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## The “Asian way” thesis bows to the inevitable— human rights gaining global clout

**By Andrew Reding**

You can see it in the headlines: the arbitrary power of the nation-state is fast eroding as international human rights law gains strength. First there was the arrest in Britain of Chilean Gen. Augusto Pinochet on Spanish charges of violating the Convention Against Torture. Then the NATO intervention in Kosovo to head off Serb genocide against ethnic Albanians. Now it's the U.N. Intervention in East Timor to protect its inhabitants from murderous reprisals following the landslide vote for independence from Indonesia.

The action in East Timor is the most important sign to date, because it represents a major reversal for the group of nations that has most vigorously resisted the concept of international human rights. Arguing that there is a distinctive “Asian way,” China, Indonesia, Malaysia, and Singapore (itself an ethnic Chinese island) have denounced the concept of individual rights as a form of Euro-American chauvinism inappropriate to Asian cultural values centered on family, community, and national unity.

Indonesia has now deserted the fold, first by allowing a plebiscite in East Timor, then by agreeing to an international peacekeeping force. This is a particularly serious blow to China. To begin with, it has lost its most important ally in its effort to resist the spread of international human rights law. But Indonesia's actions set worrisome precedents for China itself. If the people of East Timor have the right to choose their nationality, what about the people of Tibet and Taiwan?

Worse yet, China cannot possibly portray the peacekeeping effort in East Timor as imperialist aggression under a cloak of human rights. East Timor is not Korea. In the Korean War, the U.S. took advantage of a Soviet walkout and China's absence to provide a U.N. cover for a traditional geopolitical conflict.

East Timor is a different story. It is an impoverished half-island with no significant resources or strategic importance. The peacekeeping force is being led by neighboring Australia, a country that is becoming increasingly Asian in its economic ties and ethnicity. With less than a tenth the population of Indonesia, and a small army of 24,000, it can hardly be described as a regional power. What's more, it was the only country to recognize Indonesia's annexation of East Timor.

China's leadership also can't help but take notice of the forces that drove Indonesia to recognize international human rights standards against its will. It was Indonesia's decision to insert its economy into the global market that provided foreign governments with the leverage to influence the change. With the economy in a severe recession, it could ill afford a loan boycott by the International Monetary Fund and the World Bank, which would turn away other investors as well.

China's economy remains safe for the time being, but the further it progresses in its rapid conversion to free markets, and the more it becomes dependent on exporting to the global market, the more vulnerable it becomes to international opinion. It is easy to assert an unbounded national sovereignty as long as one maintains economic independence. That's what enabled Mao's China to do just that—while being mired in poverty.

But Jiang Zemin's China no longer has that option. Bowing to the inevitable, it has been quietly accepting international human rights treaties. Late last year, China ratified the Convention Against Torture and signed the International Covenant on Civil and Political Rights. In so doing, it began to acknowledge, however reluctantly, that there are in fact individual civil and political rights that are universal, and that take precedence over national sovereignty. The "Asian way" is gradually being democratized.

As that happens, the last major obstacle in the path of international human rights law is vanishing. China could have used its veto power on the Security Council to block deployment of the U.N. peacekeeping force in East Timor. But it chose not to, in spite of the eventual implications. None of the other countries that have been resisting the concept of international human rights—Cuba, Iran, Iraq, Afghanistan, Saudi Arabia, Myanmar, Malaysia—have the clout to hold back the tide.

Ironically in view of the "Asian way" thesis, the United States is among the last to endorse the concept. It only ratified the Covenant on Civil and Political Rights in 1992 and the Convention Against Torture in 1994, and has yet to ratify the American Convention on Human Rights. It has also been lukewarm on the arrest of Gen. Pinochet, and is boycotting the creation of the International Criminal Court. As the only remaining superpower, it seems particularly loath to relinquish any of its sovereignty, and be subjected to international standards of behavior. Yet in an increasingly globalized economy, it too has little choice but to recognize the inevitable.

It would be emotionally satisfying to have the United States lead the way on this issue. But maybe in a world suspicious of its motives as a superpower, it is better for Washington to be seen to be dragging its feet.

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