated country, China has a distinct interest in protecting its future generations from the impacts of climate change. To do so, it must assume its international obligation to work with other nations and advance, rather than obstruct, progress in combating climate change.

It is undeniable that with their different political systems, strategic interests, and levels of economic development, China and the United States will inevitably face obstacles in achieving any sort of climate agreement. Once begun, however, cooperation on climate change could prove groundbreaking in smoothing over political and economic tensions. It could also catalyze cooperation in other areas of concern such as trade and human rights, as both sides begin to understand more clearly each other's motives and ideals. Through establishing stronger bilateral ties via enhancing mutual understanding and action on climate change, China and the United States can serve as powerful examples for the rest of the world, representing how two very dissimilar countries can set aside deep social and cultural differences in the name of meeting the world's greatest challenge.

Closing

Every great nation desires more economic development and higher living standards for its people—the United States and China are certainly no exception. Their respective superpower status and dramatic economic rise nevertheless have brought significant environmental costs, most of which will be felt by future generations. Despite the political, social, and cultural differences between these two great nations, both agree that bilateral consultation is the first step among many others to restoring mutual trust and respect.

The root of inaction on climate change reveals that the problem lies not with the core objective of combating climate change but with the method of doing so. There has been insufficient attention paid to how China and the United States should cooperate in moving forward, illustrated by the long-standing "North-South" divide. Beginning with a foundation of cooperation and consultation, the United States and China can break through the Cold War mentality of suspicion and distrust and make significant progress in addressing climate change. With the potential for this issue to become the world's greatest national security threat, the United States and China share a moral responsibility to respond quickly and effectively.

What makes the challenge of preserving intergenerational equity so profound is not only the multi-faceted nature of climate change—how to allocate emissions reductions, monitoring requirements, financing schemes, et cetera—but also the deep-rooted aspect of it that blocks progress and cooperation. Horizontally and vertically, the United States and China must work together to grapple with these immense hurdles. Because of the far-reaching implications of climate change, these two countries inherently will have to make a moral decision: how far we should go in ensuring the health and ultimately the survival of future generations. Action or lack thereof on the issue in the present will have long-term consequences for the future, making the dilemma of economic growth versus environmental protection even more pronounced.

Nevertheless, it is the sacred duty and moral responsibility of all nations, not just China and the United States, to provide for their people and protect the welfare of their future citizens. Failure even to begin addressing climate change would represent a failure of this commitment and a severing of the inextricable bond between country and citizen. With the voices of those to be most affected by climate change effectively absent, it is up to current state actors to speak for them, to ensure that their interests are represented and their future livelihoods protected. These actions would uphold the fundamental principles of intergenerational equity that reflect the moral as well as the practical dimensions of climate change. Success in curbing climate change is all but guaranteed, but by beginning with a platform of mutual trust and respect, the United States and China can pave the way forward to meeting this crucial moral responsibility.

April 29, 2013

Time, Talent, Treasure: Revisiting Development Partnerships between the Philippines and the United States

Does well-meaning American "voluntourism" benefit the "givers" more than the receivers? Do large-scale U.S. aid programs try to fit American solutions onto Filipino problems?

By Christopher Derige MALANO (United States) and Jeanne Carmel PUERTOLLANO (Philippines)

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U.S. Navy Seabees visiting school children in Palawan, Philippines.

Out of acts of goodwill came the perpetuation of the long-standing stereotypical images of the prosperous and the impoverished. There is no doubt that the development sector has played a significant role in the world today, especially as globalization has brought countries closer together to collaborate on programs that benefit the most vulnerable in society. These partnerships include volunteer programs that seek to engage willing individuals or groups to join short-term missions for intervention in key focus areas such as health, infrastructure, and environmental management, to name a few. On a larger scale, partnerships for development are forged through foreign aid given by one country to another, often from high-income to middle-and low-income countries.

These approaches to development in contemporary times bring to the surface some critical problems that exacerbate poverty in beneficiary countries. Although partnerships can be mutually beneficial for both countries, genuine emancipation from these barriers to development becomes more difficult for the recipients to overcome.

The partnership between the United States and the Philippines is one of the longest standing and most strategic alliances formed in modern history. Philippine public opinion of the United States is generally positive with 90

percent of Filipinos viewing U.S. influences as positive. This was confirmed by the BBC Country Rating Poll held in 2011.

But with this positive view of the U.S.-Philippine relationship is the responsibility of both nations to ensure that the programs that they implement together are mutually beneficial to both parties. However, despite the seeming benevolence and altruism by the United States to the Philippines, questions have been raised as to the ethics of the relationship between these two countries.

On smaller-scale commitments, there seems to be a growing trend of American volunteers sharing their time in the Philippines to do what is often seen as an act of compassion. While we do not question the genuineness of their good intentions, there are issues which need to be raised with regard to its effectiveness and the kind of relationship it is forging between the two countries, particularly between their citizens. Do American volunteer programs actually seek to engage the poor that they interact with in developing lasting solutions to social problems, or do they promote a culture of dependence on aid? On the other side of the coin, to what degree are groups in the Philippines that partner with volunteer organizations keeping vulnerable groups in poverty, so that the "attraction" would always be there to keep up with demand?

On larger-scale programs and engagements, has the Philippine government, whether consciously or not, put its former colonial masters at the center of its priorities over its own people? Have aid programs been designed to fit American solutions to Filipino problems?

Considering the amount of material and nonmaterial investments pumped into these programs, it is important to reexamine the kind of impact and the quality of relationships they build between these two nations.

American "Voluntourism" in the Philippines

Volunteer travel is slowly becoming a trend in the tourism sector. Although it is a largely European concept, "voluntourism" has successfully found its niche in the U.S. tourism market. This ultimately led Asian countries, including the Philippines, to open various communities and even the most obscure parts of the country to short-term mission trips. Although it has not reached its tipping point yet, various nonprofit organizations in the Philippines have started receiving foreign volunteers through various organizations such as Up With The People, AIESEC, The Peace Corps, and different faith-based organizations and youth groups. Some are individual tourists who come to the Philippines for a holiday and hear from locals of opportunities to be involved in some form of outreach program. Some are university students who hope to apply themselves in the real world through community services.

While contributions by these groups to volunteer mobilization are highly appreciated, the goal of their visits to such countries and the activities that they are tasked to perform are not responsive to the needs on the ground. Although there are positive motivations for these volunteers to serve poor communities and "give back" to society, the negative effect of these activities is obvious. Often, these programs are cookie-cutter types of activities that are designed around the interests of the volunteers. Never mind that the paint on the walls of homes in relocation sites is almost an inch thick, as long as the volunteers feel good about what they have accomplished, the objectives of their visit have been met—or so they think.

In the United States, it is common for young people to be reminded that they are "blessed" to live in the land of plenty and of opportunity. They are also painted an image of developing countries as destitute and less fortunate than they are. At a very young age children are taught to see things at face value, in other words, "those poor people over there," rather than to critically look at the situation, systems, and environments which have hindered development. The sense of responsibility and obligation is so strongly ingrained into the American culture that it is no wonder that many easily get lost in it. There is no lack of compassion, but it is that sympathy which drives the "savior" or "hero" complex which many short-term volunteers have been disillusioned with.

In seeking an alternative to the traditional vacation, many Americans have sought out the opportunity for sincere interaction with local people in the Philippines. They also genuinely want to be of service to others while having a good time—after all, it is a vacation. Good intentions for a short period of time will leave a volunteer feeling proud that a good deed has been done and perhaps that the CV is a bit more attractive to universities and employers, but it is not enough; surely not for the so-called beneficiaries. In fact, it is simply egotistical and arrogant.

Community development is never an overnight process but a long-term commitment toward improving the quality of life. But the way that these groups have advertised such programs reduces it into a benevolent and altruistic form of leisure. With a simple search through YouTube or their websites, it would not take long to encounter videos of these volunteers "making an impact" in an urban poor community in Metro Manila while running after kids or giving them piggyback rides, or maybe planting mangroves along the long coastlines in Batangas. A weeklong visit to a community gives volunteers the impression that they are already saving the world and making a huge dent in the fight against poverty. One could wonder

if there truly is justice in such form of activities.

In the Philippines, schools often fall victim to the generous deeds of American voluntourists. Part of the agenda might include helping out at a local school. Instruction is interrupted when new groups of volunteers are introduced to the pupils. As welcoming hosts, short programs have been developed to highlight the school and its students. What the volunteers see is that particular block of time—their week of volunteering. But, what they don't see is that it all happens again next week with a new set of volunteers. The volunteers will help to tutor, plant school gardens, and other activities. This volatility of new people constantly being introduced to children's lives, quick attachment, and eventually having to say goodbye is not necessarily beneficial for the development of the child, especially if one develops a friendship with a particular volunteer.

Acknowledging there is a market for generosity, several groups have taken advantage of these good intentions by turning them into a commodity. What these voluntourism organizations are inadvertently teaching those volunteers is that they are in a superior position to those who they are intending to help. When they go on volunteer vacations, these people with good intentions only see the beneficiaries in their most vulnerable state. On the contrary, those who are being "served" will always see the volunteers in their most chivalrous moments. This only hardens the longstanding mutual stereotypes of each other. When it comes to sustainability, this kind of undignified relationship is not based on mutual understanding and partnership.

This is not to say that these programs have to stop, but inevitably, the paradigm under which these activities have been carried out or the pedagogy behind the experience must be reviewed. It is commendable that there are people who would share their time and talent for the betterment of the Philippines, rather than paying off residual colonial guilt. It is also necessary that people are inclined to get involved in the environments and situations of the "other."

It is more important and more urgent, however, to find sustainable solutions for both stakeholders. Both the United States and the Philippines have to promote responsible volunteer tourism that does not diminish the capacity of communities to handle their own development. While it would take more time, dedication, and coordination, a two-way exchange opportunity promotes fairness and additional opportunities to learn about each other. It is essential to have substantial preparation for volunteer groups which critically examines the history, context, structures, and systems which have caused and prolong impoverished conditions. And, there is a need to seriously answer the question of what happens when volunteers return to the United States.

Too often volunteers return to the comfort of their homes and lives in the United States having tucked away the memories of their experience in a photo album, never having to think that their choices and behaviors are intrinsically connected to the life and well-being of those whom they have just "served." For those involved with volunteer tourism, it should be stressed that their good will and time in the Philippines should not be compartmentalized, but put to good use by looking at the context, structures, and systems in the United States which propagate poverty in the Philippines.

Even more so than that, however, it is imperative that the United States and the Philippines promote responsible volunteer tourism that does not diminish the capacity of communities to handle their own development.

Development Aid

The United States of America and the Republic of the Philippines have fostered strong relationships cultivated by their deep historical ties. Long after the end of American rule, it has been evident that their presence is a fixture in the Philippine political landscape. In fact, over the span of five years, the United States has been one of the largest contributors of official development assistance to the Philippines, investing $318 million in the last year. The majority of foreign aid spent comes from the Millennium Challenge Corporation (MCC), a bilateral foreign aid agency that "provides development assistance that reduces extreme poverty through economic growth and strengthens good governance, economic freedom, and investments in people." Development assistance disbursed through the MCC is intended to supplement aid given through the United States Agency for International Development.

Although the relationship between the United States and the Philippines in terms of mutual support is heavily focused on military relations, discussions about the effectiveness of aid programs in addressing poverty need to be given equal attention. Despite the sizable contribution of the United States, one could debate the effectiveness of aid in promoting long-term development in the country. Have American interventions such as aid weakened the capability of institutions in the Philippines to carry out reform programs that largely benefit its populace?

Macroeconomic reforms have been at the forefront of the Aquino administration's agenda. The Philippine Development Plan is focused on achieving inclusive economic growth through the creation of jobs, strengthening of the service sector, and increasing foreign direct investment into the economy. While such goals are laudable, and U.S. support for the

government's strategic objectives injects much needed capital into the realization of such programs, the negative effects of aid cannot be ignored.

In achieving broad-based economic growth in the Philippines, one could wonder how many of these aid programs and their presumed goals affect those at the bottom of the pyramid. One hundred and twenty million dollars, for example, of the Millennium Challenge Account's aid to the country is disbursed through KALAHI-CIDSS, a community-based development-driven program that aims to enhance local infrastructure, governance, participation, and social cohesion, but the measures of its effectiveness have yet to be measured. In fact, in some provinces in Mindanao where there are high levels of insurgent activities, such programs have been subject to sabotage.

In a 2012 study by Crost, Felter, and Johnston, it was seen that even at the start of the social preparation phase, there is already much resistance from groups such as the New People's Army and the Moro Islamic Liberation Front. Municipalities that have been rendered eligible to receive such aid have recorded casualties related to the program. This could be attributed to the competition among potential recipients. The fact that high amounts of aid pour into the development of communities could increase tensions among competing municipalities. Furthermore, if aid programs could possibly weaken the insurgent group's clout in a certain region, it gives them a reason to incapacitate the implementers.

Aside from the violence that could emerge from such programs, the implications of aid in the drive towards sustainable development should be discussed. The consideration for local and indigenous cultures must be examined. Development trends, especially those imposed by other societies, could impinge on the values promulgated by different local groups. Furthermore, their way of life, often seen as backward and irrelevant against the tide of modernization, is complicated by these external factors. So instead of promoting justice, the development practices introduced by well-meaning groups actually degrade and distort the values system and traditions once strongly upheld by these tribes, and without proper legislative protection, they are easily marginalized from mainstream Philippine society.

Dependence on aid also significantly reduces institutional capabilities to carry out programs that are responsive to real, expressed local needs. Institutions that are tasked to monitor and implement the development objectives of the government are prioritizing palliative solutions such as the conditional cash transfer program and over-extended humanitarian programs for typhoon relief instead of longer term interventions that could truly bring people out of poverty. Inasmuch as these are needed, they are already bringing problems with corruption to the surface. There have been reports, for example, that election campaigns in the Philippines have converted items donated by the USAID into campaign materials for politicians. Some have been repackaged and reused by those seeking reelection to show their commitment to the welfare of typhoon victims. In some store houses, sacks upon sacks of rice are piled up and remain undistributed. The real goal of human development, which is to enable people to have wider choices by improving the quality of life, is defeated.

These problems, however, do not mean that development aid must stop at once. But its structure and trajectories have to be reconsidered. The Philippines, being a strategic ally of the United States in the Asia-Pacific, should not remain aid-dependent forever. Just as development seeks to free humans from being prisoners of social injustice over time, aid programs should be designed to make a country less dependent on external funding for its internal needs. In building its relationship with the Philippines, the United States should allow the Philippines to define its development agenda according to the current state of its populace and its readiness to accept technologies and practices. The Philippine government should be thinking less of "Will the United States give us support for this program" and more of "Will our people be freed from chronic poverty through this initiative." The United States, on the other hand, must look at the quality of the impact of its programs and partnerships. If their approach continues to perpetuate poverty in all its forms and brings more harm than good, then they must reconsider the way these programs are implemented. After all, the return on investment for aid is not merely in terms of economic gains that both countries can reap from such partnerships but in the positive change that it brings to their formal and informal institutions.

International aid programs and volunteer tourism have their roots in charity and genuinely building good will between the Philippines and the United States.However, acts of charity are only temporary fixes to surface-level challenges between unequal partners. True development of both countries is not simply pumping financial resources to boost a partner economy to protect the interest of one partner. It is much deeper, involving the radical change of how relationships between peoples, systems, structures, and countries view, understand, and interact with each other. Perhaps there is still hope to finally break the proscribed stereotypes where one forever plays the role of a damsel in distress and the other a knight in shining armor. Only then will we be able to create a truly genuine and mutual development partnership between the two countries.

May 2, 2013

The Winning Authors

The U.S., China, and Cybersecurity: The Ethical Underpinnings of a Controversial Geopolitical Issue (p.4)

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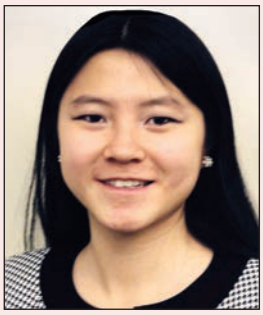

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Finalists

GEOPOLITICS AND SECURITY

A Pivot and a Promise: The Future of U.S.-Myanmar Relations (p.8)

Thaw Zin Aung GYI (Myanmar) is a junior BA candidate at Brown University studying public policy and American institutions. Prior to Brown, he studied policy, planning and development at the University of Southern California. He was born and raised in Myanmar (Burma). After his undergraduate studies, he plans to pursue further studies in law and public policy. He will return to Myanmar to pursue a career in public policy and politics, and to contribute to the establishment of the rule of law. He is also founder of a student-run charity organization named Conscience Community Development and Aid.

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The Ethical Challenge in Sino-U.S. Relations: The Threat of War (p.12)

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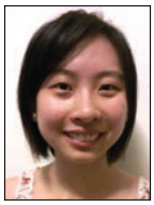
Senkaku/Diaoyu Conflict Endangers U.S. Rebalance to the Asia-Pacific (p.16)

Ana MARTINOVIC (United States) is from Southern California. Although she has lived in California for most of her life, she considers her Serbian heritage to be a large part of her life. She is attending University of California, Irvine and is in her fourth year as a philosophy and criminology double major. She is actively involved in Global Environmental Brigades and is working on starting a new club on campus focusing on environmental law. Her goal is to attend law school within the next couple of years to become an environmental lawyer.

Iris SORIANO (Philippines) was born and raised in the Philippines and is the oldest and only girl in her family. She moved to the United States at fourteen years old and is fluent in Tagalog and English, and also proficient in Spanish. She is in her fourth year at University of California, Irvine, majoring in international studies and minoring in global sustainability. She is the president of a club called Global Environmental Brigades, which gathers students to help do sustainability work abroad in countries such as Panama.

CONTRIBUTORS

This Is How You Lose: Against Political Pressure by Militarism (p.20)



Alexandra Nicolette KHOO (Singapore), is a xenophile with a writing problem. She was previously at the University of York, England, where she used to write for the campus academic *Vox* journal and London-based think tank, Think Africa Press. As a scholar with the Maritime and Port Authority of Singapore, she hopes to use her intellectual training at the University of Chicago to become a better public servant. She is currently pursuing an MA with the Committee on International Relations and is one of their official bloggers.

Sean LAGUNA (United States) is a computer science Ph.D. student at the University of Chicago, doing research in scientific computing that involves crossing disciplinary lines into mathematics, physics, chemistry, biology, engineering, and even the social sciences: next year he will lead the school's Computational Social Sciences Workshop. Although indoctrinated into the STEM corner of academia (inevitable as he obtained his BS from Harvey Mudd College), he has a penchant for political philosophy and, in general, trying to understand social issues from a fundamental, distilled point of view. At the Claremont Colleges, he also wrote for *The Student Life*, the consortium's newspaper.

In Case of Intervention, Break Glass: How the China-U.S. Impasse on Syria Could Be Used to Move the G2 toward a Unified Global Ethic (p.24)

Gage DeMont HANSEN (United States) is a Juris Doctor candidate at the University of Utah's S.J. Quinney College of Law (Class of 2014) and two-time recipient of the Lionel Frankel Public Interest Fellowship. He works as a legal analyst for The MILLA Project. He received a BA in political science from Southern Utah University and a Certificate of International Relations in 2007, a BA in history from Southern Utah University in 2009 and an MS in public administration from Southern Utah University in 2011.

Jasper WONG Yun Guang (Singapore) is in his third year of study, majoring in political science and international relations at the University of Queensland. He is interested in non-Western international relations theories and the East Asian region in general. He will be travelling to Indonesia in the summer of 2013 to study for a semester before returning back to Australia to complete his BA honors year.

LABOR RIGHTS AND HUMAN RIGHTS

Sewing Dissension: The Struggle for Labor Rights in Cambodia's Garment Industry (p.28)

Abigail GREGG (United States) was born in Australia, but grew up in Northern California. She attended the University of Southern California, majoring in anthropology and creative writing. During her sophomore year, she had the opportunity to do research in Cambodia, where she met Elita Ouk, her co-author for this paper. This trip also sparked her interest in international relations. She went on to do related research in Brazil, during six months of study abroad, as well as in Los Angeles. In August 2013, she is moving to New York City to pursue an MA degree in policy and administration in development practice.

Elita OUK (Cambodia) was born and raised in Phnom Penh, Cambodia. She recently finished her BA degree in media and communication from the Royal University of Phnom Penh. Apart from school, she is also an active member of two youth organizations: the U.S. Ambassador's Youth Council, and the Fulbright and Undergraduate State Alumni Association of Cambodia. Her interest in international affairs began when she took an American government class during her time as an exchange student in Jackson, Mississippi, USA.

Two Faces of Economic Development: The Ethical Controversy Surrounding U.S.-Related Sweatshops in Developing Asian Countries (p.32)

Benjamin Adam SCHORR (United States) is entering his junior year at Portland State University, where he will continue studying political science after transferring from the University of Oregon. He is especially interested in U.S. politics and the effects of globalization. He has made several documentaries that can be found on YouTube and is currently working on a documentary about the psychological effects of war on a Vietnam veteran.

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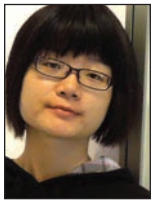
Speaking Against the Silence: An Ethical Analysis of Censorship Practices within China Today (p.36)



Qingchuan LV (China) is from Anhui, China. She is studying at China Youth University for Political Science and her major is journalism. She believes in universal values, and practices them in everyday life. As a volunteer, she is busy with select students who want to participate in an educational program called LRC. She is active in lectures after class, and interested in foreign affairs and human rights. Believing in sharing and the Internet, she's always trying to find the real facts of history, although it's very hard in her homeland.

Brian YU (United States) is an 18 year-old who is studying at Mt. San Antonio College, California. In the past, he has garnered more than a dozen awards and US$ 2,000 in scholarships from his public speaking endeavors. In his spare time, he has also hosted multiple local charity concerts, raising thousands of dollars for various causes such as the Supply Group, Relay for Life, and the Leukemia Foundation. In 2012, he took fourth place in the Gulen Youth Platform contest and missed his high school graduation to attend the Congressional Ceremony in Washington, D.C.

Confronting Traditions and Contextualizing Modernity: The Challenges of Protecting Women's Human Rights in Southeast Asia (p.40)

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CLIMATE CHANGE AND DEVELOPMENT

The Ethical Challenges of Climate Change and Intergenerational Equity (p.44)

Tsering Jan VAN DER KUIJP (United States) is currently a Fulbright Research Scholar at Nanjing University's School of the Environment, where he is conducting heavy metal pollution research and studying risk analysis. A graduate of Harvard University, he majored in government and obtained a secondary field in environmental science and public policy as well as a Mandarin Chinese language citation.

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Time, Talent, Treasure: Revisiting Development Partnerships between the Philippines and the United States (p.48)

Christopher Derige MALANO (United States) is studying for an MA in global development and social justice at St. John's University and has received a BA in history and religious studies from the University of New Mexico. From 2007 to 2012, he served as secretary general of the international youth NGO, Pax Romana – IMCS, where as an advocate for inter-cultural dialogue, he collaborated with the United Nations Alliance of Civilizations on formation projects. His experience with youth issues at the United Nations include the development of goals and targets for monitoring the progress of the UN's World Programme of Action for Youth.

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