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"Step or Stumble: The Obama Administration's Pivot to Asia"

Thank you Chairman Salmon and Ranking Member Sherman for the opportunity to appear before the committee today to discuss the critical issue of US policy toward Asia. The views I am presenting today are my own, and not necessarily those of the Project 2049 Institute or its other scholars, but I am nonetheless grateful for the opportunity to share them with you all today.

Since Donald Trump's election victory last month, there has been a great deal of commentary on the future fate of the Obama administration's "pivot to Asia." Over the weekend – with a single phone call -- the President-elect already seems to be signaling his intention to make good on his threats to shake up the foreign policy world and its often-peculiar habits. The apoplectic pearl-clutching over Mr. Trump's phone call with Taiwanese President Tsai Ing-wen is likely to further reinforce the view within the Trump camp that the practice of US foreign policy in Asia, if not globally, has become deeply warped and such a shake up is long overdue. And it is true that the manner in which we have allowed diplomatic fictions -- such as those that control our engagement with the democratically elected government in Taiwan – to dictate key aspects of US foreign policy is both fundamentally absurd and ultimately counterproductive. I personally welcome some fresh thinking about how we order our affairs in the region, particularly if it does not involve reflexive genuflections to avoid tantrums by Beijing's unelected dictators.

While the focus on the degree to which President-elect Trump's Asia policy will differ from his predecessor's is important, much of this discussion has tended to focus on hand-wringing about President-elect Trump while ignoring the serious deficiencies of the Obama administration, both in terms of conceptual failures and the failures of implementation. The furor around "the call" nicely highlighted one of the most serious conceptual weaknesses of "the pivot": the failure to link intensified engagement in the Asia-Pacific with fundamental principles that historically have undergirded successful U.S. foreign policy for decades. These principles include: privileging relations with those countries that share our fundamental values; prioritizing stronger alliance relationships over efforts to court leaders who are aggressively challenging US interests and regional peace and security; basing policy decisions on the way the world is, not how we wish it would be; operating based on an understanding and appreciation of both the importance and the limits of US leadership; and making sure US commitments are backed up with seriousness of purpose and the resources necessary to reassure partners. The Obama administration was intermittent at best in its adherence to these principles in Asia, and this inconsistency was tantamount to abandonment for both those who rely on American strength and those seeking to undermine it.

In particular, Asia's undemocratic leaders seemed to understand the opportunities created by this gap between rhetoric and reality, and showed a consistent willingness to step into and exploit that gap for their own gain. Looking around the region, it is hard to argue that, on balance, there has been an improvement in terms of human rights and democracy. In the 6 years since the Obama administration launched the "rebalance", China's party state has embarked on the most extensive campaign of repression since the Cultural Revolution and has firmly closed the door on any prospect of political liberalization under CCP rule. From the arrests of scores of human rights defenders to the cult of personality around Xi Jinping to the confiscation of passports of Uighurs and Tibetans, the human rights situation in China has deteriorated dramatically with little comment or consequence from the Obama administration. Likewise, Beijing's systematic gutting of Hong Kong's autonomy has gone largely unremarked by this administration. With Beijing's compliance if not support, the Kim regime in North Korea has continued its brutal, autarkic rule at home while creating instability across the region with its nuclear provocations. The Obama administration's response: "strategic patience", which is diplo-speak for doing nothing.

In Cambodia, Hun Sen continues to rule through coercion and corruption, and the democratic opposition is facing existential threats that go virtually ignored by the Obama administration. In formerly democratic Thailand, the political situation remains deeply polarized, the army continues to rule after yet another coup, and the death of King Bhumibol (and drama around his succession) has heightened the sense of

instability. In the Philippines, thousands of extrajudicial executions as part of President Duterte's war on drugs have grabbed international headlines, while his administration's pressure on press freedom and other civil liberties has garnered less global attention. And now in the Obama administration's poster child for the pivot -- Burma -- the Tatmadaw appears to be engaging in ethnic cleansing in Rakhine state, while simultaneously intensifying attacks on communities in Kachin and Shan States. Meanwhile, the Obama administration, having given away all potential leverage by prematurely lifting sanctions on the military, watches helplessly as Aung San Suu Kyi struggles with an unreconstructed Tatmadaw that has retained control of the key levers of power in the country.

As the Obama administration dropped serious US commitments to support human rights and democracy across Asia in favor of the amorphous "people to people" pillar of the rebalance, abusive authoritarian regimes sought to not only normalize their behavior toward their own citizens but also engaged in broader efforts to normalize such abusive behavior within the international system. China's cross-border kidnappings in Thailand and Burma, as well as its aggressive international censorship efforts and its attempt to reshape the law of the sea through force, are the most obvious examples, but hardly the only ones. The Burmese military has successfully defined "democracy" downward to include a system where elected officials have no authority over a powerful military apparatus that effectively controls not only political and security matters, but also a major chunk of the economy. North Korea's ongoing provocations--and the international community's anemic response--have made a joke of the Obama administration's claims of progress on global nuclear proliferation. The UN system has utterly failed to address the challenge of authoritarian, rights-abusing regimes that are immune to its criticisms and mechanisms. In the case of China, the UN essentially has given up on using its human rights mechanisms, so it is little wonder China's neighbors view UN criticisms with thinly-disguised disdain. In pursuing the North Korea human rights Commission of Inquiry, one case where the UN has actually gotten under the regime's skin, the UN had to be dragged kicking and screaming, and the Commission struggles with a lack of support from key members of the P5. In those rare cases where some element of the UN tries to do the right thing, such as the ongoing bravery of UN special rapporteur on Burma Yang Hee Lee, the US and its European allies have been shamefully silent and unhelpful.

By failing to consistently and vigorously stand up for human rights and liberal values in the Asia-Pacific and within the international system, the US has created an environment where authoritarians feel empowered to argue that their political, legal and moral perspectives are equally valid or perhaps even better choices for the countries of the region and beyond. As we all know, democratic self-governance is hard work and the challenges of democracy do not necessarily get easier over time. But when the United States fails to defend democratic norms and ideals, we do a disservice not only to our own values but also to those who are struggling to realize those norms and ideals in other countries and contexts. Despite our failure to always live up to our own ideals, brave people who are sacrificing everything for democracy and human rights in other countries still look to us for inspiration and support. The idea that we can best support democracy and human rights in Asia by not talking about them, or casting our own values as just one option among any number of valid choices, has proven to be manifestly false. If this wrongheaded idea can be permanently consigned to the dustbin of failed foreign policy ideas, then at least one good thing would have come from this disastrous experiment.

Yet we also know that engagement on these issues with the diverse countries of the Asia-Pacific requires a deft approach that starts from an understanding of the interests and politics of each individual country. Approaching these countries from an overly-pedantic angle that assumes they have no agency of their own and are just waiting for the US to act is just as likely to lead to failure as approaching them based on narrow self-interests. We need to recognize that democratically elected leaders who are trying to promote long-term political liberalization at home should be engaged in a way that is wholly different from the manner in which we deal with illiberal regimes. In dealing with non-democracies, we need to be constantly aware of the fact that the interests of the leaders are far less likely to align with the interests of

the people they claim to represent. Therefore, we should not feel the need to be as solicitous of the interests espoused or feelings claimed by authoritarian regimes. This is a particular challenge for working-level policymakers who only talk to the governments in the countries they are working on.

Going forward, I would like to make some suggestions on how we can craft a more realistic, yet also fundamentally idealistic, foreign policy toward the Asia-Pacific and broader Indo-Pacific region. Such an approach would benefit not only US interests over the long-term, but would also support a firmer foundation for regional peace and security.

- Start any deliberation on our policy choices from the premise that our values are our interests. When faced with competing foreign policy options, the one that adheres most closely to our values should be weighted accordingly. Opponents of values-aligned policy options should have to make an argument of why we are better off disregarding those values than preserving them — not the other way around. More broadly, preserving the liberal international order is something that benefits the US and the world, and it is worth standing up for rhetorically and otherwise when necessary. We have got to stop apologizing for our values and start actively defending them if we actually believe they are important and meaningful. At the same time, every country in the region (and beyond) recognizes the rank hypocrisy of the way in which the United States and other western countries treats China’s human rights record with kid gloves. These people are not stupid, and we should stop treating them like they are. Restoring American credibility on human rights in Asia has to start with a forceful and consistent approach to the ongoing crackdown on human rights in China, and a strong defense of those in the crosshairs of the Chinese regime at home and abroad.
- Free trade works best with free nations. Economic freedom should be a two-way street and that is impossible when one partner is an authoritarian government. While truly win-win agreements with democratic partners may be harder to do on the front-end, such agreements are fundamentally more stable, defensible and beneficial for all involved. Conversely, trying to engage in free trade with un-free nations has been greatly damaging not only for the United States but for millions of citizens in those countries as well. Illiberal regimes are able to force situations onto their citizens that free peoples would never accept. This element of coercion has no place in a world of economic freedom.
- Our alliances need to move beyond hub-and-spokes to become truly networked in a way that revolves less around the US and is more based on the reality of regional peace and security needs. This may mean new systems for allies in the short term that allows them to take on greater burden sharing over the long-term. It may also mean new kinds of relationships with countries such as India and Indonesia, who are not necessarily interested in becoming allies but are interested in shaping certain kinds of cooperation. It also means making sure that we are working most closely with those allies who share not only our own values but those of our most important regional friends, and that we deeply listen to them about their threat perceptions and security needs.
- Diplomacy has to stop meaning that we pretend some unpleasant situation will go away or get better on its own if we ignore it or use misleading euphemisms to discuss it. This is as true in regard to the scaffolding of fiction around US relations with Taiwan as it is with the disaster that “see-no-evil” thinking has fostered in Thailand. Calling things by their right names has got to start being a bigger part of our diplomats’ jobs; polite fictions politely delivered just don’t cut it in a globally interconnected world where reality is readily available to contradict diplomatic wish-casting. The US Foreign Service and our governance and democracy assistance programs need root-and-branch reforms to deal with the new reality, and have for some time. Nowhere is this more apparent than in the Asia-Pacific.
- This change should start with how US embassies and aid programs deal with civil society in the region. Civil society in Asia is vibrant, effective and under constant threat; we need to be far more creative and resourceful in how we support them. Our diplomats should start with actually

listening to CSOs – including and especially those that are critical of US policy -- instead of just engaging with the government. It would also help to recognize the unique role that civil society often plays in Asia as the only form of organized, peaceful opposition even within some democracies. One way to do that is to hire different kinds of people to work in our embassies, and set up different incentive structures that encourage new approaches to diplomacy.

- If we want international institutions to work in support of our interests, we have to invest in them and not only with money. We also need a reinvigorated effort to ensure that these institutions are based on truly universal values and operate accordingly. The US should support a top-to-bottom review to make sure that all UN bureaus, offices and mandates are consistent with the core values of the Universal Declaration of Human Rights, and advocate ending anything that does not make the grade. We need to fight for Taiwan to have a seat at the table as the democratically elected government representing the Taiwanese people. We need to support efforts to ensure liberal regional organizations are fully accredited to all UN bodies, and fight against efforts by governments like China to flood the zone with GONGOs or threaten independent civil society. Likewise when things at the UN actually are working, we need to really throw our weight behind them. Whether a special rapporteur is calling out the Kim regime's human rights abuses or investigating North Korea's proliferation practices, we need to back them up and make sure they have the tools they need to succeed. When lunatics are making death threats against Yang Hee Lee for speaking the truth about the situation in Burma, we need to take action to support her and her mandate. When the UN takes on responsibilities as it did in Cambodia and Timor Leste, we need to make sure those mandates are upheld to the fullest extent and not encourage it to take easy outs for political convenience.
- At the same time, we need to look at our relationship with ASEAN and evaluate whether we are making the most and best use of this regional grouping. Its inherent weaknesses as an organization put some hard limits on cooperation and we need to make sure that we are not wasting diplomatic capital on frivolous activities or missing opportunities for bi-lateral or mini-lateral cooperation because we feel the need to be sensitive to an over-hyped idea of "ASEAN centrality." Simultaneously we need to be working with those partners we do have within the grouping who can help to strengthen its most important elements, including its ability to resolve regional political conflicts – currently the weakest leg of the ASEAN stool.
- Finally, Congress needs to reassert itself as a strong voice in support of human rights and democratic values in US foreign policy. Several recent policy errors in Asia might have been avoided if the administration had treated Congress in a less high-handed fashion, and genuinely consulted with its members and staff before making a policy decision. By the same token, if Congress is not asserting its prerogatives, fully carrying out its oversight responsibilities and legislative responsibilities effectively, the foreign policy bureaucracy will continue to grind away doing the same thing it always has and getting the same mediocre results.

These are just a few of the things that can be done in the coming years to ensure that the US relationships in the Asia-Pacific region are built on a firmer foundation than the false equivalences of the Obama rebalance. While reorienting our policy in this way may appear destabilizing in the short term, I believe we will find that ultimately both our direct interests and the overall interests of regional peace and security will be better served by a more principled and less artificial engagement with the region. Like a democracy whose chaotic surface masks its underlying stability, whatever superficial turmoil may result from the initial adjustments to a more honest discourse would be more than made up for by having an Asia policy firmly rooted in values and principles. Thank you for the opportunity to share these thoughts and I look forward to your questions.

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