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Preface

If you ask Americans and Japanese if liberal democracy is the best form of government in the world, they agree that it is. They observe that life is better for the citizens of a democracy, whatever its level of economic development; that their countries can most easily and effectively cooperate with other democracies; and that democracies generally solve issues between themselves peacefully.

If you go on to ask how much effort their countries should make to support democratic transitions in other countries, you would find a wide range of opinions. Some citizens believe that support for democratic development in other countries should be a major component of their country's foreign policy; others believe that their country has no obligation, and little prospect for success, in involvement in other countries' internal affairs.

Within this divided popular opinion, democratic support has always been a component of American foreign policy, although it has been emphasized more or less at different periods. Until very recently, Japan's foreign policy has not included an explicit goal of supporting democracy. Nonetheless, Japan's extensive overseas development program over many years has included an implicit objective that countries with better economies and better governance stand a better chance of becoming democratic.

Academic research on democratic transitions has established that democracy endures longer when it is established by peaceful means, and that it is most effectively established from within, rather than imposed from without. Nonetheless, assistance from other countries, both from governments and from non-governmental organizations, is important, whether by example, or by more direct assistance to democratic forces within another country, depending on the circumstances.

The objective of this book is to recommend practical ways in which the United States and Japan can support democratic development in countries that are emerging from autocratic regimes and those that have achieved a measure of democracy, but are in danger of regressing. Dr. Auslin and his fellow authors describe the different approaches
PREFACE

to democratic support in the United States and Japan, examine specific case studies, then identify both proven and potentially effective approaches that are the same or complementary.

Cooperation to support democratic development should be an important component of the U.S.-Japan Alliance, and this volume is intended both to endorse it and to propose practical measures for both countries to take.

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When Japan and the United States formalized their alliance in January 1960, the treaty they signed was titled “Mutual Cooperation and Security between Japan and the United States.” For most of the next half-century, the mutual cooperation part of that treaty was overshadowed by the evolution and management of the military-focused security side. Throughout the Cold War, as the United States worked with Japan to blunt Soviet military activities in the northwestern Pacific, the major focus of bilateral engagement was on ensuring an increasingly smooth military relationship. After the fall of the Soviet Union, the alliance slowly shifted gears, increasingly concentrating on the growing threat from North Korea and challenges from China. When then-Prime Minister Junichiro Koizumi moved quickly to support President George W. Bush’s global war on terror after the 9/11 attacks on the United States, the military dimension of the alliance again seemed predominant.

Often overlooked during these decades was the other directive of the 1960 treaty: mutual cooperation, specifically in non-military activities. Article II of the treaty pledges, “The Parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being.” Inherent in this formulation is the articulation of democracy as a crucial condition for creating international peace and prosperity. While the initial focus of the treaty was on ensuring continued democracy in Japan (and the United States), in light of Soviet attempts to undermine liberal societies, a commitment to the support of liberal democracy underlay the commitment to “stability and wellbeing.”

While the ideological struggles that marked the Cold War era ended over a quarter-century ago, the struggle between democracy and authoritarianism continues around the globe. In the Middle East, the failure of democracy to take root beyond Tunisia has destroyed the brief hopes the world held for an “Arab Spring,” while the return
of authoritarian, revanchist states, such as Russia, has also unsettled both European and Middle Eastern politics. In Asia, the rise of China, its increasingly repressive internal policies, and its aggressive external policies that undermine regional norms, expose similar fault lines in the ongoing attempt to ensure further liberalization and democratization. Yet, while the United States becomes increasingly entwined in a great-power, politico-military competition with China, one in which Japan is also playing a larger alliance role than in the past, the related issue of democratization has lost political emphasis in recent years.

In parts of Asia, democracy has been under sustained assault, as in Thailand in 2014, where the Thai Rak Thai party and the Army vie and repress, or in Malaysia, where the government has put pressure on civil liberties. In other regions of Asia, namely China, Vietnam, Laos, and North Korea, democratization remains but a distant prospect, at best.

While democracy promotion was a cardinal feature of George W. Bush’s presidency, it became discredited in media and academic circles after failures in the Iraq War resulted in the multi-year insurgency that was suppressed only with the “surge” of U.S. forces in 2007, and after Islamist movements began to spread through the Middle East, Africa, and Asia. When Barack Obama became president in 2009, he shifted U.S. foreign policy away from Bush’s democracy building emphasis, and pivoted instead to try to repair relations with China, Russia, and the Arab world. The Obama administration’s approach was encapsulated by then-Secretary of State Hillary Clinton, who, on her first trip to China in February 2009, stated that Washington would not let human rights “interfere” with more pressing issues, such as the global financial crisis and climate change. The failure to support the Iranian Green Movement protesters during the 2009 election further raised doubts about the administration’s commitment to democracy promotion abroad. This disposition has continued throughout the Obama administration’s tenure; for example, the administration’s fiscal year 2016 budget request sought to curb restrictions on foreign aid to Egypt based on human rights conditions.

More pertinently, since the election of Donald Trump as president, questions have been asked about his commitment to democracy promotion and cooperation with both allies and partners around the globe. Early indications are that Trump’s desire to challenge the status-quo in U.S.-China relations may mean a more forthright acknowledgment of democratic movements. This is one way to interpret his controversial phone call with Taiwan’s president Tsai Ing-wen soon after his election, as well as his invitation to Hong Kong democracy activist Anson Chan to attend his inauguration. However, it is too soon to tell if the Trump Administration will make formal democracy promotion in countries like Myanmar or Afghanistan a priority.

Concern over the future of democracy around the globe led the Sasakawa Peace Foundation USA (Sasakawa USA) and Freedom House to hold an international conference in Honolulu, Hawaii, in December 2014. Noting that “respect for political and civil rights
in the world has declined for eight consecutive years, due largely to the resurgence of modern authoritarianism,” the conference focused on a particular approach to democracy support: U.S.-Japan cooperation. As noted above, the goal of mutual cooperation underpins the formal U.S.-Japan alliance, but in practice the major focus of alliance relations has been on security issues related to Japan and its immediate neighborhood. The Sasakawa USA-Freedom House conference explicitly approached the question of global democratization from the perspective of how two of the world’s largest and strongest democracies could bring their energies and talents together to promote further liberalization.

There is a compelling case to be made for direct U.S.-Japan democracy support, based on both self-interest and morals. The general global stability of the post-1945 era, even with the Cold War and numerous regional conflicts, was abetted by the growth of democracies in Europe and Asia. The general reduction of tensions that accompanies the spread of democracy also leads to greater cooperation. This, in turn, allows states to concentrate on enhancing their economic activity and strengthening their domestic societies, as opposed to spending large amounts of national treasure on military preparedness. Even the United States, with the world’s largest defense budget and global commitments, spends under four percent of its total gross domestic product (GDP), on average, on its military. While often criticized as a case of “free riding,” the Japanese experience after World War II offers a specific example of a country focusing on domestic growth instead of a costly military, thanks to a unique alliance relationship with the United States and a largely benign regional environment, until recently. As “democratic peace” theorists explain, the more democracy there is, in general, the more stable the regional and international systems, and the more trade that occurs.

As a moral concern, as well, democracy support should be valued by the leading liberal nations. The slow march of freedom dramatically expanded during the 20th century, in part as a response to two catastrophic World Wars and a decades-long Cold War. The collapse of communism in Europe radically redrew the continent’s geopolitical map as walls, both real and metaphorical, that once separated neighboring nations fell. In Asia alone, the 1980s and 1990s witnessed the turn to democracy of Indonesia, Mongolia, the Philippines, South Korea, and Taiwan. The end of such authoritarian regimes led to political freedom for hundreds of millions of individuals, and the end of arbitrary and often brutal and corrupt governments. As those millions began to exercise responsibility for their own destinies, they joined the larger global community and were free to travel and study abroad, open businesses, collaborate with those in other countries, and worship as they wished. In the few decades since such democratization, an entire generation has been born in Europe and Asia that only knows freedom, and expects it as a birthright.

In recognition both of the current challenges to democracy and the reasons it should be supported, the Sasakawa USA-Freedom House conference brought together Japanese
and American experts on democracy promotion and support. During the discussions, it became clear how different were the approaches to democracy support between the two nations. As noted in the final report of the conference, America tends to criticize human rights violations and democratic shortcomings, tying the provision or withholding of aid to progress on ending those abuses. In addition, Washington prefers to cooperate with a range of partners, including international and local civil society organizations as well as host government institutions. On the other hand, Japan takes what some conference participants labeled the “long view,” emphasizing partnership with governments, even authoritarian ones, supporting economic and social development, strengthening legal systems and quietly encouraging democracy. Tokyo prefers using diplomatic channels and development aid to persuade other governments to correct their human rights abuses and accept political liberalization. Overall, though, Japan allocates far less of its foreign aid budget directly to democracy assistance, accounting for just 1.7 percent of designated funds; moreover, the vast majority of those funds are directed to the development of state institutions, not to civil society. That there are differences between allies in their approaches to foreign aid is not surprising, the more so in that democracy promotion was never considered a joint activity under the alliance.

The conviction coming out of the Honolulu conference was that the time is ripe to consider new approaches to democracy promotion, and specifically the possibility of cooperation between Tokyo and Washington. With their leading positions as trading nations, diplomatic activist countries, and security providers, both Japan and the United States have a special responsibility and a special interest in ensuring not merely the survival of democracy but also its strengthening and expansion. As a step following the 2014 conference, this book recommends how such cooperation might proceed, and explores specific historical experiences of both democracy and aid promotion by Japan and the United States. This volume brings together a wide range of experts, both practitioners and scholars, from the United States and Japan as well as one from Myanmar, to explore the topic both thematically and in a country-specific context. Each expert contributor was asked to reflect on democracy promotion either as a policy or in a country in which he or she has worked and studied. Each, moreover, was asked to provide a set of concrete suggestions for improving democracy support by Japan and the United States, both singly and jointly. The result is a rich set of papers and an important collection of recommendations that are highlighted in the concluding chapter.

The volume begins with a broad overview by Larry Diamond, senior fellow at the Hoover Institution and professor at Stanford University. In exploring the global context for promoting democracy, Diamond notes that the world in recent years has been in a democratic “recession” following the third wave of global democratic expansion. Focusing on the decline of freedom and the rule of law—due to bad governance, the resurgence of authoritarian regimes in major and minor states, and the West’s retreat from sustaining
democracy—Diamond offers a comprehensive set of recommendations, sensitive to the levels of democratic development in different countries. Marshaling domestic will for change and institution building is as important as outside diplomatic pressure and engagement, as Diamond shows.

Two subsequent chapters focus more specifically on U.S. and Japanese approaches to democracy promotion, respectively. David J. Kramer of the McCain Institute explains that the current era of American support for democracy really began during Ronald Reagan’s administration. Arguing that democracy promotion serves U.S. interests, Kramer explicitly notes how sustained support for liberal forces has paid off over the long run. Like Diamond, Kramer stresses the importance of institution building and the steady creation of both norms of behavior and values, which represent a particularly American approach that is rooted in culture. In contrast, Tokyo University’s Yasunobu Sato stresses the Japanese preference for focusing on developing legal and judicial reform. Sato notes that the key way of moving societies in a more democratic direction is by targeting official development assistance to ensure that the rule of law is firmly embedded in society. That then allows for political and economic evolution. Exploring Japan’s role in working with the Vietnamese and Cambodian governments, Sato explains Tokyo’s focus on official channels for long-term structural changes in non-democratic countries.

A final thematic chapter, on moving from national security to human security, by Tsuneo Akaha of the Middlebury Institute of International Studies, explores how Japan and the United States can further the global concept of human security as the basis for creating stable societies. Akaha proposes human security as a global, moral good, and examines various ways of measuring that security through economic, environmental, and social lenses. Asserting that developed countries should prioritize human security, Akaha stresses the various threats that prevent effective governance and economic development. Without the security provided by conflict-free societies, there is less opportunity to establish stable civil society and corresponding democratization.

The volume then turns to country-specific case studies, and in the case of Africa, a broader, continent-wide perspective. It begins with two chapters on Myanmar (Burma), which has been at the forefront of global attention to democratization. David Steinberg of Georgetown University provides a detailed, historical survey of recent Myanmar history, in particular contrasting the 2011 constitutional moment that represented the formalized role of the tatmadaw (Myanmar’s military) with the epochal November 2015 free elections that witnessed the overwhelming success of Nobel Peace Prize laureate Aung San Suu Kyi’s opposition movement. Steinberg’s careful examination of governmental evolution, Myanmar society, and both American and Japanese policy toward the country provides a note of caution about the long road of democratization that the country faces.

A domestic perspective on Myanmar is provided by Aung Din, a former political prisoner and participant in many of the struggles against the military junta. Aung Din’s
powerful explanation of the path that Myanmar traveled to get to the November 2015 elections presents a particularly informative, internal perspective on American and Japanese aid. He argues that national reconciliation is the single most important issue today in Myanmar, and the types of dialogue, confidence-building, and institutional development needed can be supported by outside aid. Aung Din notes that Japanese and American approaches can be complementary, as Tokyo has the ability to work directly with the Myanmar government, while Washington is still hamstrung by Congressional restrictions. By working together, aid can be directed to both official and civil society groups. With the new government led by former opposition forces, it is even more likely that the floodgates of aid will open, though that poses its own problem of ensuring the effective use of foreign assistance.

Fifteen years after the terror attacks of 9/11, the United States remains entangled in Afghanistan. While the deteriorating security environment resulted in President Obama deciding to halt the withdrawal of remaining U.S. forces until at least 2017, democracy promotion continues in the unstable country. Richard Kraemer, a senior project officer for the National Endowment for Democracy, has spent extensive time in Afghanistan, working with local governments and civil society groups. Kraemer provides an in-depth examination of two types of approaches: the political approach preferred by the United States and the developmental approach favored by Japan and the European aid community. His historical accounting of the successes and limitations of both approaches informs recommendations for policies that not only employ complementary approaches but also reflect a realistic understanding of the unique challenges posed by failed states.

Finally, Mitsugi Endo, professor at Tokyo University, provides a continent-wide perspective. He looks at the ability to promote “democracy from below” in Africa. Having worked in Zambia during the 1990s, Endo offers a nuanced discussion of civil society in Africa, noting the different definitions held by Africans and foreign, especially Japanese, actors. Given African tribal society and the lack of responsive governments in the past, the very concepts of civil society, as in the Afghan case, tested common understandings of the term. Endo explores the experiences of various non-governmental organizations (NGOs) in dealing with the African, and particularly Zambian, context. Looking at elections, social stakeholders, and civic groups, Endo notes how targeted initiatives, such as the Tokyo International Conference on African Development, can provide an ongoing process for ensuring that particular goals are met and specific institutions supported.

The essays in this volume do not cover the entirety of U.S. or Japanese democracy assistance and promotion around the globe. They do, however, provide an excellent overview of the key functional issues as well as a representative cross-section of countries where the two nations are involved. Encouraging more direct activity between Washington and Tokyo on democracy assistance around the globe is an innovative approach to fulfilling the mandate of “mutual cooperation” enshrined in the U.S.-Japan
alliance. Supporting liberalization is an area in which Japan can play a meaningful role and, in partnership with the United States, have an impact far outside its region.

As the two partners work together, they will be providing one of the most important global public goods. Supporting democracy will help lead to a more stable world, thereby lessening the need for military intervention by liberal states. Greater democratization will also encourage further economic development and continued improvement in the lives of millions of individuals. Just as important, though more abstract, the moral imperative of encouraging freedom and providing the means for its success is among the most admirable of foreign policies in a world that continues to face challenges to its stability and prosperity.
Now is an opportune time for a U.S.-Japan partnership to promote democracy and liberal values. For the past decade, the world has been in a mild but persistent recession of freedom and democracy. In recent years, authoritarian regimes have mustered more momentum, self-confidence, coordination, and legal and technical innovation than at any time since the end of the Cold War. But with the economic recession in China, the collapse of the price of oil, and the inability of most authoritarian regimes to find a sustainable formula for legitimation, authoritarian regimes are facing new challenges. Hence, the world is finely balanced between authoritarian regression and democratic rejuvenation. This creates more potential scope—and more compelling need—for assistance efforts to advance democracy, freedom, and good governance than at any time since the democratic recession began about a decade ago.

The Democratic Recession

We are now four decades into the third wave of global democratic expansion that began with the Portuguese Revolution in 1974. Any assessment of the state of global democracy today must begin by recognizing its impressive durability. When the third wave began in 1974, only about 30 percent of the world’s independent states had free and fair elections to choose their leaders, and democracy was a relatively rare phenomenon outside the rich West.

In the subsequent three decades, the number of democracies held steady or expanded every year from 1975 until 2007. The number of democracies roughly tripled to about 120, and the proportion of democracies doubled to around 60 percent. This growth leveled off after the mid-1990s, but political rights and civil liberties (as measured annually by Freedom House) continued to improve for another decade. And the number of liberal democracies—with good protections for political and civil freedoms under the rule of law—also steadily increased, from fifty-seven states in 1994 to seventy-nine states in 2005. Nothing like this continuous growth in democracy had ever been seen.
before in the history of the world.

And then, around 2006, the expansion of freedom and democracy in the world came to a prolonged halt. Since 2006, while there has been some oscillation from year to year, there has been no net expansion in the number of electoral democracies, which has hovered around 60 percent of the world’s states. And there has been no growth in the percentage of liberal democracies, which peaked at just over 40 percent. Among states with populations over one million, the percentage of electoral democracies has declined, from 58 percent in 2006 to less than 55 percent today (depending on how one counts).

Since 2006, freedom has also receded somewhat. The average level of political rights and civil liberties in the world has deteriorated slightly. More worrisome has been the balance between progress and decay in freedom. For each of the past ten years (from 2006 through 2015), Freedom House has found that the number of countries declining in freedom (political rights and/or civil liberties) has considerably outpaced the number of countries improving, often by a two-to-one margin.

In one sense, it is possible to view the past decade as a period of equilibrium for democracy globally. Given that democracy expanded to a number of countries with weak facilitating conditions (such as poverty or an authoritarian neighborhood), it is impressive that democracy survived (or revived) in so many places, and that there has not been (so far) a full-blown “reverse wave” of democratic breakdowns.

Yet the world has been in a mild but protracted democratic recession since 2006. Beyond the stagnation or modest erosion of global levels of democracy and freedom, there have been several other causes for concern. One has been a significant and accelerating rate of democratic breakdown. Second, the quality or stability of democracy has been declining in some large and important emerging-market countries, including Turkey, Thailand, and Bangladesh. Third, authoritarianism has been deepening. And fourth, the established democracies have been performing rather poorly and seem to lack the will and self-confidence to promote democracy effectively abroad.

If we break up the third wave into its four component decades, we see a rising incidence of democratic breakdown per decade since the mid-1980s. The rate of democratic failure, which had been 15 percent in the first decade of the third wave (1974–83), fell to seven percent in the second decade (1984–93), but then climbed to 10 percent in the third decade (1994–2003). In this most recent decade (through the end of 2014), the rate jumped back up to 14 percent. At a minimum, democracy is proving more volatile.

Since 2000, I count twenty-seven breakdowns of democracy in the world—not only through blatant military or executive coups but also, and more often, through incremental degradations of democratic rights and procedures that finally push democracy over the threshold into authoritarianism. It is sometimes difficult to assign a particular date to the latter form of failure, since there is no sharply disruptive single act, like Peruvian President Alberto Fujimori’s 1992 *autogolpe* (self-coup or unlawful assumption
of extraordinary powers). But just as President Vladimir Putin and President Hugo Chavez gradually strangled democracy in Russia and Venezuela, respectively, a growing preponderance of observers inside and outside Turkey believe Prime Minister, now President, Recep Tayyip Erdoğan and his Justice and Development Party (AKP) has been doing so in Turkey. Some of the AKP’s changes have made Turkey more democratic by removing the military as an autonomous veto player in politics. But the AKP has gradually entrenched its political hegemony, extending partisan control over the judiciary and the bureaucracy; arresting journalists and intimidating critics in the press, academia, and civil society; threatening businesses with retaliation if they fund opposition parties; and using prosecutions in cases connected to alleged coup plots to jail and remove from public life an implausibly large number of accused plotters. These actions have coincided with a stunning and increasingly audacious concentration of personal power by President Erdoğan. Meanwhile, following the Hugo Chavez playbook, President Daniel Ortega has quashed democracy in Nicaragua, and many worry that the populist presidents in Bolivia and Ecuador have been dragging their countries in the same direction.

Only eight of the twenty-seven democratic breakdowns since the year 2000 came as a result of military intervention. The majority resulted from the abuse of power and the desecration of democratic constitutional rules and constraints by democratically elected rulers. Any international actor who seeks to stem the decline of democracy must find ways to confront this challenge of executive abuse in timely fashion.

The Decline of Freedom and the Rule of Law

The trend of erosion in freedom and accountability is not always evident to outside observers. We need to pay attention not only to blatant reversals of democracy (most often in low-income democracies) but also to more subtle erosions, often in middle-income countries like South Africa, where democracy has been declining amid growing corruption scandals and a weakening commitment to the rule of law. In fact, there is not a single country on the African continent where democracy is firmly consolidated and secure today—the way it is, for example, in such third-wave democracies as South Korea, Slovenia, and Chile. In the global democracy-promotion community, few actors are paying attention to the growing signs of fragility in some more liberal developing democracies, not to mention the more illiberal ones.

Why have freedom and democracy been regressing in many countries? The most important and pervasive answer is bad governance. If we reorganize the Freedom House data based on three scales—political rights, civil liberties, and transparency and the rule of law—we find that every region performs worse on transparency (principally, controlling corruption) than on political rights and civil liberties. The deterioration in transparency and rule of law since 2005 has been particularly visible, even in a supposedly liberal democracy such as South Africa. With the approach of a new boom in oil production and
revenue in much of Africa, the quality of governance has seemed poised to deteriorate rapidly in a number of African countries already governed rather badly. This perverse impact may now be delayed by the collapse of global oil prices, but with the entry of China as a major aid donor to Africa, free of any governance conditions, African dictators have, for some years now, felt freer to repress opponents, trash term limits, rebuff Western concerns, and rule as ugly as they need to in order to prevail.

Around the world, democracies have been struggling with the resurgence of what American political scientist Francis Fukuyama calls “neo-patrimonial” tendencies. Leaders who think that they can get away with it have been eroding democratic checks and balances, corrupting their governments, arresting or coopting their critics, and accumulating power and wealth for themselves and their families, cronies, clients, and parties.

Space for opposition parties, civil society, and the media has been shrinking, and international support for them has been drying up. Ethnic, religious, and other identity cleavages polarize many societies that lack well-designed, democratic institutions to manage those cleavages. State structures are too often unable to secure order, protect rights, and meet the most basic social needs. Democratic institutions, such as parties and parliaments, are often poorly developed, and the bureaucracies lack the policy expertise, and even more so the independence and authority, to effectively manage their economies. Weak economic performance and rising inequality exacerbate popular disaffection.

Another recent blow has been the crushing or implosion of Arab movements for democratic change. Levels of freedom are lower in most Arab countries today than they were at the end of 2010, and almost everywhere, other than Tunisia, the trend today is heightened repression and shrinking political space. Nowhere has the resurgence or reinvention of authoritarianism been more evident than in Egypt, where the military has given a thin electoral façade to a regime more wantonly repressive and intolerant than the worst days of former President Hosni Mubarak’s rule.

The Authoritarian Resurgence

The resurgence of authoritarianism in the Arab world has been part of a recent global trend. In Russia, space for political opposition, principled dissent, and civil society activity outside the control of the ruling authorities has been shrinking steadily for a number of years, to the point where virtually all forms of organized opposition have been marginalized, murdered, or forced to shutter their operations. In China, civil society activists have also faced increasing threats and repression, and the state has constructed the most ominous and comprehensive system of Internet monitoring of any country in the world. In each country, far-reaching and sophisticated machineries of state propaganda have fanned nationalist contempt for the West and a cult of personality around an unassailable president, Vladimir Putin and Xi Jinping, respectively. Driven by
these two powerful regimes, the autocracies of the Shanghai Cooperation Organization (China, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan) have become much more coordinated and assertive. Russia and China have both been aggressively flexing their muscles on territorial questions. And increasingly they are pushing back against democratic norms by also using instruments of soft power abroad to try to discredit democracies, while promoting their own models and norms. This is part of a broader trend of exercising renewed authoritarian skill and energy in using state-run media (both traditional and digital) to air an eclectic mix of pro-regime narratives, demonized images of dissenters, and illiberal, xenophobic diatribes.3

The resurgence of authoritarianism has been quickened by the use of common tools, such as laws to criminalize international flows of financial and technical assistance from democracies to parties, movements, media, election monitors, and civil society organizations that promote democracy in authoritarian regimes. There have also been broader restrictions on the ability of non-governmental organizations (NGOs) to form and operate, while we have seen the creation of pseudo-NGOs to do the bidding of autocrats.4 Learning from these richer and more powerful patron autocracies, African autocrats have been eagerly adopting similar strategies. And beyond China, authoritarian (and even some democratic) states are becoming more resourceful, sophisticated, and unapologetic in suppressing Internet freedom and using cyberspace to frustrate, subvert, and control civil society.

Western Democracy in Retreat

Perhaps the most worrisome dimension of the democratic recession has been the decline of democratic efficacy, energy, and self-confidence in the West, including the United States and Japan. We in the United States, Japan, and a growing number of European states have some hard work ahead to reduce polarization, foster better policymaking, marginalize xenophobic parties and politicians, and diminish the corrupting influence of money in electoral politics and lobbying. For some time now, the soft corruption of money-drenched politics and the lackluster political and economic performance of democracy in the West, most of all the United States, have been hurting democracy globally. Compared to the apparent dynamism of China, in particular (but for a time Russia and softer autocracies, most of all Singapore), the fecklessness of Western democracies has been feeding a sense among elites, as well as within broader segments of public opinion, in developing countries that—after some three decades of unprecedented expansion of democracy—the tide of history is and should be shifting back toward autocracy.

More recently, under growing pressures from immigration, especially from the Syrian civil war and the broader arc of chaos in the Middle East, many Western democracies (especially in Europe but also the United States and Australia) have been gripped by a rising tide of illiberal, xenophobic, right-wing populism. Historically, authoritarian
populists have thrived at the ballot box when people have felt angry, alienated, and insecure. It is not just physical insecurity (terrorism, violence, and war) that inclines people toward political extremes. Rapid social change and economic insecurity, especially the fear of losing one’s job and social status, leave people feeling threatened and unmoored—susceptible to chauvinistic, anti-immigrant slogans. While the drivers of insecurity are understandable, their exploitation by political opportunists has exposed the vulnerabilities and less appealing proclivities of electoral democracy, further damaging its prestige—especially among the cultural groups that account for much of the immigration flows. It remains to be seen how far this trend will go, but potentially it constitutes the most serious of all global threats to democracy, because it risks degrading and devaluing democracy in the very states that have been the most significant sources of diffusion of liberal values and institutions. Already, an openly and proudly illiberal prime minister, Viktor Orban in Hungary, has significantly and skillfully eroded democratic freedoms, pluralism, and the rule of law, while a new, far-right government in Poland appears poised to head down a similar path (though without the admiration of Putin that Orban has enjoyed).

The Current Critical Juncture

In important respects, the current situation is worse than portrayed by the annual Freedom House reports. While Freedom House recently found that the number of democracies in the world remains at a high-water mark—125 of the 195 independent states (64 percent)—many of these multiparty electoral regimes are so distorted by ruling party hegemony, abuse of human rights and the rule of law, and (in the case of Pakistan) military domination that it stretches credibility to conclude that they enjoy meaningful popular sovereignty. Moreover, the list of countries that would fail the test of democracy, if even a modestly more rigorous standard were applied, includes three of the 10 most populous countries in the world (Pakistan, Bangladesh, and Nigeria), as well as Turkey, Tanzania, Kenya, and possibly some smaller countries like Guatemala and Ecuador (accounting in all for over 600 million people). Among countries with populations over one million, democracy has clearly receded, and is present in only a modest majority of states. In the world’s largest democracy, India, Prime Minister Narendra Modi’s stoking of Hindu nationalism, pressure on civil society, and vengeful attitude toward critics are beginning to project an ominous portrait of the most illiberal Indian leader since Indira Gandhi.

Finally, the principal sources of good news for democracy, of late, have come with heavy caveats. In 2015, Nigeria achieved its first electoral alternation in power since independence in 1960, but it is still one of the most corrupt countries in the world and doing a poor job of protecting civil liberties. Sri Lanka has returned to democracy with a surprising defeat of the incumbent, abusive president, but it confronts deep divisions and a daunting legacy of rights violations from its twenty-six-year civil war (1983-
Democratic opposition forces scored stunning electoral breakthroughs in Burma (Myanmar) and Venezuela in late 2015, but the levers of power are still dominated constitutionally and de facto by corrupt, authoritarian elites, who fear losing everything if they surrender power. And Tunisia, the only Arab Spring country to make it to electoral (and even fairly liberal) democracy, is groaning under the strain of severe economic dislocation and ongoing physical insecurity.

Yet the situation is remarkably fluid, more so than at any time in the past decade. The principal reasons for this involve the intrinsic weaknesses of authoritarian regimes. The days of miraculous (8 to 10 percent) annual economic growth in China are clearly over. Moreover, the country faces deep structural problems—the inefficiency of many state-owned enterprises that require huge loans and subsidies to survive, the runaway overextension of the banks and residential real estate construction, rampant corruption, parasitic crony capitalism, stock market volatility, and growing doubts about the capacity of the regime to cope with these challenges and survive. As a result, many party and business elites are hedging their bets, and the country is experiencing severe capital flight. For the ruling Communist Party, regime collapse is an accident waiting to happen. The only course that can avert it involves deep structural reforms to separate the party from the state, create a truly professional and depoliticized judiciary, and generally enhance transparency, media openness, and the rule of law. But China’s current rulers, beginning with President Xi Jinping, fear that these kinds of reforms will unravel Communist Party control at a delicate time, and hence they are resisting precisely the reforms that are necessary to save (at least for a time) the system.

Another big development in 2015 also rocked the foundations of authoritarian self-confidence: the plunge in the price of oil, which averaged over $100 a barrel from 2011 to 2014, but since June 2014 has fallen by more than 60 percent (to its lowest level since 2004). The countries that are dependent on oil for the bulk of their export earnings are universally authoritarian, and they have been hit hard. Putin’s Russia is facing an existential fiscal crisis that will sorely test his capacity to buy off opposition (elite and mass) and fund his diversionary nationalist military exploits abroad. The Chavista authoritarian regime in Venezuela is in political disarray, having recently suffered (despite huge institutional advantages) a massive defeat in legislative elections, due to its inability to continue funding social payments that cover up for its corruption and policy failures. In the Gulf, Saudi Arabia and its small, oil-rich neighbors have the resources to weather the storm for a long time, but not forever. Hence, they are tightening control in fear of the rising popular disenchantment that will come. Although Iran has recently had international sanctions lifted as part of the nuclear deal, it needs much higher oil prices, or far-reaching economic reforms, to meet the demands of its growing population (now roughly 80 million). The list could go on, but the point is that the pillars of authoritarian rule are suddenly looking weak and withered. In a world of intense economic competition...
and volatility, authority everywhere is coming under increased scrutiny and challenge. But democracies have ways of managing and cushioning these stresses through the normal, institutional processes of open media; regular, multiparty electoral competition; and periodic electoral alternation. Authoritarian regimes lack these shock absorbers, so when their performance unravels—and these days, they have little beyond performance to legitimize their rule—they are liable to come undone very quickly.

The knock-on effects of this sudden and potentially profound shift in global power and confidence are only beginning to become visible in Africa and other regions with weak states. But just as the rise of China emboldened African dictators to demand an end to Western aid conditionality, so those autocrats may have to return, in the near future, to renewed dependence on Western engagement in order to get the resources to survive. And then the question will be what Western donors will demand—in terms of democracy and good governance—in return?

Where to Focus

Any strategy for reviving democratic momentum in the world must set priorities, matching available resources (financial, organizational, and diplomatic) to available means and opportunities. Two questions must be answered. First, where should we work? Second, what kinds of programs and means of advancing freedom and democracy should take priority? Obviously, the two questions are related since the types of programs to be prioritized will vary depending on the types of countries.

In thinking about democracy promotion, it is useful to disaggregate countries into the following groups, based on their level of democratic development:

Table 1: Where to Focus U.S.-Japan Cooperation

<table>
<thead>
<tr>
<th>Mature Democracies</th>
<th>Emerging Democracies</th>
<th>Developing Democracies</th>
<th>Hybrid Regimes</th>
<th>Transitional Regimes</th>
<th>Authoritarian Regimes</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom</td>
<td>Taiwan</td>
<td>Indonesia</td>
<td>Turkey</td>
<td>Myanmar</td>
<td>Singapore</td>
</tr>
<tr>
<td>Australia</td>
<td>Republic of Korea</td>
<td>Philippines</td>
<td>Pakistan</td>
<td>Malaysia</td>
<td>Thailand</td>
</tr>
<tr>
<td>New Zealand</td>
<td></td>
<td>Mongolia</td>
<td>Bangladesh</td>
<td>Bangkok</td>
<td>China</td>
</tr>
<tr>
<td>Canada</td>
<td></td>
<td>Ukraine</td>
<td>Nigeria</td>
<td>Kenya</td>
<td>China</td>
</tr>
<tr>
<td>Spain</td>
<td></td>
<td>Georgia</td>
<td></td>
<td></td>
<td>Vietnam</td>
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<tr>
<td>Portugal</td>
<td></td>
<td>Tunisia</td>
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<tr>
<td>Czech Republic</td>
<td></td>
<td>South Africa</td>
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</tr>
</tbody>
</table>

**Mature, consolidated democracies.** The advanced, industrialized democracies will be the principal sources, not recipients, of international democracy programming, influence, and assistance. But we must not take the quality of democracy in these
countries for granted. In collaborating to support democratic change in the rest of the world, the United States and Japan would do well to ponder the defects in democratic functioning in their own (and other) mature democracies, and to consider what kinds of reforms in electoral systems, party systems, party and campaign finance, lobbying, transparency requirements, and other institutional arrangements might make democracy fairer, more open, more equitable, and (especially for the United States) less polarized. Reform must be pursued with caution and careful attention to analyses of prior experience, since history tells us that most institutional reforms have unintended consequences, some of which may solve one problem only by making another worse.6

Liberal and consolidated emerging market democracies. It can be argued that, like the European third wave democracies (Spain, Portugal, Poland, and the Czech Republic), Taiwan and South Korea are now mature, advanced democracies, despite their relative youth. As a result, we should hope that South Korea and Taiwan would expand their now very tentative and fragmentary efforts to support democratic development in Asia and more broadly. They certainly have the resources and experience to add a valued dimension to global efforts to support and encourage democratic change. And joint engagement from Japan and the United States might encourage these two liberal democracies in Asia to do more to support democratization. As I have argued, it would be a mistake to take democracy for granted in Europe. There are growing dangers within the European Union member states, both with the rise of illiberalism in Hungary and now Poland, and with the generally corrupt and ineffectual functioning of democracy throughout the Balkans, from Bulgaria and Romania to Albania, Kosovo, Serbia, Montenegro, Macedonia, and Bosnia and Herzegovina. These are fault lines in the European democratic architecture that can no longer be ignored, but they must be addressed mainly by the core liberal democracies of the European Union. The liberal and consolidated democracies of the developing world (principally, Latin American countries like Chile, Uruguay, Argentina, and probably Brazil) still face serious challenges and deserve global democratic partnership and support, but they will not rank as priority recipients in any shared strategy by the United States and Japan to advance democracy.

Insecure developing democracies. This category of countries should be the highest priority for U.S.-Japan cooperation to support and secure democratic change. The case can be made on theoretical, political, and geopolitical grounds. Theoretically, the best chance to lock in democracy lies in countries that have already negotiated the often treacherous straits of democratic transition. Politically, it virtually goes without saying that the most receptive environments for democracy assistance and civic partnerships to reform and enhance democracy will be found in countries that are already democratic. And geopolitically, the strongest democratic, common interest shared by the United States and Japan is to ensure that countries such as Indonesia, the Philippines, and Mongolia—all democracies facing serious and persistent challenges—have the effective governance and
hence the stability and legitimacy to ward off efforts by China to neutralize or erode their sovereignty. Thinking strategically about the global future of democracy also requires a heavy bet on those new, emerging, or fragile democracies whose success could have substantial demonstration and diffusion effects in their regions, and whose failure would deal a devastating blow to democratic aspirations in neighboring countries.

I have in mind two countries in the former Soviet Union—Ukraine and Georgia—and the only Arab democracy, Tunisia. I would also add the most important African democracy, South Africa, which has been on an alarming downward trajectory in the quality of democracy, but which boasts an impressive array of civil society actors who could do much more to strengthen accountability and democratic culture if they had more resources. If democracy could be improved, bolstered, and ultimately consolidated in these seven countries, the global prospects for democracy would be significantly brighter. These and other insecure democracies (including most of the other democracies of Sub-Saharan Africa and the Andean region of Latin America, such as Peru and Bolivia, as well as the new democracies in Sri Lanka and Nepal) face a set of familiar challenges for which international civil society partnerships, financial and technical assistance, the sharing of reform experiences and institutional lessons, and the occasional, judicious application of diplomatic pressure or engagement can make a big difference. The paramount challenge is fighting corruption and strengthening the rule of law, but as I explain below, this intersects powerfully with the equally common challenges of building and training a more vigorous civil society and promoting liberal norms of accountability, citizenship responsibility, tolerance, and good governance.

Hybrid regimes and floundering democracies. The next group of countries constitutes a more difficult challenge, because governance problems are more severe, democracy is either in retreat or is more ambiguous in its present form, and the climate for international assistance to non-governmental actors may be less permissive. The big countries here are Turkey, Pakistan, Bangladesh, Nigeria, Kenya, and Tanzania. These are populous and weighty countries, but it is not clear what official assistance to the state sector will do to improve governance and democracy in the absence of political will for reform. Political will may now be present at the top in Nigeria, but Turkey and Bangladesh are sliding backward under imperious leaders who do not seem to want to tolerate the indignities of genuine democratic competition and opposition. Even where specific reform-minded actors and sectors can be identified within the state, overall progress toward genuine democracy (or in the case of Turkey and Bangladesh, for a return to democracy) seems unlikely in the absence of sustained diplomatic and economic pressure from major international players like the United States, Japan, and the European Union. The European Union’s recent signals of interest in restoring Turkey’s path to membership, in exchange for Turkey’s cooperation to ease immigration pressures, is exactly the wrong approach in the absence of clear democratic benchmarks.
Transitional regimes. While there are examples of countries shifting from hybrid regimes based on “competitive authoritarianism” to more clearly democratic regimes, it is somewhat unusual these days to see a longstanding authoritarian regime make a transition to democracy. As this book goes to press, two countries of real regional significance, Burma (Myanmar) and Venezuela, find themselves in transitional situations, the outcomes of which are unclear and may remain unclear for quite some time. In each country late in 2015, democratic forces won massive electoral victories in the face of institutional odds heavily stacked in favor of the ruling party. This suggests an overwhelming popular desire for democratic regime change—the third consecutive time in the past quarter century that the voters of Burma have delivered this emphatic result. The two cases are similar in that regime elites in each country fear the loss of power, resources, and immunity from prosecution, and appear ready to fight to the death unless their vital interests can somehow be protected. This is a classic element in most transitions that have a rough balance of power between regime and opposition, and it heavily shapes the bargaining around the transition.

But there the similarities end. The Venezuelan regime is heavily based in the ruling United Socialist Party, founded by late President Hugo Chavez, and while the military is a pillar of its rule, the bulk of the military might be induced to abandon the regime if its interests could be secured. In Burma, by contrast, the military is and has been for more than half a century the core of the regime, and it has implemented constitutional provisions to give itself an effective veto over constitutional change (by directly controlling a quarter of the seats in parliament), a majority on the National Security Council, and a license to topple a civilian government whenever it (the military) deems that national security demands it. Although Venezuela is more polarized than Burma between regime and opposition forces, in some respects it poses the less daunting challenge, because it has longer and more recent democratic traditions to restore, and because the surviving remnants of the Chavista coalition now appear politically clumsy and strapped for cash (due, again, to the collapse of oil prices).

In Burma, by contrast, the sanctions are gone; foreign investment is rolling in; the military remains entrenched; civil society is beginning to blossom but remains extremely weak; and democratic knowledge and values are extremely shallow among the population. This implies a long path to democracy, but at the same time, one in which international democracy assistance has unusually large scope to accomplish significant things. Moreover, while the Chavista regime in Venezuela continues to try to sensationalize and exploit any trace of U.S. interference, within both institutions (including the parliament, judiciary, and executive) and civil society, Burma is much more open to international democracy assistance efforts. For all these reasons—not to mention its location in Asia, its size, and its potential influence in the Association of Southeast Asian Nations (ASEAN)—Burma should be one of the top country priorities for U.S.-Japan cooperation to promote
democracy. In contrast to Venezuela, it is in a region of the world that is a natural geographic priority for US-Japan cooperation. Moreover, while the authoritarian regime is still in control in Venezuela, in Burma a new elected government and parliament, as well as increased space for civil society, have generated numerous opportunities for practical and potentially impactful cooperation to boost democratic development.

Authoritarian regimes. Most authoritarian regimes do not present hopeful, near-term prospects for democratic change. Their ruling parties or coalitions appear well entrenched, or, even if ruling autocrats fall (as in much of Africa), the political and socioeconomic conditions for democracy appear quite weak. In most of the Arab world, the chaos and repression that have followed the Arab Spring appear to have pushed the prospects for renewed democratic change well off into the future. But in Asia, three authoritarian countries (all ASEAN members) have economic, social, and political conditions that would appear to make them ripe candidates to democratize. These are Singapore, which is by far the richest non-oil autocracy in the history of the world and is a highly advanced and educated economy; Malaysia, where the opposition Pakatan Alliance, led by Anwar Ibrahim, won a majority of the popular vote in the last parliamentary elections, and where the ruling alliance is showing multiple signs of fracture, corruption, and loss of public confidence; and Thailand, which has been an off-and-on, multi-party democracy for decades, but has become a deeply polarized and troubled polity that is now stuck with an unusually repressive military regime. Other than engaging civil society through exchange programs, there may not be much that outside actors can do to encourage democratization in Singapore, but support for democratic civil society organizations and independent media in Malaysia and Thailand should again be high priorities for U.S.-Japan cooperation.

I am setting aside from this discussion conflict-ridden or post-conflict countries, like Afghanistan, where the principal challenge for some time to come will be state building, and the extremely authoritarian countries that remain completely closed politically—including the Gulf monarchies, the remaining communist countries, and the post-communist autocracies of Central Asia. But there are two wild cards that Japan and the United States would do well to consider in their thinking and programming for democracy promotion: China and Vietnam. As Communist Party elites in each of these countries try to hang on to total power in the face of social and economic changes that are eroding the basis of their absolute domination, each of these systems is becoming more brittle and more vulnerable to sudden and unplanned change (including regime collapse). At a minimum, we can seek to support Chinese and Vietnamese think tanks, networks, scholars, and thought leaders outside the country (or even inside) who, through analysis, advocacy, writing, translation, and publishing, are trying to circulate democratic knowledge and ideas and lay the foundations for future democratic change. China is so big that there may be little we can do to affect its future political trajectory, but I believe
there are several reasons why Vietnam may be surprisingly susceptible to a sophisticated strategy of incremental engagement and influence. These include the rapid pace of socioeconomic development, which is giving rise to a civil society in the north, not to mention the south (where there is a pre-communist tradition of it); the continuing and perhaps growing, strong influence of religion; the country’s desire to secure its autonomy from China and contain China’s rising military power; and the subterranean divisions within the ruling communist elite. Moreover, Vietnam’s membership in the Trans-Pacific Partnership, once this trade agreement comes into effect, will require Vietnam to allow independent trade unions, and it will also give the United States and Japan broader leverage to link economic reforms to good governance and rule of law reforms that will enhance the space and momentum for democratic change. In China, nationalism is a force that the regime is skillfully exploiting to breed suspicion of the West (including Japan) and its models and intentions. In Vietnam, the most potent expression of nationalism is expressed in wariness of China, not the United States and Japan. Thus, it may be willing to tolerate partnerships and forms of training that circulate ideas and lessons about democracy and good governance, while improving, on an initially limited basis, the transparency, professionalism, and lawfulness of at least some state sectors.

Table 2: Policy Recommendations for U.S.-Japan Cooperation

<table>
<thead>
<tr>
<th>Recommendation #1</th>
<th>Wider translation of literature on democracy into critical languages (i.e., Mandarin, Vietnamese, Arabic, and Russian)</th>
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</thead>
<tbody>
<tr>
<td>Recommendation #2</td>
<td>Evaluate, refine, adapt, and infuse curricula for mass civic education on democracy</td>
</tr>
<tr>
<td>Recommendation #3</td>
<td>Craft country-specific strategies that identify obstacles to effective democracy and potential alliances that can catalyze change</td>
</tr>
</tbody>
</table>

What to Do

The priorities for action will vary depending both on the specific countries and on the types of countries. Countries that are already democracies need to improve governance, fight corruption, strengthen the rule of law, and build up the capacities and strategies of civil society organizations to press for these reforms and monitor the states on an ongoing basis. Representative institutions—parties, legislatures, local governments—also need technical assistance and training, but again, this really only makes sense in democracies or systems that are seriously moving in that direction. One of the big lessons of democracy and governance assistance over the past forty years is that staggering amounts of money have been largely or completely wasted in the naïve belief that legislative and judicial independence could be strengthened, and thus democracy encouraged or advanced, merely through training and capacity building. If an authoritarian executive is not ready to allow the legislature to function independently, efforts to enhance legislative capacity
may amount to little more than window dressing. If the judiciary is supplied with new buildings, computerized law libraries, larger staffs, and international visitors and lecturers, then the result—in the absence of any political will to build a real rule of law—will be a better trained, better equipped, better housed judiciary that is just as politically submissive as before. The same goes for other agencies meant to check and balance the state, such as a counter corruption commission, other regulatory agencies, or an ombudsman (or human rights commission).

One of the overarching lessons from decades of efforts to control corruption and build genuine rule of law is that the core challenge is to generate the will and the demand for a different way of governing and doing business; or in the words of Romanian social scientist Alina Mungiu-Pippidi: “Transition from a corrupt regime to one where ethical universalism is the norm is... largely a political rather than a technical-legal process.”

This means that serious efforts to institutionalize democracy will have to target the most difficult type of change, in entrenched patterns of behavior and, therefore, in culture—societal norms, expectations, and practices. Historical case studies show that such change is possible, but it requires both state and civil society leaders to take risks and form coalitions to change the rules and institutions in ways that impose serious costs on actors who violate the formal rules. This must be accompanied by strategies to enhance bureaucratic training, raise salaries, and develop an ethos and infrastructure of neutrality and professionalism for state actors—from the policeman on the beat and the customs official on the border to the highest civil servant—who are now expected to play by formal rather than informal rules. Only then will the cost-benefit calculus of political and state actors shift in ways that will entrench rule of law, constraint of power, and thus liberal democracy.

When reform of this depth and scale happens, it usually requires a coalition of three types of actors: those from within the state apparatus, who are recruited because they are more modern and principled officials, along with others who grasp which way the wind is starting to blow; those from below, in a civil society that is mobilizing to demand fundamental change and press specific legislative (or even constitutional) agendas for institutional reform; and those from without, among powerful international actors—like the United States and Japan—who stop giving blank checks to governments that say all the right things, and who condition assistance on measurable progress toward institutional reform and a new style of governance.

We know, at least in broad generic terms, what needs to be done to control corruption and ensure better governance. State administration (the career civil service) and regulatory agencies to control corruption and abuse of power—what are termed “agencies of horizontal accountability”—need to be depoliticized. The law must give these accountability agencies—anti-corruption commissions, electoral management bodies, central banks, the entire judicial apparatus, and so on—structural and operational
autonomy. This includes independent leadership, secure tenure, adequate resources, and meaningful statutory authority. Countries need to move toward serious transparency: open budgets, freedom of information laws, and ready and accessible digital information. And corrupt officials and crony capitalists need to be purged and prosecuted.

This is a difficult and painful transformation, much harder than simply shifting to electoral democracy. And even if political leaders are enlightened, they cannot pull it off unless they make it clear that they and the country have no choice. This is why pressure from civil society and external donors is so important.

Beyond the technical assistance to help organize, train, and equip these institutions of a modern, neutral, accountable, and meritocratic state, emerging democracies need substantial assistance to civil society and mass media institutions that will help generate the specific reform agendas and the pressure to adopt them. The possible targets for this assistance include independent and professional newspapers, electronic and digital media, bloggers, policy think tanks, issue advocacy groups, human rights and anti-corruption organizations, professional and student associations, trade unions, and modern business chambers.

Then there is the need for high-level diplomatic pressure and engagement, following from a thoughtful and coordinated strategy to help move a country onto an enduringly better trajectory of governance. Linking more generous levels of economic assistance and other geopolitical goods (including security assistance and high-profile state visits and support) to concrete reforms can help to leverage and accelerate the ongoing work of democracy and governance assistance. It is worth noting that one of the most frequent complaints of civil society recipients of democracy assistance is the disconnect they perceive in donor behaviors, between the generosity in providing financial and technical assistance, which they appreciate, and the tolerance of corrupt and authoritarian practices, which they deeply resent.⁹

There are, of course, many other types of programs and activities around which the United States and Japan could cooperate to advance democracy in different types of countries. I have long believed that assistance efforts underestimate the importance of generating and diffusing knowledge about democracy and governance, addressing questions such as:

- What are the different dimensions of a quality democracy, and how do they relate to one another?
- What are the elements of a democratic culture, and how do societies successfully educate their populations to be tolerant, active, and vigilant democratic citizens?
- What are the options for democratic institutional design, and the lessons from different countries? What considerations should guide countries in the choice of presidential vs. parliamentary executives, majoritarian vs. proportional electoral systems, and unitary vs. federal (or at least decentralized) forms of government?
• How is reform to control corruption and build rule of law sustainably achieved?
• How are democratic transitions achieved in different types of contexts, and what are the lessons of both successful and failed transitions?

While a massive literature on these questions has accumulated in English and other Western languages, and to some extent Japanese and Korean, efforts to translate this knowledge into other critical languages (including Chinese, Vietnamese, Arabic, and Russian) have been limited. And beyond the language barrier, we simply have not done enough to promote wide knowledge of issues related to the design, operation, and development of democracy. For the masses, there are a variety of proven curricula and international frameworks or guides for civic education, but much more needs to be done to evaluate, refine, adapt, and diffuse these curricula. The importance of this task is easily overlooked, since democracy promoters tend to focus on the shorter term and higher level of impact. Yet, because it is both essential to sustaining democracy and also less threatening to established elites, civic education is an area in which a U.S.-Japan partnership for democracy might have a significant, positive impact in selected countries over time.

In the end, however, culture only changes when the messages students are learning in school and adults may be learning over the mass media are reinforced by actual behavior in the political system and the state. If ordinary citizens are internalizing new norms of democratic citizenship but finding no viable outlet to reform a rotten and unresponsive political process, the result may be cynicism and alienation. If we are serious about promoting democracy in challenging circumstances, we need, together, to push beyond the boundaries of what we have traditionally felt comfortable doing. We need to craft country-specific strategies that identify the real obstacles to effective democracy and the potential alliances and points of leverage that can catalyze real change.
CHAPTER TWO

American Support for Democracy, Human Rights, and Rule of Law

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America’s Unique Role

“We must be staunch in our conviction that freedom is not the sole prerogative of a lucky few, but the inalienable and universal right of all human beings.”

— President Ronald Reagan’s address to Members of the British Parliament, June 8, 1982.

Ronald Reagan was especially focused on the threat of Communism. His famous call in June 1987 to Soviet leader Mikhail Gorbachev to tear down the Berlin Wall resonated with millions of citizens in the Soviet Union and the Soviet bloc. Even as he pursued arms control agreements with his Soviet counterpart, Reagan never forgot about Soviet dissidents. His rhetoric and actions gave oxygen to those behind the Iron Curtain fighting for a more democratic future.

For decades, particularly after the inspiration provided by Reagan, democracy advocates and human rights defenders have looked to the United States for leadership and support, making American leadership indispensable. Remaining silent or reducing the profile of these issues abandons people who, in many cases, sacrifice their liberty and lives struggling for a more democratic society.

As a result, the United States has supported democratic forces and transitions in many countries around the globe, from Latin America to Central Europe to East Asia to sub-Saharan Africa. No other country has the global reach and influence that the United States has, giving it an ability to address human rights challenges and anti-democratic forces worldwide. Moreover, no other country has devoted more resources or personnel to support freedom and human rights globally. The U.S. Agency for International Development is the world’s largest bilateral donor organization working on democracy issues.

America’s leadership in democracy promotion truly took off in 1983 with Reagan’s leadership and Congressional support for the creation of the National Endowment for Democracy (NED) and its related organizations: the National Democratic Institute
(NDI), the International Republican Institute (IRI), the Center for International Private Enterprise (CIPE), and the Solidarity Center. These organizations have formed the core of American efforts to promote democracy around the world. Other organizations—such as Freedom House, Human Rights Watch, Human Rights First, and Amnesty International—have played critical roles, too.

Reagan, of course, was not the first American president to emphasize the importance of democracy and human rights. World War II, after all, was fought to defend the forces of freedom against the forces of tyranny, and the United States was founded on the principles of life, liberty, and the pursuit of happiness. Americans for decades have believed in promoting similar opportunities for others around the world. Democracy promotion and support for human rights and rule of law have had the backing of both the legislative and executive branches of the U.S. government, both Republican and Democratic administrations. It is not a partisan issue but one where the two main political parties have come together.

**Democracy Promotion Serves Our National Interests**

In addition to being the right thing to do from a moral perspective, promoting democracy serves U.S. national interests. Indeed, the choice between promoting our interests and our values is a false one: it is in U.S. national interests to see universal values spread around the world and to advance the cause of democracy, human rights, and rule of law. America can enhance its interests by ensuring that democracy and human rights feature prominently in its relations with other countries. After all, the United States is safer and more prosperous in a more democratic world and, thus, should take the lead in advancing this cause. Getting other governments to respect universal values and promote democratic development advances the cause of freedom and mitigates the challenges we face. Free nations are also more economically successful, stable, reliable partners, and democratic societies are less likely to produce terrorists, proliferate weapons of mass destruction, or engage in aggression and war. This means that the advance of democracy benefits not just the United States but also order and peace around the globe.

The United States has had to fight wars against dictators from both the right and left but never against another democracy. Indeed, history has demonstrated that true democracies do not go to war with each other. Even when we have serious disagreements with fellow democracies—for example, with Germany and France over the U.S.-led war in Iraq in 2003—we do not resort to military means to resolve our differences.

“[D]emocratization helps produce international peace and stability, which are important to American national security, as well as market liberalization, openness to US investment and trade, and the support of other countries for international norms that benefit the United States,” wrote Nicole Bibbins Sedaca and Nicolas Bouchet in a 2014 study for Chatham House.12
By contrast, authoritarian regimes, such as Russia, Iran, China, and North Korea, not only abuse their own subjects but also often engage in unprovoked military actions. Muscle flexing for them is important to project their images as formidable countries. With the Soviet Union, a communist regime in which the rights of the individual were brutally repressed, the United States relied on mutually assured destruction (MAD) to keep from coming to unimaginable blows. That policy, however, did not prevent the Soviet military from invading Hungary in 1956, Czechoslovakia in 1968, and Afghanistan in 1979. To state the obvious, there is no need to apply MAD to fellow democracies.

Repressive regimes are inherently unstable and must rely on suppressing democratic movements and civil society to stay in power. They are the sources and exporters of massive corruption. The spread of their kinds of political systems threatens everything the United States and its democratic allies stand for and risks greater instability and insecurity in the world. Russia, China, and Iran are corrupt, authoritarian regimes that show no respect for their own people’s human rights.

How a regime treats its own people is often indicative of how it will behave in foreign affairs. Most of the problems facing the world today originate from countries with non-democratic systems of government and/or from extremist non-state actors that seek to halt the advance of democracy. They view the spread of freedom and systems rooted in rule of law as threats to their own hold on, or grab for, power. Thus, we should not be surprised when Russian President Vladimir Putin violates the sovereignty and territorial integrity of his neighbors, whether Georgia in 2008 or Ukraine from 2014 to the present, in light of the worst crackdown on human rights inside Russia since the break-up of the Soviet Union. Nor should we be shocked by threats from the Iranian regime to destroy the state of Israel or for its support for the Assad regime in Syria or terrorist groups like Hezbollah, given that Iranians are subject to the whims of the mullahs. Under President Xi Jinping, China has increased use of the death penalty and gone after bloggers, lawyers, and others amid a deteriorating human rights situation, while simultaneously throwing its weight around in the Asia-Pacific region. And North Korea, with arguably the most repressive regime on the face of the planet, launches missiles to show its military prowess and remind the world of the havoc it can wreak on global stability.

**Democracy Promotion’s Payoffs**

The third wave of democratization in the 1970s and 1980s saw countries such as Greece, Portugal, Spain, and Brazil—followed later by South Korea, the Philippines, Taiwan, as well as Eastern and Central Europe—transform from dictatorships/authoritarian regimes into nascent democracies. According to political scientist Samuel Huntington, who coined the notion of democratic waves, “Between 1974 and 1990, at least thirty countries made transitions to democracy, just about doubling the number of democratic governments in the world.” In the early 1970s, about one-third of the governments...
of the world had been chosen by their citizens in legitimate free elections. Today, that proportion stands at about two-thirds. Freedom House rankings dating back to the early 1970s show a doubling in the number of free countries over the past four-plus decades.\textsuperscript{15} Indeed, according to Freedom House, in 1972 there were forty-four countries rated as “free.” Today, there are eighty-nine countries in that category.

The remarkable transformation in favor of democracy over the past half-century is rooted in the universal longing for the liberty to choose one’s leaders through elections (and vote them out of office if they don’t deliver), to believe in the religion of one’s choosing without worrying about consequences, and to say what is on one’s mind without paying a price for doing so. Given the option, most people around the world would choose to live in free societies. According to the most recent World Values Survey, more than 82 percent of respondents believe that having a democratic system of government is a good thing.\textsuperscript{16} The tremendous advance in freedom over the past five decades is also attributable to America’s strong support for human rights and democracy, under administrations of both parties.

The establishment of democracy is not a short-term proposition; it takes years, if not generations, and there is no linear path. The United States has had a democratic system of government for nearly 250 years, and Americans are still perfecting it. Accordingly, we cannot expect other countries, especially those without democratic traditions or history, to get it right the first time or overnight. There have been many setbacks and disappointments, and for the past decade, according to Freedom House’s \textit{Freedom in the World 2015} report, freedom has been in decline. “More aggressive tactics by authoritarian regimes and an upsurge in terrorist attacks contributed to a disturbing decline in global freedom in 2014,” Freedom House argues. According to the International Center for Not-for-Profit Law (ICNL), between 2004 and 2010, more than fifty countries considered or enacted measures restricting civil society. This overall decline in freedom, even if not precipitous, means a more dangerous and unstable world.

Complicating matters further is the fact that, while the United States seeks to support human rights and democracy through programs and policies in numerous countries, it simultaneously bolsters friendly, nondemocratic regimes and has frequently withheld criticism when other interests are involved. Such inconsistencies have led to accusations that the United States is guilty of double standards: it criticizes regimes with which it has strained relations but does not comment on countries with which it is friendly (Saudi Arabia) or has complicated relationships (China). The United States maintains diplomatic relations with most authoritarian states, and we have security and commercial interests with many of them. But even in those countries, we have an interest in seeing liberalization of their political systems and respect for fundamental freedoms of expression, association, and assembly. Such tolerance reduces the likelihood of violent and unpredictable revolutions. The disorder and violence we see in the world today are not
due to efforts to promote democracy but rather to legacies of dictatorship, oppression, and lack of opportunity—and, in some cases, to a lack of U.S. leadership.

**Supporting, Not Imposing, Democracy**

Supporting freedom around the world does not mean imposing American values or staging military interventions, though the war in Iraq has made that claim more difficult to make. After finding no weapons of mass destruction in Iraq, following the U.S. invasion in 2003, the Bush administration sought to bring democracy to that country—an effort that has, so far, largely failed. The wars in Iraq and Afghanistan were begun for reasons of national security, not to impose democracy. Once the regimes fell, however, the United States implemented its decades-old policy of supporting democratic activists internally to help them rebuild their governments; indeed, we had an obligation and responsibility to do so, for the alternative was chaos (as we have seen in Libya).

President George W. Bush believed passionately in his “freedom agenda” and devoted his second inaugural speech to the interest the United States has in advancing democracy, human rights and rule of law around the world. “The survival of liberty in our land increasingly depends on the success of liberty in other lands,” Bush declared. “The best hope for peace in our world is the expansion of freedom in all the world.” Bush’s lofty rhetoric was laudable, but the implementation of his vision was lacking. Egypt and Russia both posed early challenges to Bush’s freedom agenda.

In 2005, the United States pressed then-President Hosni Mubarak for a softening in his rule and the release of opposition leader Ayman Nour. In fact, Nour was released under American pressure, allowed to run in the 2005 presidential election—and then returned to prison. Regrettably, the United States went back to its previous relationship with Egypt despite that renewed crackdown, until events in 2011 led to Mubarak’s fall from power.

With Russia, a month after his second inaugural address, Bush raised concerns with Russian President Vladimir Putin about that country's increasingly authoritarian direction in a bilateral meeting in Bratislava, Slovakia. These concerns included the elimination of gubernatorial elections in place of appointments by the Kremlin in response to the 2004 Beslan tragedy, the arrest in October 2003 of Russia's richest oligarch, Mikhail Khodorkovsky, and a broad tightening on political rights and civil liberties. Russia’s leader already suspected the United States was behind the Rose (2003) and Orange (2004) Revolutions in Georgia and Ukraine, respectively, and wondered whether Russia was next on the U.S. list. Recounting his meeting with Putin, Bush writes:

> I raised my concerns about Russia’s lack of progress on democracy. I was especially worried about his arrests of Russian businessmen and his crackdown on the free press. ‘Don’t lecture me about the free press,’ [Putin] said, ‘not after you fired that reporter.’
Putin had been referring to CBS anchor Dan Rather, fired after the controversy over Bush’s records in the Air National Guard. Putin’s response to Bush’s criticism went on for roughly one-hundred minutes. The Bratislava meeting marked one of the last times Bush raised directly with his Russian counterpart in a serious way his concerns about Russia’s domestic situation. To the very end of his administration, Bush believed in the freedom agenda even if others looked at it skeptically. President Barack Obama came in with a strong sense of skepticism, doubting the ability of the United States to press for democracy and human rights around the globe, questioning whether it served U.S. interests to do so, and arguing that we had made more of a mess of things, especially in the Middle East.

The 2010 U.S. National Security Strategy paid lip service to promoting democracy and human rights abroad as one of the goals of U.S. foreign policy, “because governments that respect these values are more just, peaceful, and legitimate,” the strategy states. “We also do so because their success abroad fosters an environment that supports America’s national interests.”

But the reality during the Obama administration has been different. Influenced by the Iraq experience in particular, Obama told the Washington Post editorial board five days before his inauguration as president in January 2009 that he did not support promoting democracy “through the barrel of a gun.” Consequently, Obama downgraded the importance of promoting democracy and human rights around the world, determined not to repeat the mistakes, as he viewed them, of the Bush administration and its freedom agenda. Instead, he has pursued a truly realist approach to foreign policy in which promoting democracy and human rights has been viewed as a distraction and detour from advancing U.S. national interests. See, for example, his administration’s reaction to and handling of the Green Movement in Iran in June 2009, the Arab Spring in 2011, and the Egyptian coup of 2013, and the initial reluctance to meet with the Dalai Lama for fear of offending Beijing before he traveled to the Chinese capital. President Obama rarely meets with human rights and civil society activists either in Washington or during travel overseas.

With Russia, the Obama administration’s public and repeated rejection of the notion of linking behavior and diplomacy—in which it made clear that Putin’s internal crackdown would have no implications for the bilateral relationship—gave the Russian leader a green light to go after his critics and opponents without worrying about paying any price for doing so. Obama reluctantly signed in 2012 the Sergei Magnitsky Rule of Law and Accountability Act, despite its passage by huge bipartisan majorities in Congress. The Act imposes sanctions against Russian officials involved in gross human rights abuses, but the administration’s lackluster implementation of the legislation sent the wrong signal to Moscow and to Russia’s liberals who strongly supported such measures.

In the recent nuclear accord with Iran, that country’s abysmal human rights situation never factored into the negotiations. The resumption of diplomatic relations with Cuba has largely downplayed the repression in that country, as well. A recent Freedom House
report assessing democracy support by the United States and eleven other governments reached this conclusion: “The [Obama] administration has made the promotion of democracy and human rights a less visible part of diplomacy than it has been at some points in the past.” The report cited, in particular, soft-pedaling of human rights concerns with China, Russia, and Egypt.22

How Best to Support Democracy

The next presidential administration needs to restore democracy promotion, human rights, and rule of law to a prominent place on the American foreign policy agenda by supporting indigenous forces and helping to create space for them to work within their own countries. It should seek to promote universal values and partner with other democracies, both those with histories of freedom and those that have more recently transitioned, to strengthen efforts to spread these universal values. The Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948, defined the terms “fundamental freedoms” and “human rights” to include rights and freedoms of association, religion, speech, and assembly—which are still lacking or limited in many countries.

U.S. support for democracy and human rights has involved peacefully aiding local activists who look to the United States for moral, political, diplomatic, and sometimes material support. America stands with and supports those forces in countries around the globe who seek to build democratic societies that allow people to live in freedom, lead to greater economic success, better protect intellectual property rights, and provide more stable investment environments. These activists often risk prison, torture, and death struggling for more democratic societies; help them honor our own principles. They are our true allies, even if they need to distance themselves from the United States to avoid being seen as American puppets. Standing with them will redound to America’s medium- and long-term interests.

Each country, if given the opportunity, will develop in its own unique way. And while there is no cookie-cutter approach to promoting democracy, we should consistently support basic features of democratic development:

• Rule of law, accountability, and anti-corruption
• Separation of powers, independent judiciary, and checks-and-balances
• Free, fair, and competitive elections and political party development
• Respect for women’s rights
• A diverse and independent media, including Internet freedom
• A vibrant civil society
• Democratic governance and representative, functional institutions
- Respect and tolerance for minority groups and for religious freedom
- Protection of property rights.

Promoting these universal values, rights, and the rule of law involves training, building capacity, helping to establish systems of democratic governance, and fostering dialogue, both in countries that are struggling to establish democracy and in those that are led by opponents of democracy. We should also condition other forms of assistance—such as military and economic—on how a recipient country is performing in the area of human rights. This has been tried in Egypt, though the conditionality there has included a waiver for national interests, which the Obama administration has invoked for the past several years. By contrast, the Millennium Challenge Corporation, an independent agency established in the George W. Bush administration to provide development assistance, uses a “governing justly” criterion for determining countries’ eligibility for aid. That is, countries have to meet certain benchmarks on democracy and human rights indicators, including treatment of the media and respect for fundamental freedoms, to qualify.

The United States should devote support to nascent democracies, especially those that can serve as regional models, such as Tunisia, through technical assistance to governing institutions, civil society, and anti-corruption initiatives. Aside from material assistance to countries and activists, it remains vitally important to speak out on behalf of freedom advocates and dissidents persecuted by tyrannical governments. Top officials should meet with these individuals when they visit the United States and during travel overseas. Showing solidarity is fundamental and sends signals both to the activists and to the governments.

Using organizations such as the National Endowment for Democracy and associated non-governmental organizations, the United States helps democratic activists establish the building blocks of democracy, such as the rule of law, free elections, an effective civil society, and freedom of the press. Most U.S. democracy and governance funding goes toward free and fair elections, including election monitors, as well as support for civil society. This includes contributing financially to watchdog and advocacy-based civil society organizations across the globe and drawing frequent attention to violations of basic freedoms, and generally takes the form of capacity building, technical support, and related work.

Supporting democratic forces and human rights activists, however, is only part of the equation, albeit a large part. We also should push back against the authoritarian challenge by imposing consequences on those involved in serious human rights abuses. Unless authoritarian leaders incur costs for their antidemocratic actions, they will see no reason to change their behavior. The United States government has many tools at its disposal both to assist those who are struggling for freedom and to pressure anti-democratic forces to change their behavior. These tools exist across many areas of U.S. foreign policy, from
diplomatic efforts and military assistance to trade agreements and economic partnerships. As much as possible, these tools should be leveraged in a coordinated manner with like-minded democracies to support those fighting for democratic change in countries around the world.

More than three dozen Russian officials have been sanctioned under the Sergei Magnitsky Rule of Law and Accountability Act of 2012; critics of the administration’s implementation argue for a more aggressive approach. Still, this serves not only as a punishment but also as a potential deterrent against future abuses. It also helps to promote accountability in places where justice is sorely lacking. Congress is still considering legislation to make the Magnitsky legislation global in application. Going on the offensive and pushing back against the authoritarian surge must be a key part of U.S. strategy.

Addressing the “Interference” Argument

Some will argue that it is not America's role or responsibility to tell other countries what kind of political system is in their interest, to impose our system on others, or to criticize other governments for human rights abuses, especially when the United States is not perfect. The 2016 U.S. presidential campaign has bolstered those who make this case. This view is prevalent in other democracies, too, including Japan, and hinders efforts among democracies to push back against the authoritarian surge.

In fact, it is our business—and in our interest—to promote freedom around the world. Indeed, the United States has a special obligation to help those fighting to live in freedom, and those with a limited voice in their societies often look to us to play that role. We should support democratic movements and show solidarity with human rights activists elsewhere, but not insist that others follow the American model. Moreover, we should recognize that the United States makes mistakes, and we should address our own shortcomings with a sense of humility. We should urge governments to respect universal human rights and democratic principles, even while adapting universal norms to local circumstances. Rather than attempting to dictate the direction countries take, we should instead respond to indigenous requests for support and guidance, while also refusing to remain silent when peaceful political activity is crushed or made illegal.

Others will say that democracy is not necessary for a country to be successful—look at China or Singapore. While China and Singapore are the rare examples of countries that are doing well economically without allowing political freedom (although the bloom is off the Chinese economic rose these days), in the majority of cases, such as in Japan, South Korea, and Taiwan, it has only been after the establishment of or concomitant with the transition to democracy that countries have flourished economically. China is experiencing significant challenges to the Communist Party’s monopoly on power and, simultaneously, a disconcerting crackdown under President Xi, making it a country
unworthy of serving as a model for others. Rather, it is the vast majority of countries that have pursued both democracy and economic development that are successful models to emulate.

In addition, skeptics of democracy promotion argue that attempted democratic transitions in the Arab World have only led to chaos and violence, strengthening ISIS and other terrorist groups. They claim that some countries are simply not ready—and may never be ready—for democracy and need authoritarian leaders to maintain stability. It is important to get cause and effect straight: chaos and violence are not due to democracy promotion efforts but rather to legacies of dictatorship, oppression, and lack of opportunity. Without democratic traditions to fall back on, it is more challenging and takes more time for certain nations to establish themselves as stable democracies. Rather than shying away from supporting these efforts, we should be more engaged, providing much-needed training and examples not only from the United States but also preferably from countries that have been through more recent democratic transitions, like Poland (despite concerns raised after the election of the right-wing Law and Justice Party), the Czech Republic, and, one hopes, Tunisia.

The bottom line is that supporting democracy, human rights, and rule of law is both morally right and in the United States' best interests—economically and with regard to our national security.

**Areas for U.S.-Japan Cooperation**

The United States and Japan have very different approaches to promoting democracy. As Freedom House noted in its 2014 comparative report, “Support for democracy and human rights is a small component of Japan’s foreign policy.” Japan “lacks experience in promoting democracy abroad,” whereas the United States has decades of doing so and has tended to make democracy promotion a central part of its foreign policy, at least rhetorically. Whereas American civil society and NGOs play an indispensable role in advancing human rights and freedom, Japanese civil society is virtually non-existent in this arena. Japan has tended over the years to view democracy promotion as interference in other states’ internal affairs and, with few exceptions, has remained silent amid serious abuses of human rights and civil liberties. The United States should impress upon Tokyo that failure to address the deteriorating human rights situations in China and other countries in the region will only make security and economic challenges more complicated.

Despite these differences, there are areas in which the United States and Japan could do more together—in terms of both specific countries and themes. Japan's government-centric approach could complement the public-private partnership approach preferred in the United States, where American non-profit organizations and civil society groups play critical roles in advancing democracy and human rights alongside U.S. government
agencies such as the U.S. Agency for International Development (USAID) and the State Department. This could include funding of American groups working on these issues or direct funding to local organizations in certain countries. The government in Tokyo can also speak out more forcefully on the important role civil society—both indigenous and foreign—plays in advancing freedom.

Country-related efforts could target China, Myanmar, and North Korea. Thematic efforts could involve social media, anti-corruption, and election assistance. In addition, both countries could do more to beef up the human rights arm of the Association of Southeast Asian Nations (ASEAN).

No country consistently takes on China directly, even though it is one of the worst abusers of human rights and is undergoing a vicious crackdown under President Xi Jinping. Hong Kong is no exception to this crackdown, with booksellers and others disappearing. The 1992 U.S.-Hong Kong Policy Act requires the United States to support Hong Kong’s freedom and autonomy if China violates the 1984 Sino-British Joint Declaration, under which Hong Kong returns to Mainland Chinese rule while preserving its autonomy, judicial independence, and civil liberties. The United States should lead the way, along with the United Kingdom, in imposing sanctions if abuses against Hong Kong citizens continue. At a minimum, Japan should speak out on the Chinese abuses of those living on Hong Kong and preferably join in a united round of sanctions, though such steps are very hard for Tokyo to contemplate, given the complicated Sino-Japanese relationship. Even China’s muscle-flexing in the East China Sea, which has exacerbated relations with Japan, has not increased Tokyo’s willingness to address growing human rights concerns inside China.

The case of Chinese human rights lawyer Pu Zhiqiang, who was released from detention under pressure from the international community, albeit with a suspended sentence and his license to practice law stripped away, is evidence that Chinese authorities can be pressed to ease up, at least in certain cases. The United States and Japan could also offer more help to Uighurs and Tibetans, minorities severely persecuted by Beijing.

The United States has highlighted Myanmar as one of the major success stories of its engagement policy. Last year’s electoral victory of the party of opposition leader Aung San Suu Kyi has been a breakthrough in that country’s transition from military rule. But the plight of the Rohingya, the Muslim minority group subjected to gross human rights abuses, casts a dark cloud over Myanmar’s record. It is also the source of serious disappointment for those hoping the United States especially, but even Japan, would speak out more. Both Washington and Tokyo should be pressing not only the military to stop the abuses but also Aung San Suu Kyi to condemn such outrages.

North Korea is an easy target for Japan and the United States, but both countries place much greater emphasis on the nuclear challenge posed by Pyongyang than on the
abyssal human rights situation. Tokyo and Washington should do more on North Korean human rights, and also stand together against anti-democratic moves elsewhere in the Asia-Pacific region, such as the military coups in Thailand.

Information technology and social media afford the United States and Japan considerable room to work together. With China doing its best to rein in use of the Internet and go after bloggers, Washington and Tokyo should be ensuring the provision of circumvention software to freedom activists, allowing them to break through online barriers established by authoritarian regimes. Such assistance, in fact, need not be limited to Asia. Both countries should also lend their support to keeping web lanes open for dissidents and activists, especially during times of crackdowns.

Corruption, while not alien to democratic societies, is central to authoritarian regimes. Both Japan and the United States have an interest in promoting rule of law and anti-corruption activities throughout the region. Investigations and prosecutions of suspected corrupt officials would be a strong way to push back against the abusive regimes in the region. This action should also include investigations of impropriety among development assistance contractors. Both Tokyo and Washington can appeal to other countries by stressing the importance of transparency and rule of law for encouraging business and investment.

Similarly, Japan and the United States should work together in facilitating election observation missions in the region. This should include providing long- and short-term observers and establishing criteria to assess the conduct of electoral campaigns and voting day procedures. Learning from the long experience of the Organization for Security and Cooperation in Europe’s Office of Democratic Institutions and Human Rights (ODIHR) could lay the foundation for a similar election-monitoring entity in Asia.

While neither the United States nor Japan is a member of ASEAN, both could provide support to the nascent efforts of the organization’s human rights arm, the Intergovernmental Commission on Human Rights (AICHR), launched in 2009. AICHR has had difficulty establishing itself as a serious player in the region and could benefit from an outside boost.

Both the United States and Japan should also consider partnering with India, the largest democracy in the world, but one that has been reticent to promote democracy beyond its borders. Encouraging Japan and India to play larger roles in advancing the cause of democracy, human rights, and rule of law should be a new plank in U.S. policy toward the region. Power in democratic numbers is important in the face of the authoritarian challenge from China and North Korea, in particular.
Background on a Japan-U.S. Partnership for Global Democracy Support

For Japan, the United States holds a unique place in its modern history. The United States was involved in the two Japanese revolutions: modernization under the Meiji Restoration 150 years ago and democratization after World War II over 70 years ago. After 1868, Japan rushed to develop a modern, Western legal system in order to persuade Western countries to recognize it as a civilized country and treat it equally under international law. Once recognized by Western powers as a country governed by “modern law,” Japan was transformed from a feudal Asian country to a modern nation-state with a constitutional monarchy.

Japan also holds special significance in America’s modern history. America’s westward expansion, including completion of the continental railway after the Civil War, positioned the United States to face Japan across the Pacific Ocean. The United States exported guns scrapped after the Civil War to Japan to support the revolution against the Tokugawa ancien régime. Indeed, the bourgeois revolution, which started in Europe, circled the globe and reached Japan through the United States; so too did ideas of individualism, human rights, liberalism, and democracy. In this sense, the United States played a key role in spreading Euro-centric modernization to Japan.

Generous U.S. assistance to Japan after the devastation of World War II helped the country achieve rapid economic growth based on democratic reform in every corner of Japanese society. Paradoxically, the Japanese tradition of collectivism, which once supported militarism, contributed to effective democratization. In this sense, the Japanese form of democracy might not necessarily be one that American policymakers intended to realize. Nevertheless, the record of the last seventy years shows that Japan’s democracy has contributed to global peace and human rights. Moreover, Japan’s Constitution
declares that the Japanese people are obliged to support global democracy and human rights through peaceful means. Yet, modern history also explains why Japan, although a partner of the United States, takes a more modest approach to democratic support.

Why and How has Japan Contributed to Democratic Support?

Japan started providing official development assistance (ODA) as compensation for damages it caused in Asia before and during World War II. Since most Asian recipients of Japanese ODA suffered from Japanese aggression, Japan has been careful to avoid having any overt political goals in providing ODA. Unfortunately, some Asian countries, especially those with autocratic or authoritarian governments, view the promotion of human rights and democracy as an ideologically-based, neo-colonial political tool for interfering in their internal affairs. Still, the United States used the rhetoric of democracy promotion during the Cold War, and, as an ally of the United States, Japan more or less followed U.S. policies.

After the Cold War, Japan took a more independent approach and stressed two interdependent, value-based philosophies and approaches in its diplomacy and ODA policy—human security and rule of law—in order to assist countries in peace building and economic development. Japan's ODA Charter of 2003 adopted human security and peace building as principle objectives while the country's 2015 Development Cooperation Charter describes democracy, human rights, and the rule of law as universal values. Although Japan does not formally identify human rights or democracy as aims of its ODA projects, its ODA policy has focused on both. This emphasis was strengthened when Sadako Ogata was appointed UN High Commissioner for Refugees and later, president of the Japan International Cooperation Agency. Ogata had previously co-chaired, with Dr. Amartya Sen, the UN Commission on Human Security (CHS), which articulated the UN Development Program's (UNDP) appeal for human security in its “Human Development Report 1994.”

Based on the preamble to its constitution, which states, “We recognize that all peoples of the world have the right to live in peace, free from fear and want,” Japan enhanced its policy of promoting human rights and democracy at the end of the Cold War to help address the devastation left by socialist governments. While human security has been used as an argument for military intervention based on the “responsibility to protect” doctrine, the Japanese government has focused on increasing freedom from want in mobilizing ODA to support human security, peace building and preventive diplomacy. Japan helped to create the UN Trust Fund for Human Security (UNTFHS) in 1999 to provide small grants directly to non-state actors for humanitarian operations, and it set up the UN’s Human Security Unit (HSU) in 2004 to manage the Fund. Japan also contributed significantly to the establishment of the UN Peacebuilding Commission as a coordination body in post-conflict countries, though its performance remains limited.
Rule of law is the other principle underlying Japan's diplomacy and ODA directed at supporting democracy and human rights. Assistance for countries in developing the rule of law was led by the United States in the 1960s in the midst of the Cold War primarily to promote democracy. After the Cold War, the growth of market economies in formerly autocratic countries meant that the rule of law also became important in developing the private sector in those states. Transitional economies competed to receive legal reform assistance mainly from the World Bank, other multilateral development banks, and the U.S. government. Japan contributed to the World Bank's technical cooperation in the legal sector by funding the Japan Policy and Human Resource Development Fund. Tokyo also funded the Japan-Europe Cooperation Fund to support the European Bank for Reconstruction and Development (EBRD), which was established to assist former Soviet Union and Central and Eastern European countries in their transitions toward market economies.

The Japanese approach within the EBRD for democracy and human rights has been promotional even in autocratic states such as Uzbekistan. Tokyo took that position because of its focus on a long-term, gradualist approach in promoting democracy that stresses incentivizing rather than punishing governments. This approach has been a general feature of Japanese policies supporting human rights and democracy—working with governments in a top-down process. In contrast, the European and U.S. approaches favor bottom-up activities that build civil society. Japanese methods occasionally have been criticized for providing aid to oppressive and corrupt governments without due regard for human rights and democracy. But Japan would argue that it respects governments in their local contexts and does not tie support to immediate moves towards liberalization to help avoid political turmoil that could escalate into violence and conflict.28

Law and Judicial Reform Assistance through Japan’s ODA

One of the most significant examples of Japan’s approach to democracy support is ODA-based law and judicial reform assistance.29 According to the first of five policies in the 2009 Basic Policy on Assistance for Development of a Legal System (revised in 2013), Japan’s goal is to “establish the rule of law by sharing universal values, such as freedom, democracy, and fundamental human rights.” The Ministry of Foreign Affairs’ Third Party ODA Evaluation Report on Cooperation for Legal and Judicial Reform (fiscal year 2014) identified Cambodia and Vietnam as case studies in achieving this goal.30

Cambodia

The Paris Peace Agreement in 1991 and the subsequent 1992–93 UN Transitional Authority in Cambodia (UNTAC), which implemented the peace agreement, provided Japan its first opportunity for significant participation in a UN peacekeeping operation (UNPKO). Japan and Australia worked closely with Indonesia and France, among others,
to create the framework for the operation. With the passage of Japan’s Peacekeeping Law in 1992, for the first time in its history, Japan sent its Self-Defense Forces to participate in a UNPKO. Another expression of Japan’s commitment was the appointment of Yasushi Akashi as the Special Representative of the Secretary-General for UNTAC. Japan’s diplomacy in negotiating with the relevant countries, including Vietnam and China, ultimately helped end the prolonged war in Cambodia.31

UNTAC facilitated a general election and the installation of an internationally-recognized government to end the armed conflict. Specially trained officers were deployed to monitor and observe the human rights situation and assure free and fair elections. After UNTAC’s departure, its human rights department stayed on to create the Phnom Penh office of the UN Human Rights Center in Cambodia, which continued to monitor the situation. Underwritten by a UN trust fund provided by Japan, the office offered training for judges to help institute the rule of law and prevent a recurrence of armed conflict. An independent and competent judiciary is essential for checking abuses of power, protecting human rights, and resolving disputes and conflicts.32

In 1999, Tokyo started providing assistance for other legal and judicial reform in Cambodia. Japan helped in drafting the country’s Civil Code, which ensures the civil rights of Cambodians, and Code of Civil Procedure, which, together with the judicial system, guarantees civil rights and access to justice. Japan has also provided assistance in training Cambodia’s judges, public prosecutors, and practicing lawyers.33

In addition, Japan has supported general elections every five years since 1993 by sending equipment and monitors. Recently, JICA started providing assistance for better organization of the general elections. While this support has been categorized as technical cooperation, it helps ensure the most fundamental democratic mechanism in Cambodia functions properly.

**Vietnam**

In 1996, Japan started providing ODA to Vietnam for legal and judicial reform to support the country’s *Doi Môi* (Open Door) policy, which was designed to create a market-oriented economy under the communist regime. Japan also assisted in drafting Vietnam’s Civil Code and Code of Civil Procedure to ensure the Vietnamese people’s civil rights and freedoms, which also serve indirectly in supporting a market economy.

Based on the trust Japan has developed with the Vietnamese government as well as other governments in Asia, Tokyo has sent experts, including Japanese judges, public prosecutors, and practicing lawyers, to Vietnam and throughout Asia. They are seconded from the Supreme Court and public prosecutors’ office, with the Japan Federation of Bar Associations’ (JFBA) recommendation, to work at JICA project offices in Asia’s capitals. Every two or three years, new experts replace them in a regular rotation of Japanese administrative personnel. Thus, supported by a Japanese home organization, they work
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with their Asian counterparts—the Supreme Courts, public prosecutor’s offices, and national bar associations—in carrying out their duties and helping train personnel and building human capacity.\(^34\)

Recently, in response to requests by the Vietnamese government, the Vietnamese Prime Minister’s office also receives high-level policy assistance—which holds the promise of influencing the Communist Party’s leadership even on sensitive issues such as corruption. Japan’s assistance has also been extended to criminal and administrative justice, including the law on crimes against the state. Although Vietnam’s recent constitutional reforms did not revise core socialist principles, Vietnam seems to expect that Japan will assist in the reform of the country’s basic governance in order to deal with socialism’s limitations.

**Enhancing Grassroots Support**

Highly appreciated by recipient governments, Japan’s ODA for legal and judicial development has been extended to Laos, Indonesia, Uzbekistan, and even China. Japan’s “Basic Policies for ODA” call for continued support in this area mainly in eight countries—Indonesia, Vietnam, Myanmar, Mongolia, Cambodia, Laos, Uzbekistan, and Bangladesh. In other parts of Asia and even in Africa, the Policies call for Japan to provide future assistance based on the needs of each recipient country.\(^35\)

Japan’s ODA-based legal and judicial reform programs have successfully contributed to democracy building by supporting institutions and developing human resources in recipient countries over the long-term. Yet, since Japan’s assistance has been directed mainly at governmental entities, its effects have rarely been visible at the grassroots level.

In many recipient countries, the full and fair implementation of laws remains questionable, and ordinary citizens are not yet confident in the independence of the judiciary. Moreover, legal systems in recipient countries must be carefully monitored by civil society and the private sector, independent of the government, since such systems are subject to abuse by rent seeking officials and political and economic elites. Autocratic governments may also try to employ legal systems to justify human rights violations. As such, Japan must monitor ODA for legal systems at the grassroots level to assess impacts on the rule of law, democracy and human rights. Such assessments can also provide useful feedback for improving ongoing ODA projects.

Japan’s ODA is seldom offered to NGOs, other than bar associations through the JFBA, since ODA is considered in response to official governmental requests for assistance. Local NGOs in Cambodia, for example, have not received Japanese assistance to promote democracy and human rights.\(^36\) Tokyo is cautious about supporting local NGOs in recipient countries to avoid accusations of interference in their internal affairs—especially in countries victimized by Japan’s military regime in World War II. Autocratic governments generally consider human rights and democracy promotion as a threat to
As a result, Japan assists NGOs mainly through international organizations such as the UN. In addition to the contributions mentioned above that helped create the UNHSTF, which funds NGOs focused on humanitarian causes, Tokyo provided $10 million in 2007 to the UN Democracy Fund (UNDEF), established in 2005 to fund NGOs promoting democracy and human rights.

All Japanese embassies in developing countries also have up to $10 million available for grants to local NGOs to conduct humanitarian activities within a program called “Grant Assistance for Grass-Roots Human Security Projects.” However, grants are limited to funding tangible items, such as schools and medical equipment. There are also several ways for Tokyo to fund Japanese NGOs in developing countries, including the JICA partnership program, but the amount of funding for NGOs within the ODA budget is limited to 1.5 percent of the total.

**Perspectives on the Japan-U.S. Partnership for Democracy Support**

Considering Japan's weakness in providing democracy support through NGOs, Tokyo should learn from the United States how to work with civil society, while balancing its interaction with local governments. Seeking private sector engagement to promote human rights and democracy is now crucial for success in the global economy. However, while free markets tend to foster universal, democratic values, they can also produce frictions and abuses that may lead to violence and disruption.

Japan has begun targeting Africa for assistance. Under Prime Minister Shinzo Abe’s controversial new legislation to allow the SDF's greater participation in UNPKOs, for example, Japan has expanded its contributions to peacekeeping in South Sudan. Indeed, Japan is generally expected to be more involved in providing human security with a focus on freedom from want.

Meanwhile, the rapid expansion of China's economic and political power in Asia and Africa has made democracy promotion by Japan and other countries more difficult. China, which has not yet advanced its own human rights record and does not follow a democratic system, does not promote either human rights or democracy overseas. In fact, in Cambodia, democratic development is now hampered because its dictatorship is backed by China. Beijing is taking advantage of weak governance in Cambodia to serve its own interests, just as Japan and the United States did during the Cold War by dealing with such authoritarian leaders as Philippine President Ferdinand Marcos and Indonesian President Suharto.

In the case of Myanmar, however, Chinese assistance and investment helped trigger a move by the military regime towards democratization and market opening. Myanmar's government was concerned that economic dependence on China posed a threat to its
sovereignty. That said, Japan’s provision of humanitarian assistance to the people of Myanmar, complimented by sanctions imposed by the United States and other Western countries, also seems to have played a role in Myanmar’s move towards democracy.

China is currently moving to expand its influence in Asia, Europe, and Africa, including through its new Asian Infrastructure Investment Bank. Japan and the United States, along with other Western nations, remain wary of Chinese assistance as it may undercut their human rights and democracy promotion efforts. Unless China improves its human rights record, its expansion will continue to be seen as a threat by many countries. Japan and the United States, therefore, should attempt to develop a global strategy to convince China to cooperate in supporting human rights and democracy in countries where it does business or provides assistance.

In addition to individual countries, Japan assists regional organizations, such as the Association of Southeast Asian Nations (ASEAN) and Asia-Pacific Economic Cooperation (APEC). Japan’s willingness to participate in various economic frameworks, including the Trans-Pacific Partnership (TPP) despite the intention of the United States to withdraw, also fosters the development of democracy and human rights.

In order to prevent tensions from escalating into armed conflicts, it is important to create a common regional security system to address the human security needs of marginalized peoples, such as refugees and asylum seekers who may be exploited by human traffickers. One must remember that refugees seek escape not only from political persecution but also violent conflicts, deprivation, and disasters, both manmade and natural.

Japan and other liberal nations also have to deal with new threats and issues, such as the Islamic State’s terrorism. Military defense in the traditional sense is no longer valid against these enemies, who are hidden inside our societies. An approach based on human security prioritizes the vulnerable people in society and helps protect their human rights. This approach is reflected in the UN Global Compact of 2000 and the Sustainable Development Goals adopted in the UN General Assembly in September 2015. These goals—both for developing and developed countries—constitute a paradigm shift from the longstanding, Westphalian nation-state system towards a global, networked society in which stakeholders, including civil society and the private sector, share goals, and seek partnerships.

Suggestions

Short-term (through 2020)

Japan and the United States should jointly sponsor conferences with the countries of ASEAN and TPP on threats to democracy such as terrorism and structural violence, as well as human security and the rule of law. Relevant stakeholders, including NGOs, the private sector, and academia, should be invited to promote a network of governance
in Asia. For instance, the 25-year commemoration event of UNTAC should be held in Cambodia to review its peace building in Phnom Penh in 2018, the same year as its general election. Also both countries should take initiative to hold an international conference to support Myanmar’s democratic transition—the conference would include neighboring countries, such as China, a key player in peace negotiations with armed ethnic minority parties.

Japanese officials and experts on international cooperation, in particular those with experience in legal and judicial reform assistance, should partner with U.S. counterparts and global and local NGOs to work for democracy and human rights promotion. In addition, local counterparts and NGOs should be seconded with personnel from JICA and USAID to monitor the rule of law at practice. In particular, Japan and the United States should provide more resources to UNDEF and UNDP to assist Myanmar’s transition towards democracy through NGOs. Even Chinese NGOs should be invited to work together to promote networked governance.

Based on the UN Global Compact’s guiding principles on business and human rights, companies should be encouraged in human rights due diligence through cooperation with local business associations and relevant organizations in Japan and the United States. Japan should develop a national action plan on business and human rights effective for human security.

Medium-term (through 2025)
The Tokyo Olympics should be employed to focus on sustainable peace through human security and the rule of law. The UN Office of Drugs and Crime’s Congress, due to be held in Tokyo in 2020, should discuss international cooperation on human trafficking, corruption, and terrorism.

Long-term (through 2030)
Japan and the United States should assist in achieving the UN’s Sustainable Development Goals. The two countries should place emphasis on enhancing access of vulnerable peoples to justice (Goal 16) by encouraging global cooperation for development of local grievance mechanisms.
CHAPTER FOUR

From National Security to Human Security

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Introduction

This chapter first defines the concepts of national security and human security, stressing both complementary and conflicting aspects of the concepts and their applications in policy and practice. It then provides an overview of the most pressing human security challenges around the world and where they are particularly acute, pointing to the issues and geographical areas that U.S.-Japan cooperation should prioritize. The chapter ends with recommendations for bilateral cooperation with respect to government coordination, training programs, civil society, and economic incentives.

National Security and Human Security: From Concept to Policy

“Securitization” in international relations is the process of recognizing and responding to a problem that poses an existential threat to individuals, communities, or a nation as a whole. What to securitize and how to securitize are complex and difficult questions that often result in or call for public contestation.

First, we should share a few words about the relationship and difference between national security and human security. Generally, national security problems and concerns are more readily identifiable, even if consensus on the seriousness of security threats and appropriate responses may be difficult to obtain. This is because there are public institutions established to identify national security threats and to develop and implement appropriate measures to counter them. In a democracy, it is the responsibility of elected political leaders to convince the public to support such measures and, if necessary, make personal and collective sacrifices to do so. As the London School of Economics’ Mary Kaldor states, “Human security depends on the existence of legitimate institutions that gain the trust of the population and have some enforcement capacity.”

For various reasons, it is much more difficult to identity and develop consensus on what problems and concerns warrant being defined as “human security” challenges.
First, there is the lack of established institutions and processes through which threats to individuals or communities are vetted in terms of their seriousness as security threats. Second, there are institutions and processes to identify and counter challenges at those levels before they become serious enough to pose “security threats.” Adequate food supply, public health, housing, education, energy, transportation, environment, and other foundations of well-functioning societies fall in the realm of public policy; thus, there are government, quasi-government, and non-governmental institutions that provide for such necessities. Unless shortages in such goods and services become acute and destabilizing, such shortages normally do not threaten security. Even when shortfalls do emerge, their impacts may be limited to a small segment of the population, and not present an existential threat to the public at large. A third difficulty is that what may be a human security problem for some people may not be a problem for others; thus, mobilization of public institutions for addressing the problem may be difficult, especially if resources are scarce and/or the affected individuals belong to a minority community with limited or no voice in public policy, much less for setting the security agenda.

A fourth obstacle to defining an issue as a human security problem is that the national security apparatus of a country may see the inclusion of some human security challenges in public policy discourse and policy development as encroaching upon their “turf” or diverting resources away from them. If, for example, public attention to human security challenges, such as environmental hazards or public health problems, reveals the failure or inadequacy of public institutions, policies, or leaders, it would erode public confidence in and raise criticisms against them. In short, securitization can be a highly sensitive and politically charged process.

Finally, and even more challenging, state institutions, including law enforcement, can themselves pose a threat to human security. Violation of individuals’ human rights; discrimination against ethnic or religious minorities by state authorities or by private-sector actors sanctioned by state authorities; enlisting of child soldiers; and systemic, official corruption harming the interests of workers or consumers may deprive citizens of their rights to freedom from fear, freedom from want, and life with human dignity, which are the three pillars of human security. A failing state may also pose existential threats to individual citizens. In this context, it is important to note that the Responsibility to Protect (RtoP or R2P) principle was developed by the United Nations to establish a common, international norm and expectation among sovereign states and within the international community to act when a given state is unable or unwilling to protect its own people. The primary responsibility for protecting the security of a people rests with their government. When the government fails to discharge that responsibility, the international community has the responsibility to offer assistance to the government in question. If the government refuses the offer of assistance and its citizens continue to face an existential threat, the international community has the responsibility to intervene.
Forms of intervention vary, including but limited to financial aid, humanitarian assistance, and military intervention. The United Nations decided to limit the application of the RtoP principle to cases of crimes against humanity, war crimes, ethnic cleansing, and genocide.

There is a growing body of literature on the range of issues requiring securitization in some countries or communities. These issues include: economic security, health security, personal security, political security, food security, environmental security, and community security.\(^47\)

As noted above, human security has three pillars: freedom from fear, freedom from want, and life with dignity. Freedom from fear has to do with the ability of individuals and communities to live without fear for their physical, mental, and emotional security. Freedom from want is the ability of individuals to access adequate material necessities to sustain normal life, individually and collectively. Life with dignity is possible when individuals can live as full and integral members of their communities and enjoy constitutionally or legally guaranteed rights. Some countries, such as Canada, emphasize the first pillar, while others, such as Japan, prioritize the second pillar. The third pillar is most closely associated with the “rights approach” to human security, which emphasizes the critical importance of promoting and protecting the rights of individuals and communities in the context of policy discussions, rather than prioritizing political, economic, security, and other policy goals.

Discussions on human security threats and challenges often focus on the rights of individuals and communities. Such rights include those enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social, and Cultural Rights. Other internationally recognized rights pertain to particular categories of people including workers (within the framework of International Labor Organization conventions); migrants and their family members (provided for in the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families); refugees (under the Convention on the Status of Refugees and its protocol); national, ethnic, religious, and linguistic minorities (under the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities); indigenous populations (under the Declaration on the Rights of Indigenous Peoples); stateless persons (under the Convention Relating to the Status of Stateless Persons); persons with disabilities (under the Convention on the Rights of Persons with Disabilities); women (under the Convention on the Elimination of Discrimination Against Women); and children (under the Convention on the Rights of the Child).

Another term associated with “human security” is “human development,” denoting the idea that every person has the ability to realize his or her human potential and should be given an opportunity to develop that potential.\(^48\) Efforts to measure the level of human security, including human development, at the national level have resulted in
the development of the Human Security Index (HSI). The HSI was first released at the Conference Towards a Sustainable and Creative Humanosphere in 2008 and refined by the UN Economic and Social Commission for Asia and the Pacific (ESCAP) in 2009. The HSI is composed of an economic fabric index, environmental fabric index, and social fabric index, each with its own set of indicators.

Human security is necessary not only to ensure human development but also to maintain the fruits of human development. Progress in human development can be threatened or reversed as the security environment deteriorates. Democratization is necessary for both human development and human security, but it may generate uncertainty and instability unless both human development and human security go hand-in-hand in a sustained manner. It has also been acknowledged that human security policies and actions need to be integrated with human development policies and measures because the two are complementary and mutually reinforcing. So, how should we balance efforts and progress on human security and human development? Some analysts of human security and human development have proposed a threshold approach. That is, they suggest each country should ask itself what level of threat constitutes an existential threat that requires securitization, immediate attention, and resource mobilization.

Another way to establish a priority list of human security issues is to determine the immediacy of the challenges. Do they pose imminent threats? Do they require a mid-term response? Are they threats of a long-term nature?

A further important aspect of the relationship between national security and human security is that the pursuit of national security sometimes presents a threat to human security. For example, counterterrorism measures, including expansion of intelligence gathering and monitoring of people’s activities, may go beyond inconvenience and actually deprive people of their basic rights (freedom of movement, freedom of expression, etc.). That is, national security actions may have a detrimental impact on democracy promotion. It is also true that without national security or public order human security protection may be impossible. For example, building schools to educate rural populations is obviously a worthy project that enhances human security and human development. If, however, the schools or pupils commuting to and from the schools come under attack by local militias or terrorist groups, there can be no human development.

It is increasingly recognized that responses to national security threats involving military action often result in civilian casualties and other deleterious effects on post-conflict development. Therefore, responses to national security threats that involve military action must be based on a careful and thorough assessment of the consequences of such action for the human security of civilian populations. It should also be stressed that democratization efforts will falter if military assistance or intervention by the United States and/or Japan’s participation in UN peacekeeping operations, however
legitimate it may be from the perspective of national or international security, causes “collateral damage” or other harmful effects to the civilian population. It is also critical that military or other means of national security be undertaken with due regard for economic and human development consequences in the post-conflict phase. Destruction of infrastructure, such as roads, railroads, airports, sea ports, harbor facilities, and communication structures; proliferation of weapons; the laying of land mines on agricultural land; destruction or contamination of reservoirs and other water supplies; the post-conflict spread of infectious diseases; not to mention physical and mental injuries among working-age populations, all have lasting economic and human development consequences.

Human Security Challenges for U.S.-Japan Cooperation

As discussed above, “human security” encompasses a broad range of challenges, and those challenges call for the coordination—in some areas, integration—of national security and human security efforts. In the context of global democracy promotion, it is particularly important that the United States and Japan, individually and cooperatively, pursue national security policies with a view to enhancing positive contributions to and minimizing negative consequences for the human security and human development potentials in the countries targeted for U.S.-Japan cooperation. So, what are the human security challenges that call for U.S.-Japan cooperation, and where are they?

As noted earlier, the HSI is composed of an economic fabric index, environmental fabric index, and social fabric index, each of which is comprised of indicators that measure the seriousness of human security threats. According to the developers of the HSI, the index components are:53

1. Economic Fabric Index:
   - GDP per capita, adjusted for pricing (purchasing power parity)
   - Equality of income distribution (the extent to which money reaches most people within and between societies)
   - Financial-economic governance (risk of hardship through unsustainable trade or debt, or from catastrophic healthcare governance)

2. Environmental Fabric Index:
   - Environmental vulnerability
   - Environmental protection (clean water, air, soil) policies and actions
   - Environmental sustainability

3. Social Fabric Index
   - Health
   - Education and information empowerment
• Protection of and benefits from diversity
• Peacefulness
• Governance, including protection from official or illegal corrupt practices
• Food security

Figure 1 shows the Economic Fabric Index of over 230 countries. The color scale indicates the degree of human security challenges facing the countries, from red (worst) to dark blue (best). Clearly, many sub-Saharan African countries, Madagascar, Afghanistan, Nepal, Cambodia, Papua New Guinea, Honduras, and Nicaragua demand urgent attention.

Figure 2 presents the Environmental Fabric Index. Again, many sub-Saharan African countries and Madagascar are experiencing the most serious environmental security challenges. Additional countries requiring immediate attention to their environmental threats are Iraq, United Arab Emirates, Oman, Bolivia, and Papua New Guinea.

Figure 3 shows the Social Fabric Index. The most serious social human security threats are found in many sub-Saharan African countries, Afghanistan, Pakistan, Burma, Nepal, Bangladesh, and North Korea.

In summary, with the aid of the economic, environmental, and social fabric indices, we can readily identify the countries and human security issues that demand the most urgent attention from the international community, and it is in these countries that the United States and Japan may very well be able to have the greatest impacts on human security threats.

Challenges for U.S.-Japan Cooperation

The above discussion helps us identify a number of needs and challenges for the United States and Japan in their cooperation in democracy promotion in third countries. To summarize:

• The United States and Japan need to agree on the priority issues and countries for cooperation. The need is particularly great with respect to the broad range of issues under the rubric of “human security,” encompassing economic, environmental, and social challenges. It is important to develop a consensus among government, security experts/analysts, and advocacy groups about the priority areas deserving political attention, policy debate, and resource commitment.
• The U.S. and Japanese governments should recognize the inevitable competition for attention and for budgetary and personnel resources within the political and policy communities of the countries in which the two governments want to pursue democratization agendas.
• The two governments should endeavor to integrate military/defense and
civilian participation in peace and security promotion, with due regard for the consequences for national development and human security development in the third countries.

- They should coordinate military/defense and civilian participation in the development, implementation, and assessment of integrated national and human security policy measures, including post-conflict development.
- Public support in the countries hosting U.S.-Japan cooperation is also important. Therefore, the U.S. and Japanese governments should enlist participation in human security projects by representatives of civil society groups and organizations.

**Recommendations**

The foregoing analysis leads to the following recommendations in forging U.S.-Japan cooperation in human security-related democracy promotion around the world.

**Government coordination:** Government coordination should include coordination with the government of the country whose democratization the United States and Japan are assisting. In addition, within the U.S. and Japanese governments, all key agencies dealing with national security or human security issues and challenges should be involved. Given the broad range of human security issues, as discussed in this chapter, inter-agency coordination will include multiple ministries and departments, as well as military and police agencies.

What is the purpose of government coordination? Coordination helps to identify real and potential threats, determine whether a given threat has reached a threshold of existential threat, and gauge the immediacy of the threat. Coordination should also involve discussion of the most appropriate means of response, how to deliver those means, and who should bear the cost. Should the cost be part of the security assistance by Japan and/or the United States? Should it be borne by the country receiving the assistance?

**Training programs:** Training, even if initiated with the assistance of outside help, should be sustainable after the immediate external assistance has ended to ensure ongoing democratization capacity building. Training with a view to capacity building requires the participation of local agents (individuals and organizations) in the preparation, conduct, and assessment of training programs. Such local agents should be selected based on three criteria. First, they should have demonstrated willingness and capability to participate enthusiastically and effectively in training programs developed and offered by international partners. Second, they should be open to post-training assessments of the effectiveness of the training, including self-assessment. Third, they should be responsible and accountable parties in the follow-on activities after the training is over. In other words, they should be able to sustain training for generations of personnel in order to
continue sending cohorts of trained personnel into public, private, and nonprofit sector democratization efforts.

Examples of target countries for U.S.-Japan cooperation in personnel training for human security promotion include Thailand, Myanmar, Cambodia, Nepal, Indonesia, Afghanistan, Honduras, Bolivia, Chad, and Sudan. These countries are experiencing acute human security challenges, including refugees, human trafficking, internally displaced persons, health, post-conflict reconstruction, civil violence, poverty, access to safe water, food shortage, human rights violations, landmines, and lagging agricultural development. Careful planning and coordination with host governments are essential to address these issues. Most of these countries have received some assistance in security (particularly from the United States) or development assistance (particularly from Japan), so U.S.-Japan cooperation would not be starting from scratch and the two countries’ past experiences will be mutually complementary.

**Civil society:** If democratic institutions and practices are to take root, it is essential that democratic values are instilled among the citizenry. Development of a healthy and robust civil society that supports and is supported by government democratization initiatives is critical. Civil society groups and organizations with exemplary practices will encourage the public participation and support that are necessary for successful institutions of democracy and democratic initiatives. These initiatives include free and contested elections, unfettered discussion of public policy issues, fair and transparent development and enforcement of law, promotion of social justice, protection of human rights, and other fundamentals of democracy.

Democratization efforts call for both top-down and bottom-up approaches. A healthy, robust civil society with confident and capable private-sector leaders and organizations ensures that top-down initiatives will be supported by the public, and that grassroots initiatives will invite encouragement and support of the government. Where civil society development is in its infancy, it is particularly important to solicit the participation of individuals and groups that represent both majority and minority communities. International development assistance, be it in the economic or political field, will not enjoy legitimacy in the eyes of the public if it is seen as promoting the interests of particular majorities to the neglect—or at the expense—of other majorities or minority communities. Inclusiveness is key to successful civil society engagement and development. Many of the countries mentioned for training programs—Thailand, Myanmar, Nepal, Indonesia, Honduras, Bolivia, Chad, and Sudan—are also in need of international assistance in civil society development, and such assistance would boost the potential of U.S.-Japan cooperation. Again, close coordination with host governments throughout U.S.-Japan cooperative projects is essential. The United States has generally had far more extensive experience in civil society development in these and other developing countries, but Japan is gaining experience, and the former will
be able to assist the latter in gaining more experience and developing more expertise. Bilateral cooperation will also help reduce the appearance of unilateralism or unilateral intervention.

**Economic incentives:** It is generally agreed that economic development is necessary for political (democratic) development, but determining which comes first and what should be the balance between economic and political development are strongly debated questions. Some argue that economic development is necessary to create a middle class that desires political stability, which is an essential precursor to political (democratic) development. Others assert that a minimum level of political (democratic) development is necessary to limit arbitrary political decisions by those in power and to ensure effective and fair enforcement of law, including protecting the private property the middle class has acquired. The debate will likely continue, as there are competing historical and contemporary examples with different pathways to economic development and democratization. What is clear, though, is that democratization that provides economic incentives for participants in the process is more sustainable than democratization efforts that offer little or no economic incentives. Likewise, peace and security promotion is more sustainable if accompanied by economic incentives for participants in the efforts, and if the benefits they gain promise or actually offer economic benefits to others. U.S.-Japan cooperation will improve the chances that the target countries will pursue both economic and political development in parallel, rather than having to choose one over the other.

The United States and Japan share common and complementary strengths, values, and interests that offer opportunities for cooperation in the promotion of human security and democratization. The United States has the most extensive experience in dealing with conflicts, post-conflict reconstruction, and crisis management, while Japan is slowly gaining experience in these areas, although its military activities abroad have been and will continue to be severely constrained by its constitutional limitations. On the other hand, precisely because Japan's foreign military activities have been limited, it has emphasized non-military assistance to developing countries, especially in economic and social development, that has important bearings on human security promotion. Both Japan's experience as one of the largest providers of official development assistance and the Japan-initiated UN Trust Fund for Human Security represent the nation's visible contributions to development, human development, and human security.

Japan's post-World War II development as a democratic country—with U.S. support and aid—offers a powerful example for developing countries that are struggling with conflicts or post-conflict reconstruction and peace-maintenance. Promoting stability in developing countries is a common interest between the United States and Japan, as stability paves the way for economic and political development; here again, postwar Japan has demonstrated the viability of a post-conflict path toward economic development and democratization under the stabilizing influence of the United States. Unlike the United
States, Japan has long refrained from high-profile democratization initiatives abroad, but has been building its profile as a democracy promoter in the international community over the last decade. Moreover, the United States has the most successful history of civil society development in the world and has spawned numerous NGOs with global reach. Japan has lagged behind in this area but is slowly gaining experience and capacity in international engagement.

The need for U.S.-Japan cooperation in human security and democracy promotion has never been greater than it is today. The growing threat of terrorism around the world, the proliferation of domestic conflicts in fragile states, the destabilizing impact of refugee crises in developing countries, and the rising xenophobic sentiment against migrants in both developing and developed countries all demand urgent and sustainable responses from the international community. Should the international community fail to take effective action to meet these challenges, the very notions of “international community” and “global order” will be untenable. As the largest and third largest economies of the world, the United States and Japan can and should lead in forging international cooperation to meet this challenge. Not only is it in their interests to do so, it is the right thing to do.
CHAPTER FIVE

Myanmar: The Quest for Democratic Federalism

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Introduction: Two Pivotal Days of Change

March 30, 2011, in Naypyitaw may not have ascended to the oft-quoted hyperbole of the Dickensian canon, “It was the best of times, it was the worst of times,” but it may have been so interpreted in different quarters regarding developments in Myanmar. A deep divide existed in governmental interpretations of that pivotal day and of prospects for Myanmar’s future, which still remain unclear.

President Thein Sein, who was inaugurated that day under the banner of the newly named Republic of the Union of Myanmar, and his military colleagues likely felt great pride that they had attained a long-sought, strongly-advocated goal. In 2004, then-Prime Minister Khin Nyunt (also head of military intelligence and a serving general) announced, with the approval of Senior General Than Shwe, the head of state, that Myanmar had a roadmap toward a seven-stage goal of a “discipline-flourishing democracy.” It would involve the completion of a new, heavily military-scripted constitution; its approval by the people in a referendum; a nation-wide, multi-party election; and the formation of a new government based on that constitution, the third in the history of the state. March 30, 2011, was the culmination of that effort.

Many Western states, governments, and media were skeptical. A half-century of military dominated regimes had restricted civil rights, destroyed a potentially exuberant economy, and created little hope outside Myanmar that things could become appreciably better. The modest advances that the state had made since 2009 did not seem the harbinger of better prospects. After manipulated elections, the credentials of the new government were dubious at best.

To the West, especially the United States and the European Union, the 2011 election augured little hope for more enlightened governance in Myanmar, a pessimism shared by the opposition political party, The National League for Democracy (NLD). It was, in a sense, the “worst of times.” The drafting of the constitution was undemocratic, as was the referendum in May 2008 with its Stalinistic “popular” approval level of 92.3
percent. The elections in November 2010 were essentially manipulated through the registration of parties, the campaigns, balloting, and ballot counting. The constitution was designed to ensure *tatmadaw* (armed forces) control, not only through the national and local legislatures, by requiring that they fill 25 percent of seats with active-duty military, but also through the military’s sponsored political party, the Union Solidarity and Development Party (USDP), and through the requirement that active military personnel lead powerful public agencies: the ministries of defense, home affairs (controlling the police, intelligence, and governmental administration at all levels), and minority relations. The new government re instituted (after it had been abolished by former prime minister and military commander Ne Win) the British model of a “permanent secretary” as the highest career member of a ministry. In addition, twenty-three of the thirty-three permanent secretaries had military backgrounds. The commander-in-chief of the *tatmadaw* could declare martial law under a military-controlled security council. One of the three leaders of the state (president and two vice presidents) would be chosen by the military. In short, the military remained pervasive. Some in the West said the new government was “old wine in new bottles,” but perhaps a more accurate analogy was that it was old wine in old bottles but with new labels.

If March 30, 2011, was one pivotal day in the politics of Myanmar, November 8, 2015—election day—was certainly the second. The NLD won a resounding victory, and the USDP was heavily defeated, but early celebrations of Myanmar’s democratic revolution ignore the continuing, pervasive role of the *tatmadaw* in any new, evolving government. There are likely to be significant differences between the military in uniform and in mufti. Potential anomalies and difficulties abound. The manipulated referendum on the constitution in 2008 and the elections of 2010 had cast doubt among foreign observers that the *tatmadaw* was capable of holding elections that were deemed both free and fair. Foreign observers made political judgments even before the 2015 voting. British Prime Minister David Cameron said they would not be free and fair because opposition leader Aung San Suu Kyi could not run for the presidency. The United States was more circumspect, pronouncing they would not be “free and fair” but nonetheless an “historic moment,” indicating that if voting were not “credible, inclusive, and transparent,” the reasons had to be plausible. The distinction was between “political will” (denying the right to vote) and “political capacity” (the state’s ability to repair its electoral system in the time allotted). “Free and fair,” in part at least, was in the eye of the beholder.

In the views of foreign and domestic observers, the elections were credibly conducted and the results fairly calculated, with anomalies being relatively minor. The NLD, in essence, repeated its (unacknowledged) 1990 victory with about 80 percent of the seats at all levels. The USDP was soundly defeated, and even sitting ministers lost seats. That the NLD won was of little surprise, but the scope of its victory and the poor showing of ethnic parties was unusual. The military has accepted its massive defeat; Aung San Suu Kyi met
with the military leadership (importantly including retired Senior General Than Shwe); and the prospects for a peaceful transition seem high.

The Context of Democracy and Federal Pluralism

The institutions, procedures, and values associated with democratic governance develop slowly and are in constant tension with authoritarian, often protective, tendencies, even in established democratic states. Freedoms and rights are in a delicate balance with stability. Myanmar inherits traditions that will affect how, how quickly, and in what form a pluralistic society evolves in ways that are suitable and acceptable to its culture. Positive breeding grounds exist for Myanmar's change, but so do deleterious historical remnants.

Myanmar has distinct advantages that could help foster democratic change. The Burman (Bamah) area of Myanmar is the only region in East Asia where the pre-colonial elites did not re-emerge after independence. That majority population of Myanmar was highly egalitarian (in contrast to some of the ethnic peoples) in that, although it was poor, it was a shared poverty and lacked a hereditary elite (such as Thailand) that could skew democratic ideas. The military had emerged from the people, and became over time almost a hereditary caste system, with sons inheriting their fathers' mantles when they entered the military elite, but it still offers great mobility. The state had broad natural resources and extensive arable land that could, if properly managed, create balanced growth. Women had traditional legal equality, even if military prominence reduced their access and policy visibility. Although its higher education system—once the best in the region, even reaching poor, rural youth—has been blatantly diminished, it has a growing, and now articulate, civil society sector.

The problems facing the state's development of democratic systems are, nevertheless, daunting. Myanmar has a complex of multiple ethnic groups, each with its own traditional concepts of power and authority. Some equitable distribution of power and resources among the majority Burmans (some two-thirds of the population) and dozens of ethnic groups of varying size and power and extensive geographic coverage, has remained, since independence, the single most difficult, unresolved task facing the state.57 Myanmar is a state, not a nation with a national ethos.58 Ethnic mistrust is a paramount emotion. The personalization of power remains strong, resulting in weak institutions that cannot provide the basis for equity. Legal institutions are under executive command and are not autonomous. The heritage of military rule, with military elites conditioned to expect almost unlimited authority, is a danger. With economic openness there are now growing income disparities that before were marginal. And overarching all these problems is a sense of vulnerability—a feeling amongst each ethnic group, including the majority Burman Buddhists, that there are dangers to their traditional ethos and even survival from internal elements, potential political and social changes, and external controls and influences. This insecurity evokes strong nationalistic, sometimes anti-foreign, responses.
to what are regarded as ethnic, religious, or cultural threats.

The sense of vulnerability is fueled by concerns about the potential use of coercive force against such groups, but also by the fact that they have lost cultural heritage, language, religion, and folk customs. As nationalism has become pervasive in Myanmar, ethnic nationalism has spread and become reified. That is, both real and folk histories have been promulgated with the demise of censorship. Thus, often protective, authoritarian, or undemocratic actions are advocated that not only contravene the political objectives of the government but also violate the new constitution and its provisions for equality based on gender, religion, and ethnicity. The strains felt within the state have both historical and contemporary bases, ranging from colonial discrimination and control to concerns about current Chinese economic influence and Muslim and Christian activities and proselytizing. These often-virulent forces become political and inhibit democratic growth. As the freedoms associated with democracy and free speech have spread, so too have the dangers of virtually fascist discrimination against potential rivals and peoples.

**Toward Inaugurating a New Government in 2011**

The tatmadaw, directly (in 1962–1974 and 1988–2011) or indirectly through its chosen mechanism (the Burma Socialist Programme Party), had ruled Burma/Myanmar since 1962, effectively controlled the state since independence in 1948, and indeed saved the new nation from various insurgencies—ethnic and communist—since its formation. The armed forces became the single effective state institution not only because it held the weaponry but also because it essentially destroyed or neutralized all others. The military “alone had a firm agreed ideology, plus a structure and internal discipline that set it apart from the civilian parties and other players,” according to former Australian diplomat and Griffith University professor, Andrew Selth. The military sought continuing, if not perpetual, control over administrative aspects of the state that it believed were vital both for the country and for the armed forces. These were forcefully and continuously reiterated: national unity, national sovereignty, and the prominent, autonomous role of the military in the state and its politics. Although portrayed abroad as venal and corrupt, many in the tatmadaw acted out of a sense of patriotism, however misguided.

Following the coup of September 1988 that brutally ended the failed people’s revolution of that year, the United States pulled back on its modest economic assistance program and stopped its anti-narcotics activities and military training. The May 1990 elections (whether for a new government or a new constitutional convention is disputed), which had been promised by the military before the coup, were swept by the opposition NLD, led by Aung San Suu Kyi who at that time was under house arrest. The results were ignored by the government, and the United States instituted a policy of “regime change,” calling for recognition of the NLD victory, imposing sanctions, and turning to
Nobel laureate Aung San Suu Kyi for inspiration and, in effect, policy guidance. By any acceptable measure of international legitimacy, governance in Myanmar was suspect.

The United States, however, had recognized by 2008 that the “regime change” policy of sanctions had not succeeded and, prompted by signals from the Burmese that improved relations were possible, began a revised approach to Myanmar. “Pragmatic engagement” was promulgated in September 2009 and called for previously eschewed, high-level dialogue, but also the retention of sanctions that the Obama administration recognized could not be immediately eliminated because of Congressional concerns.

Yet during the run-up to the elections, considerable, palpable reforms had taken place. This was a rare instance in the modern world when reforms were instituted by the leadership and not prompted by demonstrations in the streets. Political prisoners had been released. The media became generally free of censorship. Labor unions were formed. Demonstrations (approved in advance) were possible. A human rights commission had been formed. And quite clearly people felt free to express anti-government opinions. Aung San Suu Kyi was released about a week after the elections, after many years under sporadic house arrest, and one might characterize the period as a Yangon (Rangoon) “spring.” Yet there were few who understood what “democracy” was about, for it was not taught in the schools; the media had been controlled; book imports had been censored; and international communications had been restricted. But new technology had vastly expanded access to worldwide information, and the policies of the government began to change the awareness of democratic concepts. Myanmar could no longer isolate itself or be isolated from abroad.

These evaluations of events in Myanmar, however, were not shared by the Japanese government, which sought a middle path. Under Japanese law, it legally had to re-recognize the government following the coup of 1988, but was under strong U.S. pressure to invoke the isolation and sanctions that the United States had instituted in various tranches. Japan cut off economic development assistance, but quietly refused to adhere to the U.S. policy of regime change and kept providing humanitarian support (far more liberally interpreted than in the United States) and some debt relief. As the largest donor to Burma before 1988 (US$2.2 billion), with about half of all assistance from both bilateral and multilateral sources, Japan was important to Myanmar, and Myanmar had a special place in Japanese sentiments for both emotional and economic reasons.

Realities and Foreign Expectations

The opening of Myanmar to the outside world with the removal of many of the U.S. and European Union sanctions has led to massive changes in foreign influences and their effects on society, and in the expectations of foreigners as to the state’s new reality and potential. Foreign aid has poured in from both bilateral and multilateral donors. Dozens of international non-governmental organizations have set up operations within the country.
Tourists have come in from many states, putting extreme pressures on Burmese facilities and infrastructure, and international businesses have swarmed into Myanmar exploring opportunities and raising real estate and other prices. It was viewed as the opening of the last “exotic” state that had been off from tourists and business and an avenue to quick profits and extensive natural resources.

The problems for the government are twofold. First, it is unclear whether the state and its fragile institutions have the capacity to absorb effectively the flood of economic assistance and foreign private sector investment, and whether the changes will reach beyond the major cities to the overwhelmingly rural populations, many of whom are of different and exploited ethnicities. Second, it is an open question whether nationalistic and even sometimes xenophobic tendencies exacerbated by extensive and sudden changes could impede development by limiting foreign involvement. There is a delicate balance between major external exposure and internal vulnerabilities.

But with the extensive and welcome changes in Myanmar and improved human rights, there have come a variety of foreign expectations at the highest levels that the path in Myanmar is open to democracy, however defined. In Myanmar, the term “democracy” is still used sotto voce and defined by the government—thus, it is seen as representative pluralism based on elections but with significant constraints on some aspects of freedom and rights. The tatmadaw is not a democratic institution and will not (at least for the near term) be subject to democratic, civilian control. The democratic credentials of the management of the NLD and other parties are also suspect.

These expectations have prompted pressures for immediate changes—instant democracy. Perhaps this is an American syndrome, as reflected in proposed Congressional legislation calling for immediate civilian control over the military. Attitudinal polls in Myanmar have only recently been allowed, but those that have been done indicate a relative degree of satisfaction with the changes instituted and the expectations for further reforms. But it is evident that the government in Naypyitaw is a coalition of various personalities with disparate attitudes toward the reforms, and that the writ of the government may not reach into the bowels of the military, the bureaucracy, or the geographic periphery of the state.

**The Future of the Tatmadaw and Democratic Reforms**

If one were to ask about the future of the tatmadaw in Myanmar governance, one should also ask why it has exerted so much power for so long, even controlling political parties. Contrary to any other military-dominated state in Asia (Thailand, Indonesia, Vietnam, South Korea, Pakistan), only in Myanmar did the military control all avenues of social mobility. Civil institutions were destroyed by General Ne Win after 1962 and put under the command of the military-dominated state. Economics, civil society, politics, the sangha (Buddhist clergy) hierarchy, and education were all under strict control. Ethnic minorities...
were excluded from the top echelons of the military (colonel and above), and there seems to be no one in that category who is not a Buddhist. Muslims and Christians were not in policy positions.

Since 2011, however, the avenues of mobility have greatly expanded. Although the military remains a desirable career, politics, civil society, and economic roads to advancement are all in play. Education has expanded, and opportunities exist for foreign training. The military has indicated that it is prepared to change the constitution, which requires its concurrence, but it is deterred by its lack of trust generally of civilian politicians and specifically of Aung San Suu Kyi, who has publicly indicated that she will lead the party even if she cannot run for the presidency or vice presidency.

As military influence begins to diminish, the strong role of Burmese women will begin to reappear. Their economic and educational roles decreased as the military occupied a greater number of positions throughout the bureaucracy. Their economic acumen is well understood in that society, and the increasing role of women in education should allow them to engage in more important entrepreneurial activities and at higher levels.

The most contentious issue, as it has been since independence, is still the minority dilemma. For a half century, the tatmadaw has said that federalism is the first step toward secession, and since the primary goal of the army has been national unity, this issue looms large. Various armed ethnic groups in the past have called for independence and/or autonomy, but these in recent years have focused on some form of federal structure. On October 15, 2015, the government signed a ceasefire agreement with eight of the armed ethnic groups, and it hopes to sign with the remaining dissident organizations in the future. This agreement calls for some (as yet undefined) form of federal structure for the state and for democratically elected local councils. In the past, each minority that has tried to define its role in the Union has advocated a different form of federal structure—some with a quite restrictive role for the central government. For the pursuit of any form of federalism, the constitution must be amended.

Also of concern is the future of the presidency. Although presently Aung San Suu Kyi cannot assume the posts of president or either of the two vice presidents, she can control the NLD nominees, as the NLD is a party completely under her sway. Aung San Suu Kyi’s public statements that she will be above the president and control power raise questions of both theory and practice. Constitutions, for better or worse, are the ultimate laws of any land, and Aung San Suu Kyi has continuously invoked the mantra of “Rule of Law” (in emotional capital letters), but claiming power over the head of state raises serious intellectual discrepancies between her pre- and post-election views.

In spite of obvious satisfaction with the results of the 2015 elections, the U.S. Congress continues to restrict the objectives and uses of appropriated funding in Myanmar, and requires that all expenditures be approved by appropriate Congressional committees. Congress made explicit references to evaluating the Rohingya people’s situation and
whether genocide has been committed, and to withholding funding for the Burmese government, State Peace and Development Council (SPDC)-related institutions or individuals, military-owned enterprises, and any organization promoting ethnic or religious violence (Ma Ba Tha, explicitly). Funds shall be used to foster democracy and civil society, and ethnic and religious tolerance. In multilateral assistance, the United States is to use “its voice and vote” to promote accountability and transparency, environmental conservation, social and cultural protection, and local empowerment, especially of ethnic groups, and avoid displacement of populations. Military training is prohibited, but military consultations are encouraged on human rights and disaster relief. There is a considerable policy gap between the Congress, with its cautious approach to assistance to Myanmar, and the executive branch, with its more open-minded attitude. If the United States has positive but ambivalent attitudes, the new Aung San Suu Kyi administration will be exploring revisions to the cabinet, administrative structure, “peace process” with minorities, and other aspects of governance. Potential collaborative projects between and among donors will be subject to review.

Myanmar elects its president and two vice presidents indirectly, thereby creating tensions to which any Japanese-U.S. cooperation will be subject. Loyalty seems to have been the salient factor, with the president and second vice president characterized as loyal to Aung San Suu Kyi. The first vice president, chosen by the military, is a retired but stalwart military figure with supposed ties to former Senior General Than Shwe, and at the time of his appointment was on the U.S. sanctions list.

The next months will set the stage to determine how much collaboration the United States and Japan can entertain to foster democratic growth. Whatever projects are proposed, they should be determined, after careful analysis, not to favor any political party.

Recommendations for U.S.-Japanese Collaboration

This is a critical time for the new government, and quick, decisive, effective collaborative actions by the United States, Japan, and Myanmar are in the national interests of all three states. Yet any recommendations for an enhanced and collaborative role for Japan and the United States will prompt negative reactions from the People’s Republic of China. China has regarded the improved U.S.-Myanmar relationship as part of a plan of “containment”—once again, as in the Cold War era, constraining Chinese activities in Southeast Asia, long regarded by that state as its sphere of influence. It has also publicly linked Japan’s role in the Senkaku Islands dispute with the increase in Japanese assistance to Myanmar. Cooperation between Japan and the United States in Myanmar programs will no doubt exacerbate Chinese fears. In framing recommendations for improved cooperation, however, it is possible to suggest activities that both include China and allay some of its concerns. China, for example, does not wish to see the United States active
along its frontiers. In any recommendation, the Myanmar government and people must be aware that the United States and Japan are not ganging up on that country, and all recommendations must be collaborative with the Myanmar government and institutions.72

This period in Myanmar, as noted above, is marked by a high degree of nationalism, in part based on a sense of internal and external vulnerability. Under these circumstances, any approach to projects that have as their end some form of democratic governance should be indirectly focused, if they are to be accepted by both the government and people. That is, projects should be directed toward improving the processes that lead to democracy, rather than the end product—democracy—itself. The processes depend on equipping institutions with the capacity to deal with change, and educating those who influence such institutions that compromise is an essential ingredient of democracy.73 This, of course, raises dilemmas in the United States, although not in Japan. Congressional approval for spending or focus on projects or activities that do not seem to target democratic ends (but are essential to this evolution) may be treated with more skepticism than those associated with a specific democratic product, such as elections.

Yet, the U.S. Agency for International Development (USAID) program is in large part devoted to this end.74 If the previous analysis of the problems associated with democratic governance are accurate, then building institutional and personal capacities that support democracy would be a prudent, and likely more enduring, contribution, even if prolonged, than a direct approach to the issue. The possibilities for Japanese-U.S. cooperation become even more important because Japan can fund government entities that are denied funding under U.S. legislation.

Some recommendations for joint action are:

- Since some form of federalism is now built into the October 15, 2015, ceasefire agreement, there will of necessity be an expansion of the roles of the regional and state (both provincial) legislatures to at least partly manage these new responsibilities. Building the capacities of such institutions through overseas and on-site training in a variety of fields could be an important and joint project directed toward expanding pluralism and democratic processes.
- Federalism will require new local tax initiatives, and joint technical assistance in this area could be useful.
- Collaborative projects between Japanese and U.S. NGOs could assist indigenous NGOs, as civil society is a crucial element of the democratic process. Such assistance should go directly to local NGOs, which have complained in the past of significant funding being used for foreign administration rather than local programming.
- Educational programs at the college level that would expand the capacities of youth are important. Special attention might be given to the regional and state colleges, which are woefully lacking in depth.
• Since the military is likely to continue to play essential roles in the state, and civil-military relations have been characterized by mistrust, the development of a “war college,” serving as a military-civilian training institution for upper-echelon officers and civilians (especially those from minority groups), would broaden the education of future military and civilian leaders and foster their productive interaction.

• Collaboration with the South Korean-funded Myanmar Development Institute could include planning private sector reforms, including development of a stock market (a Japanese interest for over a decade), which the United States could support. Although the “Washington consensus” is that democracy, free markets, and development are necessarily intertwined, economic development planning could lead to improved livelihoods for the rural populations and greater pluralism.

• Japan and the United States share long media traditions. The development of media capacity and standards is important, and although the United States has been involved in this effort, Japan also has much to offer, and a coordinated program could have productive impacts.

• Collaborative projects could be developed to improve labor standards and factory/industrial production.

• The judicial system is under the control of the executive branch and needs training and resources that could be avenues for collaboration, even though the U.S. common law system is distinct from the Japanese, which is based on the continental European model.

• Environmental protection has important potential for collaborative technical assistance.

• Enabling the sangha to have greater contacts with international and Japanese Buddhist institutions, as well as ecumenical activities more broadly, could be helpful.

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**On Names**

The military in July 1989 changed the name of the state from “Burma” to “Myanmar” (an almost millennium-old name) arguing that Myanmar is more ethnically inclusive. The government has insisted on that name for all references to the state at any period. The UN adopted the new name, but the U.S., UK, Canada, and Australia did not, because Aung San Suu Kyi said the name was not chosen by the people. Here, without political implications, “Myanmar” is used for the period since 1989, Burma for earlier eras, and “Burmese” as an adjective, for the language, and for citizens of that state.
• Japan and the United States could provide assistance to women’s organizations involved in labor-intensive factories.

• Broad collaborative efforts by U.S. and Japanese NGOs could provide both assistance and models for improved organizational coordination useful in Myanmar and other countries.

• The extensive Japanese academic research on rural development and agriculture could be a basis for U.S. and Myanmar cooperation on practical programs.

• Fieldwork research methodology needs specific instruction to ensure that studies conducted meet objective criteria for planning and analysis. Japanese and U.S. scholars have established reputations in this field and could collaborate with junior university faculty and graduate students.

**Myanmar Data**

- Population: (2014) 51.4 million
- Area: 676,578 sq. km.
- GDP (2012/13): US$55.8 billion
- Per capita income: US$876
- Urbanization: 40%
- Major ethnic groups:
  - Burman (Bamar) 68%
  - Shan 8.5%
  - Karen (Kayin) 6.2%
  - Rakhine 4.5%
  - Mon 2.4%
  - Chin 2.2%
  - Kachin 1.4%
  - Kayah 0.4%
  - Foreign/others 5.4%

- Military forces: 350,000 (est.)
- Police forces: 72,000
- Religion:
  - Buddhist 89.55%
  - Muslim 4.0%
  - Christian 4.1%
  - Hindu 0.5%

- Size of Sangha (2012):
  - Monks 265,204
  - Novices 291,293
  - Nuns 45,353
Introduction

Myanmar is now entering the second phase of its decentralization, which started in 2011 with the transfer of powers from the military regime to the pseudo-civilian government, partially elected parliament, and Supreme Court, all serving five-year terms. These state organs, formed according to the 2008 constitution and the result of the 2010 election, have no jurisdiction over the military. The election, held on November 8, 2015, determined that opposition leader Aung San Suu Kyi and her party, the National League for Democracy (NLD), would lead the country for next five years, 2016–2020, together with the military’s powerful commander-in-chief.

Myanmar, a Southeast Asian country with 51 million people, was under successive military dictatorships for nearly five decades after 1962. The last dictator, Senior General Than Shwe, who ruled for eighteen years as the Chairman of the State Peace and Development Council (SPDC), successfully managed to write a constitution designed to share powers between the military and whichever political party won the election. The constitution was adopted in May 2008 through a sham referendum, while the country was being hit by tropical cyclone Nargis, which left more than 130,000 people dead or missing and millions homeless. The constitution was designed as a graceful exit for Senior General Than Shwe and military elites; their future is safe and protected as long as the constitutionally-vested powers of the military, including the provision prohibiting legal action against any members of previous military regimes for execution of their respective duties, remain unchanged. Than Shwe ended his rule in 2011 and transferred his powers to new leaders who emerged from the 2010 election. That election was rigged by the authorities to create a victory for the military-backed Union Solidarity and Development Party (USDP), and was boycotted by democracy forces led by the NLD.

The 2008 constitution is not democratic. Even so, the transition from consolidated powers in the hands of a strongman to separation of powers, term limits, and regular elections is a big change for Myanmar. The country is not a democracy yet, but it is
definitely undergoing a process of decentralization. This is also an opportunity to build trust between military and civilian politicians and test if they can work together within the new system. The 2015 elections offered the opportunity for the country to pass from the first phase of decentralization (2011–2015) to the second phase (2016–2020), which should be welcomed and encouraged. The second phase should bring more freedoms and greater public participation in politics, as well as more mutual understanding between rivals for power. Only if the second phase is better than the first, however, can one see Myanmar entering a path toward democracy in the third phase of decentralization, beginning in 2021.

At the moment, the question is whether the glass is half empty or half full. Many in Myanmar see the glass half full, as they all come from an era in which there was no water at all in the glass. Even to see the glass half full today is an accomplishment. The people of Myanmar have struggled for many long years, suffering great losses among their families and friends in the journey towards democracy, human rights, and human dignity. It is important to recognize that solidarity and support from the democracy-loving peoples and democratic countries around the world have helped the people of Myanmar endure the hardship and suffering under oppressive and ruthless military regimes. This paper examines the approaches of two major democratic countries, the United States and Japan, in moving Myanmar toward democracy over the last twenty-seven years, from the perspective of a veteran democracy activist from Myanmar.

**Japan’s Role in Myanmar’s Struggle to be Free from Military Rule**

As soon as the election results were announced and the NLD’s landslide victory was clear in the second week of November 2015, the Japanese government invited the NLD to send its senior leaders to Japan. On November 27, 2015, Japanese Foreign Minister Fumio Kishida received U Nyan Win, Central Executive Committee member of the NLD, at his office in Tokyo and assured him of Japanese support for the NLD. Kishida also expressed his hope to receive a visit by Aung San Suu Kyi in near future.78

This represented a totally different attitude by the Japanese government towards Aung San Suu Kyi. Nine years before, in June 2006, when the United States requested that the UN Security Council discuss the human rights situation in Myanmar, due to the military regime’s continued detention of Aung San Suu Kyi and thousands of other democracy activists, Kenzo Oshima, then Japan’s Permanent Representative to the United Nations, said that, “The Security Council is a body that is primarily responsible for threats to international peace and security. We don’t take up any matter whenever somebody is arrested or someone is kept in house arrest.”79

Such a statement can be considered the official policy of the Japanese government in its approach to democracy movements around the world. It does not engage and support
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democracy movements; instead it engages and supports dictatorial regimes with the aim of persuading them to change their mindsets and accept popular demands in exchange for generous financial assistance. The Japanese government did not talk to Aung San Suu Kyi when she was in detention and powerless. It wants to talk to her now when she is going to be the effective leader of the new government.

Japan has played an important role in Myanmar since the Second World War. Japan helped the legendary Thirty Comrades, led by Aung San, politician and father of Aung San Suu Kyi, to form the Burma Independence Army (BIA) and drive out the British in 1942. However, the country was under brutal fascist rule for three years between 1942 and 1945, and some older people still remember the atrocities committed by the Japanese troops during that time. After the two countries normalized diplomatic relations in 1954, Japan became the biggest donor to Myanmar, and its development aid helped Myanmar build major infrastructure projects. Although the country’s movies, cartoons, and stage plays continue to portray Japan as an aggressive occupier during World War II, the people of Myanmar have clearly distinguished between the fascist Japan of the past and the democratic and generous Japan of the present. They admire Japan’s effort to become an economic giant and a great democracy in Asia, after losing wars to the Western countries. This was one reason why student activists challenging the Socialist regime protested in front of the Japanese Embassy in Rangoon (Yangon) in August 1988, in the hope that the Japanese government would use its economic influence to pressure dictator Ne Win to give up power.

After the military’s crackdown on peaceful demonstrations in September 1988, Japan briefly withheld development aid to Myanmar, but resumed it in February 1989. Tokyo never imposed sanctions on the military regime or withdrew its ambassador; rather, it tried to gain influence over the regime by recognizing it and providing financial assistance in the form of humanitarian assistance and debt relief, while ignoring calls from Myanmar’s democracy movement to apply pressure. Several Japanese politicians and business leaders who sympathized and had close relations with the ruling generals also encouraged the Japanese government to increase engagement with the military regime. Between 1988 and 2010, the Japanese government provided $290 million (¥30.5 billion) in grants and $597 million (¥77.7 billion) in debt relief to the military regime. As overseas development assistance (ODA) is the most important element in its post-war foreign policy, the Japanese government intended to help Myanmar, one of Japan’s top ten ODA recipient countries, develop its economy first and enjoy democracy later.

On September 15, 2006, Japan, then a non-permanent member of the UN Security Council (UNSC), voted in favor of a proposal jointly submitted by the United States and the United Kingdom to include the situation in Myanmar on the UNSC’s permanent agenda. Although Tokyo did so under American pressure, it faced a strong response from the military regime. The regime publicly denounced the Japanese government for its vote
at the UNSC, and the regime’s newspapers published stories of human rights violations against the people of Myanmar, committed by Japanese soldiers during World War II. However, even though relations between the military regime and Japan were then at their lowest level, the Japanese government did not stop providing funding. Between 2007 and 2010, Japan provided US$168 million to Myanmar in the form of humanitarian assistance.84

As Myanmar’s generals have started a political transition from direct military rule to constitutional government, Japan has enthusiastically resumed the role of major, generous donor in Myanmar. According to Donald Seekins, between 2011 and 2015, Tokyo has forgiven an unprecedentedly high percentage of Myanmar’s debt, provided a bridge loan to pay off debts to the World Bank and the Asian Development Bank, and made Myanmar the top recipient of Japanese ODA.85

Some Myanmar watchers, such as Seekins, are concerned that military and crony capitalists are the only beneficiaries of the Japanese assistance from debt relief and infrastructure projects. Such concerns will still be legitimate if the military and its proxy party, USDP, continue to hold power. However, the November 2015 election made it clear that Aung San Suu Kyi and her party, the NLD, will form the new government and rule the country for at least five years. Therefore, by writing off Myanmar’s loans and providing bridge loans to clear the country’s debts with the World Bank and the Asian Development Bank, Japan greatly helped remove major burdens for the new government.

Although Japan’s flirtation with the military regime was not appreciated in Myanmar, its involvement in the country’s peace process is recognized by ethnic minorities and politicians as useful and necessary.86 On February 25, 2013, the Japanese government appointed Yohei Sasakawa, Chairman of the Nippon Foundation, as its Special Envoy for National Reconciliation in Myanmar.87 It was the first deep involvement and commitment by a foreign government to end the conflict in Myanmar, the world’s longest running civil war. It was also the first time for Japan to appoint a Special Envoy to help national reconciliation in another country. Tokyo also allowed some leaders of ethnic armed organizations, based near the borders with China and Thailand and without official passports, to travel to Japan to meet with Japanese officials and Myanmar citizens in exile.88 The Japanese government has promoted and facilitated dialogue between the Myanmar government’s representatives and ethnic armed organization representatives in Thailand. Tokyo also helped armed ethnic organizations hold summits to discuss the Nationwide Ceasefire Agreement. This Japanese assistance was well recognized and appreciated by the people of Myanmar, who also want other major democracies to help the country’s peace process actively.
United States’ Role in Myanmar’s Struggle to be Free from Military Rule

The United States was not well respected in Myanmar until the 1980s. It had supported Chiang Kai-shek’s Kuomintang forces (KMT), which crossed the border from Yunnan and invaded the eastern part of Myanmar in Shan State in 1950, after the Chinese Communist Party’s victory in China. It took many years for the government of Myanmar to defeat the KMT troops and expel most of them to Taiwan. However, thousands of KMT troops remained in the country and became major drug producers and traffickers, controlling the notorious Golden Triangle, the lawless, opium producing area touching the borders of Myanmar, Laos, and Thailand. In response to previous American actions, then-Vice President Richard Nixon was greeted in Rangoon on November 23, 1953 with anti-American protests in front of the U.S. Embassy.

Because post-war Myanmar was a socialist nation, the United States was the favorite target of the country’s leftists. Between the late 1950s and early 1960s, domestic journals and magazines regularly criticized the United States for its invasion of Indochina, especially in Vietnam. The U.S. Embassy in Rangoon was the major venue for the country’s leftists and students to protest U.S. support for the KMT forces and interference in other countries’ affairs. These protests were stopped only when General Ne Win took power in 1962 and banned all protests and demonstrations, although the war in Vietnam continued until 1975. The United States was also an early supporter of Ne Win’s socialist, one-party government and provided it with cash, helicopters, and technical assistance to eradicate narcotics production. But Ne Win used this aid for his personal benefit and to attack ethnic insurgencies, instead of fighting illicit drugs. Even just before the nationwide uprising in August 1988, U.S. Congressman and Chairman of the House Committee on Narcotics, Charles B. Rangel, visited Rangoon and praised Ne Win’s government for its cooperation with the United States in the war on drugs.

However, as the Cold War began to wind down in the 1980s, the view in Myanmar of the United States began to change. Seeing Soviet leader Mikhail Gorbachev’s efforts to reform the Communist Party, the people of Myanmar realized that democracy or a multi-party system and market economy were much better than a socialist or communist one-party dictatorship and a planned economy. The United States became the leading light for democracy in the minds of the people of Myanmar. Therefore, during the nationwide popular uprising in August 1988, many demonstrators marched around the U.S. Embassy on Strand Street in Rangoon, hoping that Washington would intervene, as it did during the people’s power revolution in the Philippines in 1986.

The United States responded to this popular call by strongly pressuring the socialist government to negotiate with the leaders of the democracy movement. U.S. Congressman Stephen J. Solarz came to Rangoon for a one-day trip in September 1988, and held separate meetings with then-President Dr. Maung Maung, opposition leader Aung
San Suu Kyi, and student leader Min Ko Naing, unsuccessfully advising them to form a coalition government to facilitate the peaceful transfer of power from the socialist regime. The military, however, took power on September 18, 1988, and ruled the country with an iron fist for another twenty-three years. 

During Myanmar’s struggle for democracy and human rights, the United States was regarded as the best friend of Myanmar, helping to free the country from dictatorship. Washington lived up to this belief by applying economic and diplomatic pressure on the military regime and by providing financial and moral assistance to the democracy movement. However, as Myanmar was not a very important country for the United States, Washington did not make it a foreign policy priority until 2003. During these years, U.S. pressure on the military regime was minimal. It included occasionally issuing statements of denunciation, demanding the release of Aung San Suu Kyi and all political prisoners, co-sponsoring annual, non-binding resolutions at the UN General Assembly and the UN Commission on Human Rights, and a ban on U.S. investment in Myanmar in May 1997. U.S. support for the democracy movement was also negligible. 

U.S. policy toward Myanmar changed dramatically with the May 30, 2003, brutal attack by regime-sponsored thugs against Aung San Suu Kyi and her party members near Depayin Township (also known as the Depayin Massacre) and subsequent arrests of and crackdowns on the members of the NLD. The Burmese democrats in exile successfully lobbied leaders of the U.S. Congress, especially Senators Mitch McConnell, John McCain, and Diane Feinstein, as well as Representatives Tom Lantos and Peter King, to approve legislation imposing comprehensive sanctions on Myanmar, known as the Burmese Freedom and Democracy Act of 2003, and to increase Congressional earmarks for the democracy movement to several million dollars. Then-First Lady Laura Bush also became an admirer of Aung San Suu Kyi, and her active advocacy helped make Myanmar a U.S. foreign policy priority. 

During President George W. Bush’s administration, the United States imposed strong pressure on the military regime, including banning imports from Myanmar; severing financial transactions between the two nations; naming ruling generals, their associates, and crony businesspersons on the Specially Designated Nationals list; and working to have the UN Security Council place Myanmar on its permanent agenda, despite opposition from China and Russia. 

Burmese democrats in exile, including the author, argued in Washington that imposing pressure on the regime alone would not work. Instead, we believed that sanctions should be combined with direct engagement with the regime, stressing the conditions under which the sanctions could be lifted. Burmese democrats hoped that direct U.S. engagement with the regime would yield results, including the relaxation of restrictions on society, the freeing of political prisoners, and the establishment of dialogue between the regime and democracy forces. The Bush administration was not interested
in engaging the military regime, however. The one and only meeting between three ministers of the military regime and then-U.S. Deputy Assistant Secretary of State Eric John in Beijing in 2007, which was facilitated by the Chinese government, did not produce any result and no further meetings took place.\footnote{96}

After taking office in 2009, the Obama administration reviewed U.S. policy on Myanmar, coinciding with the military regime’s plan to make the transition toward less centralized power through the 2010 election. When the regime released Aung San Suu Kyi from house arrest in November 2010, the United States began to exercise a policy of “pragmatic engagement” with Myanmar, with a “measure to measure” response. As required by Congressional legislation known as “The Block Burmese Jade Act of 2008,” the Obama administration appointed its first U.S. Special Representative and Policy Coordinator for Burma, choosing Derek Mitchell in August 2011. In July 2012, Mitchell became the first U.S. Ambassador to Myanmar since 1990, marking the improvement in relations between the two governments.\footnote{97}

Between 2012 and September 2015, Washington suspended or lifted most sanctions imposed on Myanmar and provided $276 million through the U.S. Agency for International Development (USAID);\footnote{98} the State Department’s Bureau of Democracy, Human Rights and Labor (DRL); the National Endowment for Democracy (NED); and American non-governmental organizations (NGOs). However, since such funding goes directly to American NGOs, which spend significant amounts on administrative costs, the actual amount received by the people of Myanmar is far less than the official total.

Even though bilateral relations have improved and the main opposition party is forming a new government, it still may not be possible for the Obama administration to lift all remaining sanctions on Myanmar, due to the pressure from Congress.\footnote{99} Some members of Congress have accused the Myanmar government and ethnic majority of human rights abuses against Muslims in Rakhine State, whom they call the Rohingya.\footnote{100} While Aung San Suu Kyi is trying to make the post-election transition as smooth and peaceful as possible, she is also under pressure from U.S. officials who visit Myanmar frequently and demand that she address, as early as possible, the situation in Rakhine State.\footnote{101}

For Suu Kyi, the situation in Rakhine State is very important, but there are also many equally important issues to be addressed, such as the wars in Kachin and Northern Shan States, the temporary suspension of the Myitsone Dam Hydropower Project, the ongoing peace process and national reconciliation, the need for support from the military, the rehabilitation of flooded regions, land confiscation, corruption and mismanagement within the government’s services, poverty, drugs, racial and religious conflicts, discrimination, and the status of women.

When she was asked about the situation in Rakhine State by Lally Weymouth from \textit{The Washington Post} on November 20, 2015, she replied, “That is a problem. I don’t deny it. But I wonder why they think there are no other problems in this country. It is a very
skewed view of the situation—to look at it as if this is the only problem our country has to cope with.”

**U.S.-Japan Cooperation on International Democracy Support: Myth or Reality?**

The United States and Japan are well-developed and mature democratic countries as well as allies. Given how close they are, some believe that the two countries should work together in harmony to promote democracy and support democracy movements around the world. That has not been the case in Myanmar.

The United States and Japan practiced two different approaches in Myanmar in the past. The United States gave significant support to Myanmar’s democracy movement and tried to isolate the military regime by imposing sanctions, organizing international pressure, and calling on the UN Security Council, the most powerful international body in the world, to intervene. Japan recognized the military regime as the country’s legitimate government and engaged it deeply, refusing to apply economic pressure. As noted, Japan voted for the joint U.S.-U.K. proposal to include Myanmar on the agenda of the UNSC in September 2006, but only when it needed strong U.S. support and security assurance as North Korea test-fired several missiles over Japan in July 2006.

The approaches of the two countries differed on issues such as providing financial assistance to the democracy movement, aiding the regime, accepting refugees, granting visas to military leaders, and giving scholarships to Burmese students. Far from cooperating with the United States to support the democracy movement in Myanmar, Japan pursued its own path. During these years, Tokyo held a vague position, trying to build a bridge between itself and other countries, such as the United States and members of the European Union that imposed sanctions and pressure on Myanmar’s military regime; and China, India, and the Association of Southeast Asian Nations (ASEAN) countries, which adopted a policy of engagement and cooperation with Myanmar’s generals. As Toshihiro Kudo has rightly pointed out, Japan was caught in the gap, instead of filling it.

**U.S.-Japan Cooperation to Assist Ongoing Democratization and National Reconciliation in Myanmar**

Myanmar is now stepping into uncharted territory, and both the NLD and the military are about to do something new in their experience. Although it won a landslide victory in the 1990 election, the NLD never had a chance to rule the country. Now, twenty-seven years after its formation, the NLD is going to govern Myanmar. As the upcoming Union Parliament is largely dominated by the NLD and its allied ethnic parties, the military members of parliament, who will be appointed by the commander-in-chief and control 25
percent of seats, automatically become an opposition group, a role they have never before played. The NLD and the military have to work together to govern the country, which is a new approach for both. The military has to recognize the civilian president, selected by Aung San Suu Kyi, as the head of state, and pay respect to a civilian, which it has not done for fifty years. There are thus many uncertainties ahead.

The future of the country is going to be shaped by the NLD and the military, and particularly by Aung San Suu Kyi and Senior General Min Aung Hlaing, at least for the next five years. Although the NLD will be able to lead the legislature, the military controls enough seats to block any attempt to amend the constitution. The president will have to work with one vice president and three ministers of Home Affairs, Defense, and Border Area Affairs, who will be appointed by the commander-in-chief. In the powerful, eleven-member National Defense and Security Council, which has the authority to declare a state of emergency in any part of the country and appoint the commander-in-chief, the military already has a majority of six seats, and therefore is able to undermine the president’s agenda. In this power-sharing dynamic between the military and the NLD, the political future of Myanmar is uncertain. Aung San Suu Kyi and Min Aung Hlaing will need to modify their mindsets to accept each other, and only then can the two “tango.”

On December 4th, Senior General Min Aung Hlaing delivered an address at the Passing-Out Parade of the Defence Service Academy’s Fifty-seventh Intake in Pyin Oo Lwin. He spoke about the military’s participation in politics, and noted that “since democracy system enhances one’s value, in due respect we will have to proceed for the betterment of the country with a reciprocal arrangement.” By emphasizing “reciprocal arrangement,” he made it clear that as long as Aung San Suu Kyi and the NLD acknowledge the role of the military and treat it with respect, the military will respond with the same attitude.

Although the United States and Japan acted differently towards Myanmar in the past, they now have to work together and cooperate. Achieving democracy, development, peace, and national reconciliation is not only beneficial for the people of Myanmar; it is also beneficial for the United States and Japan. Transforming a dictatorial regime under the influence of communist China to a democratic government less beholden to Beijing will effectively help the two countries contain and balance the rise of China in the Asia-Pacific region.

There are many ways to improve cooperation between the United States and Japan to assist democratization and national reconciliation in Myanmar in the coming years. Among them are helping empower the democratically-elected civilian government, encouraging the military to work with the civilian government, strengthening civil society organizations, supporting national reconciliation, and nurturing moderate generals in the military. But both countries should avoid overlapping roles and duplicating assistance, and each should try to assist in areas in which the other cannot contribute. In particular,
since U.S. assistance for Myanmar will still be limited due to Congressional pressure, Washington should encourage Tokyo to provide support in areas where the United States is prohibited.

For example, under the restrictions imposed by Congress, the United States cannot provide assistance directly to the government. Japan faces no such limitations and can provide assistance for government and infrastructure projects as well as private economic development. The United States is expected to continue financial assistance to civil society and ethnic organizations to improve citizens’ participation in the country’s affairs and enhance the values of democracy, human rights, and citizens’ rights. Both countries can play an important role in supporting a free media and an ethical, independent, impartial judiciary, as well as in establishing the rule of law. They can help train journalists, judicial officials, human rights lawyers, and law enforcement officials, and improve law schools and media training in the country’s universities. Both countries can also help improve the lives of farmers and workers by providing micro-finance loans, small grants, and technology. U.S. and Japanese banks can help small- and medium-sized enterprises in Myanmar grow and develop. Providing scholarships to large numbers of Myanmar students to obtain advanced degrees in the United States and Japan is also greatly needed. Supporting state and regional parliaments is vital to improving regional governance.

In terms of relations with the military, now is the time to engage the brigadier and major generals, who may become the leaders of the military in coming years. However, the U.S. government is still not able to engage Myanmar’s military, due to Congressional restrictions. Therefore, the Japan Self-Defense Forces (JSDF) can play an important role in engaging Myanmar’s military and in professionalizing mid-level officers. U.S. military personnel may be able to participate in Japan-Myanmar military cooperation as observers or trainers. A proposal from Dr. Maung Aung Myoe of the International University of Japan to establish a Myanmar National War College to provide training programs for military officers in all services, government staff, and members of civil society, is desirable, but may not be realized in the foreseeable future. Meanwhile, the JSDF should assume this responsibility by bringing mid-level officials from Myanmar’s military and government to Japan for training, with the help of U.S. military trainers. Japan once trained thirty young activists from Myanmar, who would become known as the Thirty Comrades and original founders of the Myanmar military in 1942. If Japan would train mid-level military officials again in the twenty-first century, they might become the new line of leaders who will transform the Myanmar military into a professional army.

National reconciliation is the single most important issue in Myanmar. The country will not be democratic, developed, united, and prosperous without ending the seventy-year civil war through political dialogue; without addressing and satisfying the demands made by the ethnic minorities for equality, autonomy, and self-determination; and without
amending the 2008 constitution to be more democratic, equal, and just. It is extremely important to bear in mind that national reconciliation cannot be achieved in Myanmar without the active participation, pragmatic compromise, and greater flexibility of the military leaders.

The United States and Japan are expected to continue to get involved in Myanmar’s ongoing peace process. They are expected to encourage all actors to make sincere, ethical, balanced, and responsible efforts to achieve and sustain a durable peace through meaningful and inclusive political dialogue. They both should monitor the ceasefire agreement and its implementation, assist in clearing landmines, and help in the rehabilitation of war-torn villages and families, while recognizing the military as an important and essential institution in bringing peace to the country.
In 2002, the United States and Japan entered new territory when they committed to undertake state building in Afghanistan. Not to diminish the experience of decades of democratic and developmental assistance in an array of troubled countries, but Afghanistan was *tabula rasa* with respect to functioning (or even existent) state institutions, infrastructure, public services, and a national security force. Making the challenge all the more formidable was the “accidental” nature of the U.S.-led invasion. The justifiably swift response to the attacks of 9/11 left little time for a post-combat strategy or the studied allocation of resources necessary to stabilize the country. By comparison, this endeavor has been distinct from the legitimization of post-war Germany and Japan.

At the time of intervention, no state had existed in Afghanistan for over twenty years, and the preceding communist governments of the Democratic Republic of Afghanistan and the Republic of Afghanistan were neither stable nor legitimized by majority support. Given the exceptional degradation of Afghanistan on numerous levels, the dual tasks of reconstruction and development were and remain daunting.

This chapter will reflect on traditional U.S. and Japanese approaches to democracy assistance and the extent to which the two countries have followed those approaches in Afghanistan. The review will consider the parties’ goals and expectations and the programmatic activities supporting these ends. It will conclude with some recommendations reflecting the countries’ experiences in Afghanistan and areas that would benefit from enhanced U.S. and Japanese democracy assistance efforts.

**Political and Developmental Democracy Assistance**

With the growth and maturation of democracy assistance, two differing strategies have emerged among leading donor states. Often characterized as “American” (political) vs. “European” (developmental), elements of each have been incorporated to varying degrees on both sides of the Atlantic and the Pacific. American and Japanese aid to Afghanistan is better appreciated by taking these strategies into account.
The American approach emphasizes political and civil liberties in a democratization process that Thomas Carothers of the Carnegie Endowment for International Peace has described as a “struggle in which democrats gain the upper hand in society over non-democrats.” This description characterizes the foundations of U.S. democracy support strategy. It targets processes, such as elections, and pillars of civil society, including political parties, business and labor associations, media, and rights-based non-governmental organizations (NGOs). While at times conflating political and developmental approaches, the U.S. Agency for International Development (USAID) funds the lion’s share of U.S. government-sponsored democracy assistance. Yet, with comparatively smaller budgets, the independent National Endowment for Democracy and the Department of State’s Bureau of Democracy Human Rights and Labor help set the tone with their overt adherence to political processes. Based on Office of Economic Cooperation and Development (OECD) data, the U.S. assistance in the government and civil society sectors averaged just over $4 billion annually from 2005–14.

Largely endorsed by Japan and the European aid community, the developmental approach sees democracy in a broader sense, whereby economic and social rights are on par with political and civil rights. Tending to avoid programming deemed “too political,” developmental democracy assistance focuses on building the governance and technical capacities of the state in the belief that democracy will eventually come to the fore as part of a gradual process. In most instances, those donors applying the developmental model engage state institutions directly and at their behest; indigenous civil society organizations are less common recipients of support. Japan’s primary vehicle for ODA is the Japan International Cooperation Agency (JICA), whose means of assistance come as “a form of development aid rather than as an instrument of political empowerment,” with most aid going to “nonpolitical governance reforms.” Put in perspective, only 1.7 percent of Japan’s foreign aid allocation goes to democracy support programs, with 93.5 percent going to state institution building. Yet it is worth noting that after a revision in Japanese ODA in 2003, Tokyo spent approximately $100 million per year on democracy support; by the end of the 2000s, assistance rose to between $200 and $300 million per year.

U.S. and Japan Democracy Assistance in Afghanistan: Aims, Approaches, and Activities

Absent a popular, nationally-supported Afghan government, an inclusive group of Afghan leaders met under United Nations auspices in Bonn, Germany, in December 2001, to agree on a transitional government, prior to convening a national loya jirga to draft and approve a new constitution. The assembly in Germany produced the Agreement on Provisional Arrangements in Afghanistan (the Bonn Agreement). That same month, the Japanese Ministry of Foreign Affairs and JICA entered Afghanistan, adding to a rapidly growing international diplomatic and developmental community in the country.
Accordingly, the Bonn Agreement is the appropriate starting point for identifying the goals and attendant needs of the new government in Kabul. A well-crafted document, the Agreement’s opening passages clearly state what must be achieved for a stable and prosperous Afghanistan: a determination to end conflict through national reconciliation; independence, sovereignty, and territorial integrity; and Afghans’ freedom to determine their political future with due respect for Islamic and democratic principles. While the first two aims are arguably reconstructive in nature, the latter is developmental, as Afghans had never before experienced a genuinely representative government and universal suffrage. In short order, the realization of these ambitions demanded acute peace building efforts, the state’s monopoly on use of force within national borders, and a ground-up, across-the-board establishment of functioning, accountable government offices effectively providing services nationally and locally. In response, both the United States and Japan contributed to meeting each of these demands with significant amounts of financial aid and technical assistance; however, this chapter will limit its consideration of assistance to that defined by each country as “democracy assistance.”

The primary U.S. donor for democracy and governance (D&G) programming in Afghanistan has been USAID. From 2011 to 2014, USAID spent or committed a total of more than $2 billion on a range of programs to strengthen civil society, good governance, political competition, rule of law, and human rights. USAID’s definition of democracy assistance is broad, as evidenced by an approach that has included both political and developmental elements. For example, USAID states that, “Since 2012, USAID has supported over 1,200 community improvement activities, such as construction of potable water pumps and maintenance for local schools and clinics.” Another project—the Initiative to Strengthen Local Administrations (budgeted at $62 million)—aims primarily at institution building with a “citizen awareness” component. USAID categorizes these and similar projects under D&G as projects that “enabled local governments to deliver essential services and brought together communities in decision-making and reconstruction.” Indeed, while such undertakings helped establish a forum for public-private dialogue, their core activities were equally developmental and political, if not more the former.

The remaining three D&G sectors have a more explicit political focus. Significant support for electoral processes has been a constant in USAID programming in Afghanistan, including technical and financial aid for various electoral commissions, get-out-the-vote initiatives, and international and indigenous election monitoring missions. Assistance to civil society and media (recently merged into a single programmatic theme) both varies from and overlaps with USAID’s separate gender portfolio. Often, these projects involve contracted implementers providing technical assistance and grants to Afghan civil society organizations that engage in training, outreach, and advocacy for the advancement of women’s rights. Media programming is designed to ensure
the availability of independent, quality news reporting through a variety of mediums nationwide, as well as enhance journalistic skills and advocacy.\textsuperscript{126} Finally, USAID-funded rule-of-law initiatives are centered on training judges and court administrators, followed by efforts to increase access to justice and link traditional leaders with the formal justice system.\textsuperscript{127}

By comparison, the National Endowment for Democracy (NED) remains firmly grounded in its political approach to advancing democratic change and respect for human rights. In recent years, NED afforded grants, each averaging around $50,000 per year, for thirty to thirty-five indigenous, Afghan civil society organizations throughout the country. Core themes included accountability, democratic ideas and values, freedom of information, and rule of law. Programmatically, these themes are gradually realized through a wide range of demand-driven projects, such as training on Islam’s compatibility with democracy and women’s rights for \textit{ulema} (Muslim scholars) and \textit{madrasa} (religious school) students; building an affirmative citizen-state dialogue engaging traditional community leaders; funding independent media’s investigative reporting and civic education broadcasting; raising awareness of women’s rights under Afghan law; and providing legal assistance.\textsuperscript{128} With a significantly smaller budget relative to USAID, NED has supported indigenous civil society organizations, which punch above their weight in terms of impact, whether giving national exposure to corruption within the Ministry of Mines and Petroleum, taking parliament to task through weekly monitoring reports, or establishing a countrywide network of \textit{maliks} (leaders) committed to peaceful and transparent conflict resolution.

JICA is Japan’s primary donor and implementer, though project execution is sometimes undertaken by other international organizations. Japan’s aid to Afghanistan has been extensive, amounting to $126 million from 2003–2009\textsuperscript{129} and just over $80 million in 2014, which amounted to 3.3 percent of its allocation for South Asia programming.\textsuperscript{130}

As indicated, Japan’s strategy for assisting Afghanistan in its democratic progress avoids direct political engagement. Rather, Japan’s aid has targeted infrastructure and socio-economic, institutional, and critical needs.\textsuperscript{131} Japan’s scope of programming is extensive, but this chapter focuses on efforts at building democracy.

Most important was Japan’s oversight of the disarmament, demobilization, and reintegration (DDR) of ex-combatants—a pillar of the Group of Eight’s Security Sector Reform program, which it developed at a meeting in Geneva in spring of 2002. DDR was also a major focus of Afghanistan’s New Beginnings Program (ANBP), a United Nations Development Program (UNDP) initiative. According to a JICA Research Institute report, “creating an environment where weapons were taken from soldiers of the military cliques... and [the soldiers were able to] return to society”\textsuperscript{132} was one of the greatest challenges facing Afghanistan. Taking the lead on DDR, Japan cooperated directly with
UNDP and Afghanistan’s National Disarmament Commission, receiving additional support from G-8 governments. To succeed, fifty-thousand paramilitary soldiers and officers would either be incorporated into formal Afghan security forces or obtain civilian employment.

Japan identified a component of this program as part of the democratization process. The basis for this categorization was explained by the JICA Research Institute:

[As] political conflict intensified in the run-up to the first presidential election scheduled for October 2004, there was a risk that the election battle might become the trigger for armed conflict at a time when the military cliques were still armed to the teeth. In order for there to be a contest for political power using a democratic and peaceful election process, it was necessary to first create a situation in which an armed power struggle could not take place. This meant that the DDR process had to achieve a great many things prior to the 2004 elections.\(^{133}\)

This assertion aptly portrays the rationale for Japanese democracy assistance. Indeed, armed militias threatened Afghanistan’s embryonic political processes as well as its economic growth, infrastructure reconstruction, and legal and educational reform. Security is such a fundamental precondition for successful reconstruction and development that the merits of peace building are applicable to just about any sector. It is not unjustified to note DDR’s positive impact on any country’s democratization; however, its potential needs to be considered in context.

Japan’s willingness to take on such an essentially political task was noteworthy. Taking into account the political and military predominance of the Northern Alliance, in the wake of the Taliban’s retreat, any DDR program would be met with lessened but still considerable resistance, as insurgent forces remained active. While the UNDP took on a greater share of the disarmament and demobilization, Japan directly intervened when necessary. A striking example was the Japanese government’s demand for comprehensive reforms in the Ministry of Defense before commencing DDR, which resulted in a four-month delay.\(^{134}\) These and future negotiations with the warlord-cum-defense minister Mohammed Fahim proved contentious. Japan, together with its international partners, demonstrated its firm commitment to genuine progress, despite its characteristic avoidance of intervention in the foreign affairs of another state.\(^{135}\)

Japan also pursued more common forms of democracy assistance, particularly building public institutions. Japan’s Ministry of Foreign Affairs sent a team of legal scholars to attend the constitutional loya jirga in 2004 and provided $2.6 million for the assembly’s expenses.\(^{136}\) In addition, Tokyo provided technical advisors for election management bodies and observers for parliamentary and presidential voting in 2009 and 2010.\(^{137}\)

Finally, in a developmental approach to democracy building, Japan made Afghan women’s empowerment a priority. Tokyo provided assistance in capacity building at the
Ministry of Women’s Affairs (with particular emphasis on organizational management) and in enhancing women’s economic empowerment in Balkh and Bamyan provinces.\(^\text{138}\)

Impact assessments of these and similar projects vary, particularly given that few, if any, have been categorical successes or failures. For example, under Japan’s stewardship, the DDR program demobilized sixty-three-thousand ex-combatants and acquired over one-hundred-thousand weapons, including heavy munitions.\(^\text{139}\) This was no small accomplishment; however, rearmament rates have since gone up due to persistent insecurity and political brinkmanship, whether from the U.S. and Afghan governments’ formation of the informal *arbaki* policing groups\(^\text{140}\) or rival factions’ near-mobilization during the 2014 election crisis. Another example is the highly questionable outcome of the U.S.-funded Local Governance and Community Development (LGCD) project. Awarded in 2006 to two American contractors, the project cost USAID $398 million by September 2011. Activities and intended outcomes were not dissimilar from the Initiative to Strengthen Local Administrations mentioned above, including assistance for public administration and community mobilization.\(^\text{141}\) Faced with security and labor challenges, neither contractor was able to monitor and evaluate the program’s projects effectively. The Special Inspector General for Afghanistan Reconstruction’s report on LGCD in April 2012 indicated mixed success at best.\(^\text{142}\) Taking these and other initiatives into account, the relative successes and shortcomings of American, Japanese, and other states’ reconstruction efforts in Afghanistan remain hotly contested.

**Efforts at Cooperation and Complementary Programming in Afghanistan**

At the 2014 Workshop on Supporting Democracy Internationally, the United States and Japan identified four key areas for improved bilateral cooperation: government coordination, training programs, civil society, and economic incentives.\(^\text{143}\)

During my nearly two years in Afghanistan from 2004–2006, a number of impediments to rapid reconstruction and transition to stability became apparent. For example, donor governments, international organizations (e.g., the United Nations, World Bank, and Asian Development Bank), the International Security Assistance Force, and the U.S. military failed to demonstrate proficiency in planning or coordinating activities. The sheer scale of rebuilding a country practically at death’s door made it immensely difficult to formulate a successful development strategy, one that was comprehensive yet accurately targeted, and clearly defined in terms of division of labor. While some of the outside organizations in Afghanistan sought to communicate their activities to counterparts, others chose to inform only their superiors in Kabul or their respective capitals.

To address the confusion, both Japan and the United States hosted and/or helped organize a number of international conferences, from Bonn and Chicago to Tokyo; Japan
alone held six conferences from 2002–2012. Some of these assemblies had direct and positive results: in Bonn, a transitional process to establish a representative government was created; in Chicago, NATO members made long-term commitments to Afghanistan; and in Tokyo, a Mutual Accountability Framework was developed to provide parameters for reform and continued donor support.

While heads of state and leaders of government agencies were often able to agree on a shared vision, interaction among their Kabul-based stakeholders was generally scattered and intermittent. Indeed, institutions such as the United Nations Assistance Mission in Afghanistan held weekly meetings with ambassadors of twenty-five countries involved in reconstruction and development. And for a period in 2003–04, staff at the UNDP convened monthly meetings for foreign organizations active in economic development. However, these gatherings were the exception rather than the norm. As a consequence, programmatic redundancies and misallocations of funds were common.

Yet, when imperative, bilateral and multilateral communication and cooperation was possible. The launch of the DDR contingent on reform in the Afghan Ministry of Defense (MOD) was a case in point. The establishment of a neutral national army in place of splintered militias required a changing of the guard in the Tajik-dominated leadership of the MOD under its minister, Marshal Mohammad Fahim. Reform was a key goal for Washington as well, given its commitment to rebuild the Afghan military. The MOD resisted calls for greater ethnic inclusivity in top offices, but one year into the DDR process, a coordinated international effort employing political and financial tools led Marshal Fahim to step down from his post following Hamid Karzai’s election to the presidency in October 2004.

Civil society and training programs in Afghanistan could also benefit from enhanced U.S.-Japan cooperation. Both can contribute to building democratic institutions and respect for fundamental rights and freedoms in Afghanistan. After fourteen years of international donor presence in Afghanistan, the number of training programs and other forms of technical assistance provided by international organizations is large. Yet, while the beneficiaries’ management and administrative skills have improved in varying degrees, there is ample room for improvement. Afghan officials often have little incentive to change Afghanistan’s governance culture, which includes cronyism, vertical (top down) management, discrimination, and exclusive and non-transparent decision-making.

Representative rule and governmental accountability are vital for a shift away from these undemocratic practices, and Afghanistan’s civil society is well positioned to affect reforms in these areas. To date, independent media has been one of the most progressive and successful pillars of Afghan civil society. Its questioning of public officials, investigative reporting, and monitoring of governmental activities has raised Afghans’ awareness and expectations of the state’s performance to unprecedented levels. The Free and Fair Election Forum of Afghanistan and other civil society organizations inform
Afghans of election standards, procedures, and outcomes, independent of the government. Provincial NGOs mobilize their communities to pursue dialogue over issues of concern in public forums with elected and appointed officials. Taken together, civil society’s pressure on the government to perform competently helps to reinforce the technical assistance provided to state actors.

In recent years, economic incentives—specifically, conditional aid—have been effective in advancing a reform agenda in Afghanistan. In this regard, the Tokyo Mutual Accountability Framework deserves examination as a potential model for other, future cooperative initiatives between Tokyo and Washington. Completed on July 8, 2012, the Framework affirms the international community’s commitment to support greater self-reliance in Afghanistan over the next decade. Donor states agreed to provide $16 billion in development aid from 2012 to 2015. In return, the Afghan government agreed to reform in several areas, including governance, rule of law, human rights, and elections. While this was not the first concerted effort to align targets and strategies to reach them, the Framework empowered donors to enforce the conditionality of aid by reinvigorating the Joint Coordinating and Monitoring Board (JCMB) through annual ministerial and other senior official meetings.

The Afghan government’s pledge to fulfill its promises was put to the test in the summer of 2013. Nearing the end of its session, Afghanistan’s lower house of parliament (wolesi jirga) was balking at passing two electoral laws needed for presidential and provincial council elections only eight months away. Both laws were contentious: one focused on the structure and responsibilities of two electoral governing bodies while the other addressed the processes and conduct of elections. At the core of the dispute was the breadth of presidential control over those bodies and demands for greater transparency in elections. Donors, including the United States and Japan, used the 2013 meeting of senior officials to vociferously censure Afghanistan for failing to enact genuine electoral reform. Two weeks later, the parliament passed both bills. The Tokyo Mutual Accountability Framework stipulations on combatting corruption also helped motivate the newly elected president, Ashraf Ghani, to reopen the Kabul Bank inquiry. The bank collapsed in 2010 after losing almost $1 billion.

Suggestions for U.S. and Japanese Democracy Assistance in Afghanistan

Defining Democracy Assistance

The programmatic conflation of political and developmental democracy assistance can have negative consequences. First, it can undermine effective strategic planning and budgeting. Intra-agency and international donors are hindered by unclear allocations of funds and resources, as well as by the potential misapplication of political vs. developmental program evaluation methods and standards. Second, it can misinform.
Assigning a democracy assistance label to, for example, an employment skills training program is the logical equivalent of placing a literacy project in the same category. Indeed, a society where unemployment rates are low and education rates are high may contribute towards an upward democratic trajectory; however, when democracy assistance is broadly conflated with employment, education, and other more “direct development” programs, international and local implementers are forced to stray from their core missions and expertise into unfamiliar thematic fields. In addition, the means of evaluating the success of a job skills project versus a local advocacy initiative are significantly separate. Along these lines, turning to local government to release funds already allocated for a community development project (e.g. well construction) is distinct from community leaders formulating an issue-based agenda for which they will advocate. The United States and Japan should clearly segregate funding for projects that are genuinely political from those that are fundamentally developmental. Japan’s most recent Development Cooperation Charter (DCC) contains more forthright language regarding democratic development and civil society support—this should help to make the appropriate distinctions.151

**Improved Coordination**

Having distinguished direct support towards the growth of democracy from socioeconomic aid, heavy donor presence in post-conflict countries may be less likely to produce redundancies and the corrupting effects of excessive aid funds. Despite the good intentions of multiple donors, young civil society organizations too often lack the capacity to administer disproportionate levels of funding. The merging of the political with the developmental, as noted above, exacerbates this situation. As a consequence, a once mission-specific civil society organization tends towards mission-creep into areas where it lacks competence, experience, and/or authentic commitment. In the event that the assignment of various sectors cannot be divided among donor states, as in Afghanistan’s Security Sector Reform, stakeholders should consult annually, at the least, with their foreign counterparts as to programmatic priorities and funding levels when formulating their own. Even better would be to include the target country’s leading civil society representatives in discussions.

**Directly Engaging Civil Society**

Providing forums for civil society’s input into democracy assistance planning processes is one, among several, means of more direct support for democratic institutions and reforms. Providing direct grants to local civil society organizations empowers and gives ownership to those non-governmental actors whose growth and activity will best sustain democratic gains. After donor priorities have shifted to the next post-conflict reconstruction, these community leaders will remain. As governments in transitioning democracies come and
go, the best means of securing taxpayers’ investment in a country’s stability and prosperity is to assist committed activists directly.

Foreign donor governments can provide aid beyond financial and technical assistance. As suggested by the conclusions of the Sasakawa USA and Freedom House workshop in Honolulu, exchanges among organizations comprising the core of a country’s civil society (political parties, labor unions and professional associations, independent chambers of commerce, media, and rights-based advocacy groups) provide for institutional knowledge transfer and networked connectivity. Finally, when anti-democratic forces (governmental or otherwise) persecute activists, governments should readily and publicly come to the activists’ defense, especially if they are recipients of that government’s development aid.

**Conditionality for Accountability**

Donor governments should not shy away from using their financial leverage and global influence to fortify the domestic political will required to push through controversial yet necessary reforms. The conditionality of aid, based on outcomes, should not be viewed as an infringement on a nation’s sovereignty. With partnership comes the expectation that both will fulfill agreed-to obligations. Over the last decade, the Karzai government too often played the sovereignty card when feeling pressure from the international community to take a stronger stance on combatting corruption in his administration or ensuring that elections be free of fraud, among other issues. Not surprisingly, donors’ intervention in 2013 over election laws was welcomed by Afghan civil society. Such steps do not constitute a panacea, but recipient governments need to know that the threat of withholding financial aid is credible. Moreover, conditions can provide cover for an executive who earnestly desires to realize reforms that are unpopular with the legislature or other political stakeholders. Washington and Tokyo would benefit from the use of the Tokyo Mutual Accountability Framework as a model.

**Economic Development and Rule of Law**

Although the link between a country’s upward economic trajectory and firm rule of law remains debatable, research has shown higher rates of return in countries with strong foundations of civil liberties, compared with those having weak traditions. With this in mind, taking an exclusively developmental approach to democracy assistance risks unfulfilled objectives in the long term. Without a legal system that provides for property rights, contract enforcement, and clarity of laws, the domestic or international capital necessary for a country to rise from poverty is not likely to materialize. Investment demands stability and predictability. A recipient state’s private sector has a better chance of growing and sustaining should both be achieved, hence the requirement for rule of law. Whether separately or jointly formulating an aid strategy, Japan and the United States should strongly consider implementing rule of law programming in
conjunction with any plans for economic development.

In the future, there will be other failed states. For the sake of world order, the United States, Japan, and other developed countries will continue to have to assume the burden of helping those states become functional. Recognizing this, Afghanistan has served as a valuable test case. Key lessons hopefully learned—better defined democracy assistance, greater donor coordination, direct engagement with civil society, conditional aid, and rule of law programming—will only enhance donor states’ ability to foster lasting democratic change when the next country implodes. Embracing a more political approach when assisting that nation in its transition to democracy will help to solidify gains, thereby making the investment of time, money, and human capital all the more worthwhile. Afghanistan continues to struggle on its path to security and prosperity. This was foreseeable. But considering the recommendations above, the way could have been made clearer for the Afghan people.
Democracy from Below?
A Critical Perspective on Civil Society Support in Africa

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Introduction

While conducting field research in the early 1990s, I found that the concept of civil society was unknown to many in East Africa. However, when I returned to Zambia in 1997 to conduct my next round of research, I was surprised that civil society had become a very popular concept used by local NGOs and NGO networks to define themselves. Notably, one group, the Civil Society Action Committee, composed of twenty-seven organizations including some churches, protested constitutional changes, including changes to the eligibility requirements for the presidency, for the purpose of excluding former president Kenneth Kaunda in the 1996 election. I also realized that donor, especially Nordic, countries had started civil society support programs to promote democratic processes in Zambia.

At this stage, donors tried to support civil society development by referring to their own democratic experiences. Using the concept of civil society for the sole purpose of promoting and consolidating democracy was a very different usage of the concept than that used in academic circles or the aid industry. In this regard, the practice of civil society support in Africa liberated the concept from purely academic jargon to a very practical approach for building new democracies. However, the concept also became value-oriented in the sense that civil society was understood as a norm closely associated with (liberal) democracy. Eventually, this conceptualization automatically excluded some local actors who did not necessarily support or promote democracy in Africa.

It was also the case in the mid-1990s that donors diverted aid funds to civil society groups, instead of government institutions, because they were frustrated by the governments’ lack of political will to implement reforms to establish more democratic political systems. As a result, for example, “USAID was channeling almost half of its assistance through non-state actors in countries where the state was believed to be
particularly corrupt and inefficient, as in Kenya.” With these policy changes, the size of the NGO sector has expanded rapidly since the mid-1990s.

Using lessons from my more than two decades of research on political transformation on the continent, I will now reconsider the problem of civil society support in the African context. First, I will reevaluate the experience of so-called “democratization” or political transformation since the 1990s. Second, I will describe experiences of civil society support as well as some characteristics of African civil society by reviewing the literature, so as to discover the pitfalls of donors’ practical approaches to strengthening civil society in Africa. Finally, I will raise some policy implications for the United States and Japan. In this regard, as I will argue later, the Tokyo International Conference for African Development (TICAD), which is led by Japan, and co-organized by the United Nations Development Programme (UNDP), the World Bank, and the African Union Commission will become a unique venue for civil society groups to engage in policy dialogue in the long run. From 2016 onward, TICAD will be held every three years and hosted alternately both in various African nations and in Japan.

Political Trajectories in Africa: “Third Wave” Democratic Rollback/Recession

Conceptualization and Trends

It was after the end of the Cold War that African countries were recognized to be in the process of democratization, as they reintroduced multi-party political systems. However, since the mid-1990s, there has been skepticism about whether political regimes in Africa truly were transformed from authoritarian to democratic. This skepticism has been expressed by the labels “virtual democracy,” “choice-less democracy,” and “pseudo-democracy.” Even in more recent studies, terms such as “competitive authoritarianism” and “electoral authoritarianism” have been applied to seemingly superficially “democratized” political regimes. Therefore, the ideas of “democratic rollback” and “democratic recession” have commonly appeared in recent literature. Larry Diamond, senior fellow at the Hoover Institution and the Freeman Spogli Institute for International Studies, pointed out recent political trends in Africa by referring to Freedom House scores:

Two important elements are noteworthy, and they are both especially visible in Africa. First, the declines have tended to crystallize over time. Thus, if we compare freedom scores at the end of 2005 and the end of 2013, we see that twenty-nine of the forty-nine sub-Saharan African states (almost 60 percent) declined in freedom, while only fifteen (30 percent) improved and five remained unchanged. Moreover, twenty states in the region saw a decline in political rights, civil liberties, or both that was substantial enough to register a change on the seven-point scales (while only eleven states saw such a visible improvement). The larger states in sub-Saharan Africa (those with a population of more than ten million) did a bit better, but not much:
Freedom deteriorated in thirteen of the twenty-five of them, and improved in only eight.\textsuperscript{155}

This trend is also observable in state performance, or governance. Diamond again pointed out the tendency as follows:

The biggest problem for democracy in Africa is controlling corruption and abuse of power. The decay in governance has been visible even in the best-governed African countries, such as South Africa, which suffered a steady decline in its score on rule of law and transparency (from .79 to .63) between 2005 and 2013. And as more and more African states become resource-rich with the onset of a second African oil boom, the quality of governance will deteriorate further. This has already begun to happen in one of Africa's most liberal and important democracies, Ghana.\textsuperscript{156}

There is common recognition that the nature of political regimes in Africa has been generally deteriorating for a decade.

In addition to the commonly noted “resource curse,” as in the Ghanian case above, there is the “China factor.” In other words, autocrats in Africa have increasingly used China’s booming aid and investment as a counterweight to Western pressure for democracy and good governance. They have been only too happy to point to China’s formula of rapid, state-led development without democracy to justify their own deepening authoritarianism.\textsuperscript{157} In this sense, says the University of Ghana’s Emmanual Gyimah-Boadi, “Africa’s elected autocrats are finding great comfort in the resurgence of authoritarian and illiberal role models provided by China.”\textsuperscript{158} China as an alternative model is also referred to in another way, in which Beijing is providing African governments with alternative, non-Western markets, trade partners, and sources of military and development aid, none of which is tied to considerations of human rights or government accountability in the recipient states.\textsuperscript{159}

Also, as Gyimah-Boadi says, participation in the global “war on terror” has given Africa’s elected autocrats “easy justification for their own retreat from the principles and practices of democratic accountability.”\textsuperscript{160} In fact, apart from supporting good governance programs by USAID, the United States provided anti-terrorism support and funded military training in some of the least democratic countries on the continent to support the African Peace and Security Architecture initiated by the African Union. In this regard, it is also the case that, as Nic Cheeseman of the University of Oxford notes, “a lack of democracy was not a barrier to profitable relations with Washington.”\textsuperscript{161}

**Civil Society in the Context of Africa**

*Policy Orientation and Criticism*

Evaluating democracy assistance, Krishna Kumar, senior advisor in the U.S. State Department’s Office of Foreign Assistance Resources, discussed three categories of civil
society organizations that have received technical, commodity, and financial assistance for nearly three decades. The first category is comprised of organizations that are directly engaged in democracy promotion and mobilize support for human rights, social and political justice, and responsive and transparent governmental institutions. The second category includes organizations that are not directly engaged in democracy promotion, but constitute the core of civil society and are essential for the functioning of a democratic system, such as labor unions, associations of journalists, professional organizations, business associations, and student movements. The third category is social service organizations that work for the welfare of women, children, youth, indigenous populations, and other groups.

As revealed in these rather conventional characterizations of the aid industry, a strong civil society is recognized as promoting democratic consolidation. However, the reality of civil society in Africa has been much more complicated in its relation to a value-oriented concept of democracy. Therefore, it is not clear whether it makes sense to expect a variety of groups to play proper roles to promote democracy in the African context, because “domestic actors such as the media or civil society organizations are relatively weak, often deliberately kept so by autocratic regimes.” In such cases, donor officials are expected to provide the main checks and balances on government, whether they embrace that role or not.

As indicated above, the concept of civil society has been shaped to serve the goal of better governance, particularly democratic reform, rather than a deeper understanding of the relationship among social formations, the associations that represent them, and the state. One of the conventional characterizations of civil society, advanced by Israeli academic Naomi Chazan, is as “the most effective means of controlling repeated abuses of state power, holding rulers accountable to their citizens, and establishing the foundations for durable democratic government.” In fact, donors have been heavily involved in encouraging and financing organizations that fit this notion of “civil society.” However, traditional ethnic components of African society or “primordial public” components, can be easily dismissed in conceptual terms, thus missing their actual effectiveness and importance.

The Concepts of Civil Society

In sharp contrast to the conventional usage of “civil society,” there are a variety of theories of civil society in the history of political thought. In classical theory, there are two main dimensions. First is the degree to which state and civil society are linked (Hegel and Locke) or separate (Paine and Tocqueville). Second is the degree to which civil society involves private economic interests (Hegel and Paine) or is a space of self-governing associations (Locke and Tocqueville) that protect citizens from an over-bearing state. In recent arguments, the degree to which civil society and democracy are closely linked
has been stressed. Figure 4 is a summary of the variety of concepts of “civil society.” “A” represents a liberal interpretation of civil society, emphasizing autonomous associations in liberal economy. “B” is Tocqueville’s idea of civil society, which emphasizes the role of voluntary associations in promoting democracy. “C” is a model of civil society envisaged by Hegel and Gramsci, emphasizing the role of normative and counter-hegemonic, class-based organizations. “D” is one of the most popular conceptualizations of civil society in the context of a transitional phase of democratization, which emphasizes the role of organizations that are strongly opposed to authoritarian rules. These four categories are strongly linked to the process of democratization. In contrast, ideas of civil society in “E,” “F,” “G,” and “H” include “uncivil” actors and organizations that do not necessarily support democracy and even undermine the democratic process.

Figure 4: Basic models (emphasis) of the concept of “civil society”

If we define civil society in conventional ways (especially “B” or “D”), civil society organizations are regarded as relatively weak or even absent in the context of Africa. As a result, for political scientists, the concept of civil society surely serves no useful analytical purpose if it merely identifies an absence. Therefore, as the University of Chicago’s Mikael Karlstrom argues, civil society’s purpose should be to enable us (analysts) to identify those forces and institutions that do have some potential for producing a more productive engagement between state and society, and, ultimately, the sort of stable, legitimate, and democratic state forms that have proven so difficult to achieve in post-colonial Africa.

In addition, the concept of civil society is an ideologically charged ideal, grounded in the culture and history of the European Enlightenment from which it sprang. Viewed
through such a critical lens, the liberal definition of civil society or conventional usage of civil society as occupying the social space between the state and the individual amounts to an assertion that both state-based political organization and Western-style individualism are unproblematic universals. It is against this type of criticism that civil society in the context of Africa has been reevaluated through empirical analysis of “actually existing civil society.” This is a sort of reversible approach, which applies elements of an empirical case to the concept, instead of applying the objective-categorical conception of civil society to an empirical case.

**Actualities of Civil Society in the Context of Africa**

Theoretically, the idea that civil society will provide checks on the government is based on the assumption that it is in some way separate from, and willing to act against, the state. In other words, “the most common view is that civil society refers to those intermediary associations that are capable of representing the country’s various groups and of countering the state’s hegemonic ambitions.” As a result, as explained by the late Patrick Chabal of Kings College and Jean-Pascal Daloz of the University of Strasbourg, it is commonly assumed that political reform (including democratization) may depend on the extent to which civil society is able to “counteract the stultifying weight of the oppressive state.” This is the common expectation behind civil society support. If political elites feel threatened by civil society, the state or government intervenes to restrict activities of civil society organizations. The Ethiopian civil-society law of 2009, which placed prohibitive restrictions on the work of civil society organizations, except in service delivery, was a typical case.

However, in post-colonial Africa there are numerous actors and organizations that constitute “real” civil society. Nigerian sociologist Peter Ekeh observed that it is necessary for analysts to make more efforts to understand the varieties of civil society in Africa than (conventional) theoreticians of civil society have made. Ekeh identified four types of associations working in the context of Africa (specifically Nigeria), by utilizing his famous “two-publics” model—civil public associations (including trade unions, student unions, churches), deviant civic associations (including secret student organizations, spiritual churches), primordial public associations (including Ibo State Union, Kaduna Mafia), and indigenous development associations (including farmers’ unions). Ekeh has also argued:

> What sharpens the problems in Africa is that the norms that derive from the workings of civil society in primordial public sphere have not benefitted the operation of democracy in any measurable way because there is a tendency to copy not just the institutions of democracy from the West but also, and rather incongruously its norms of democracy.

In this regard, Africa’s civil society can also be “uncivil” to some extent. Ekeh’s formulation of civil society in Africa includes not only ethnic and religious organizations
but also organizations dominated by a narrow base of political elites. In other words, actors in civil society in Africa sometimes can be deeply embedded in neo-patrimonial politics. In fact, it is not possible to assume that civil society in the context of Africa has been institutionally separate, and relatively autonomous, from the state. Therefore, as Chabal and Daloz wrote, “the dichotomy between state and civil society, which is substantially taken for granted in most current interpretations of African politics, does not reflect realities on the continent.”

In addition, attributes of organizations and associations (specifically ethnic or religious aspects) are sometimes very difficult to identify from outside. As a result, there is a tendency for donors to concentrate their aid on those groups that have good reputations. As summarized by Gabrielle Lynch of the University of Leeds and Gordon Crawford of Coventry University, “donor agencies have concentrated their funding on a small fraction of civil society; that is, those professionalized, advocacy organizations that support neo-liberal economic policies, and thus are involved in an interventionist project that seeks to build a consensus around neo-liberalism and to limit state power.” Another tendency is for donors’ aid resources to be eventually mismanaged to benefit specific political elites or ethnic groups. Again, as argued by Lynch and Crawford, this occurs “when NGOs are corrupt or indeed fraudulent and exist as mere ‘briefcase organizations’ and are characterized by external financial dependence and an external orientation,” [such as] when NGOs are linked to political elites, [like] Angola’s well-endowed Eduardo dos Santos Foundation.

Some Experiences of Donor Support in Africa
In this section, a few cases are provided to explore the types of civil society support. In fact, there are several case studies of experiences found in recent literature. By far, the leading donor to civil society worldwide is the United States in the late 1990s. Alison Van Rooy and Mark Robinson calculated, using the Organisation for Economic Co-Operation and Development’s Development Assistance Committee (OECD-DAC) data, that the United States was responsible for 85 percent of total civil society support in the mid-1990s. The United States spent over $100 million on civil society support in 1993 and 1994, equivalent to one-third of its political aid spending. This tendency was indicative of the importance that the United States placed on democracy promotion. In the 1990s, there was very limited civil society support in Africa from Japan.

From my experience in Zambia, where NGOs working in the areas of human rights and civic education became influential after the introduction of multi-partyism in the early 1990s, donors played an important role in setting the agenda of local civil society. Civic education is a key area of donor support for deepening people’s understanding of the value of democracy and importance of elections. Since the establishment of the Zambia Election Monitoring Coordinating Committee (ZEMCC) by church groups in 1991, legal professionals represented by the Law Association of Zambia (LAZ) and NGO groups
represented by the NGO Coordinating Committee (NGOCC) have continued to be active in civic education and election monitoring. In 1996, when the second national election was held, newly-established human rights NGO Afronet created an *ad hoc* network, the Committee for a Clean Campaign (CCC), composed of 19 NGO members, including the Foundation for Democratic Process (FODEP), the successor of ZEMCC, which was supported by the USAID, The Carter Center, church groups, and trade unions, for the purpose of monitoring election campaigns as well as polling stations on the day of the election. In this way, creating a vertical network was a common way for NGOs in Zambia to carry out effective and harmonious election monitoring in the 1990s.

However, in preparation for the 2001 election, there emerged dissonance among NGOs working in the areas of human rights, election monitoring, and civic education. In 1999, an *ad hoc* network, the NGO Coalition, was established by Afronet, FODEP, the Catholic Commission for Justice and Peace (CCJP), the National Women’s Lobby Group (NWLG), and the Zambia Civic Education Association (ZCEA). In this effort, Nordic countries supported the activities of the coalition by providing funds through Afronet, whose Secretary-General was educated in Sweden. Then, Afronet started to make the coalition a more hierarchal organization by founding a secretariat to manage the coalition’s activities. Four organizations eventually withdrew from the coalition, complaining about the introduction of different formulations of election monitoring. Coalition 2001, the successor to the NGO Coalition, invited other organizations, such as labor unions and peasant associations, to join, but the number of member organizations decreased from forty in October 2000 to twenty. At this time, four other NGOs working in civic education and human rights conducted election monitoring. In addition, after the election, Afronet could not manage to submit the monitoring reports required by donors, partly because of mismanagement of resources. This case revealed favoritism, and aid concentration eventually not only undermined collaboration among local NGOs but also reduced accountability within, and the effectiveness of, democracy promotion efforts.

During this run-up to the 2001 election, Japan began its first civil society support program in Zambia, the Grant Assistance for Grassroots Human Security Projects (GGP). The GGP was designed to support mainly local NGOs in order to respond quickly to local needs. The Japanese Embassy in Lusaka, the capital of Zambia, supported the so-called Zambia Independent Monitoring Team (ZIMT), which allegedly supported a constitutional change to allow a third term for then-incumbent president Frederick Chiluba. However, the NGO could not be held accountable by the embassy because it did not submit the required financial reports. This is one of the unfortunate experiences for Japan due to lack of information gathering on the ground.187

As a corollary, constitutional lawyer Wachira Mainas shared an experience in Kenya, where civic groups are divided by both vertical (territory, ethnicity) and horizontal (urban/rural, class) cleavages.188 Maina added that Kenyan civic groups are also “further
divided by policy and programmatic differences, patterning themselves on the larger cleavages between opposition and government.” His research discovered that civic education NGOs in Kenya are dominated by a few ethnic groups, typically those that also dominate opposition politics. As a result, donors “skew the picture even further, typically limiting their support to English-speaking, urban-based middle class groups, thereby playing a part in the marginalization of the popular sectors of civil society, especially rural economic groups and community-based organizations.”

In addition, the reputations of the leaders of these organizations have been important factors in funding decisions. Therefore, there was certainly evidence of favoritism. In practice, as argued above, Maina found problems in applying the conventional concept of civil society, which dichotomizes civil society into a “good” one populated by professional groups, the church, and human rights lobbies, and a “bad” one made up of ethnically-inspired groups. Therefore, “there is no idealized civil society out there waiting to be discovered. Civil society is contextual, and the forces of class and kinship influence its capacity to fight for and help root democracy. There can be no a priori assumption that only civil society based on non-kin ties can serve democracy.”

In terms of donors’ support for civil society in the area of civic education, Maina found that “they (donors) had no relationship with the final beneficiaries of their funding.” Considering, again, that the United States was responsible for 85 percent of total civil society support in the mid-1990s, it is reasonable to assume that the United States was one of the main donors—if not the main donor—in the area of civic education in Africa. Additionally, donors tended to work with unsolicited proposals. This means that urban groups had an easier time capturing the donor imagination than rural ones, which were usually managed by less educated leaders. As a result, donors’ civil society support became an arena in which rent-seeking local civil society organizations battled for donor pork.

These practices can be interpreted as embedded in patronage politics in Africa. A careful analysis of the external monies transmitted through such NGOs, however, demonstrates that African actors use the funds in a particularly original way that differs from their official purpose. In general, what is taking place is privatization of development. The concept of civil society, difficult to define in the best of times, becomes infinitely manipulable. The promotion of NGOs leads to erosion of official administrative and institutional capacity, reinforcement of the power of elites or factions of elites, particularly at the local level, and sometimes stronger ethnic character in the destinations of monies from abroad. In many cases, these NGOs are established by politicians, at the national and local levels, with a view to capturing external resources that, henceforth, pass through these channels on a massive scale.

As revealed in these experiences, says Cheeseman, “while women’s groups, churches, and unions continued to play an important role in shaping the balance of power between
states and societies, the transition to multiparty politics did not automatically make civil society any more civil, or any more democratic.\textsuperscript{197}

\textbf{Civil Society Collaboration in the TICAD Process: Japanese Experience}

One of the unique civil society programs supported by Japanese NGOs is the Tokyo International Conference on African Development (TICAD). It was launched in Japan in 1993, and has been held every five years, in the context of the gradual development of African-oriented NGOs and for the purpose of strengthening friendly ties with African countries. Tokyo has worked with the World Bank, the UN Global Coalition for Africa, the UN Development Program (UNDP), and the African Union Commission, since TICAD V in 2013.

In the process of preparing for TICAD V, a coalition of 47 Japanese NGOs, named the TICAD V NGO Contact Group (TVCG), was set up in June 2012 for the purpose of policy advocacy aimed at both Japanese and African governments.\textsuperscript{198} The secretariat was the Africa Japan Forum, established in 1993. A Japanese NGO, which was the working wing of the Africa Japan Forum, started to revitalize a then-defunct network called the Civic Commission for Africa (CCfA), which was originally established for TICAD IV in 2008. Executive members of CCfA were representatives of civil society from five African countries—Benin, Botswana, Uganda, Morocco, and Sierra Leone.\textsuperscript{199} In the preparation process, Japanese NGOs set up the Senior Officials’ Meeting for representatives of the Japanese and African governments to raise suggestions in the policy areas of social and economic development, human rights, peace, and governance. The senior officials’ Meeting in Ouagadougou in November 2012 was the first time both Japanese and African NGOs were involved and had their opinions included in the TICAD preparation documents.

In the TICAD V held in Yokohama in June 2013, 10 representatives of civil society were invited to participate in the conference. Five were executive members of CCfA and another five were Africans recommended by Japanese NGOs and the Japanese Embassy. Among them, Ms. Denise Kodhe, executive director of Kenya’s Institute for Democracy, Leadership and Empowerment in Africa (IDEA), was included in the area of democracy promotion, and other members were specialists in development, food security, and land issues.\textsuperscript{200} However, it was reported that responsibilities of the members of CCfA were ambiguous and that there was miscommunication at the meetings of TICAD V, thereby limiting its effectiveness.

This experience of Japanese and African civil society collaboration cannot be evaluated as successful from the standpoint of development of civil society in Africa. CCfA remains an \textit{ad hoc} network, revitalized only for TICAD conferences and only for very limited periods. Therefore, it is valid to say that Japanese NGOs have not yet fully involved themselves in the area of democracy promotion on the ground, although they have been proactively involved in the TICAD process.
Policy Implications
The traditional characteristics of civil society depicted in this paper exist even in the contemporary African context. From the perspective of democracy promotion, Jeff Bridoux of Aberystwyth University and Milja Kurki of the European Research Council have argued that:

[D]emocracy is a subjective and value-laden concept and always interpreted from one perspective or another. This means that no “neutral” apolitical perspective exists from which donors can evaluate what count as the most “authentic” or “locally” representative “democratic” actors: they can only evaluate this from their perspective. When they do, they come to distort the meaning of democracy and democratic activism in target countries by funding often the kinds of actors they can “recognize” as liberal democratic activists “like themselves.”

Against this analysis, it is still evident that donors or funders of civil society development “channel most of their aid to a limited circle of favored NGOs in the capital city, organizations that carry out technocratic advocacy efforts based on externally determined agendas.”

As revealed in this chapter, “civil society” comprises more than the sum of formally constituted NGOs. Civil society includes a wide range of informal organizations, networks, and citizens’ groups, from traditional forms of civic association, such as faith-based organizations and village leadership, to new civic groups and actors. Therefore, it is now necessary for donors to change their approaches to a more “locally sensitive” or “locally oriented” civil society support; that is, donors must take seriously the “democratized” politics of each locale. In other words, it is necessary to analyze local contexts and the nature of civil society much more thoroughly before providing resources to specific organizations. However, because it is not easy to evaluate and understand the whole picture of civil society, even in one context, donors must collect information from a variety of sources. This practice must include, say Lynch and Crawford, “a more inclusive policy dialogue between donors and African countries, one that goes beyond the current limited focus on the central political leadership and a narrow selection of civil society actors.”

In the area of civil society support, it is obvious that the United States has far more experience than Japan in identifying civil society organizations supporting democracy in the context of Africa. It was only in the mid-1990s, when Japan faced problems related to the stalemate of the welfare state and the failure of Japanese bureaucracy, that intellectuals and journalists were impelled to see the concept of civil society in a new way. Because of Japan’s limited experiences promoting democracy through civil society, it is advisable for the United States to share its experiences with Japan, so that Japan can engage in more democracy promotion. In this regard, the policy suggestions that emerged from the Sasakawa Peace Foundation USA workshop in Honolulu are particularly useful. These include initiating annual meetings between U.S. and Japanese civil society groups...
to compare strategies, share failed as well as best practices, and exchange detailed information on civil society. Adopting these recommendations will strengthen U.S.-Japan cooperation in democracy support in coming years.

The United States and Japan have different stakeholder hierarchies and ways to communicate the impacts of their activities. Thus, it is useful for the two countries to set similar agendas for democracy promotion, within both civil society and government. In the process of carrying out coordinated cooperation, some type of monitoring and reporting systems should be established for evaluation. U.S. civil society groups will be required to coordinate criteria for this purpose.

The conditions facing civil society in Africa are likely to continue to be challenging. Civil society programs focusing on human rights have been increasingly vulnerable in the face of restrictive regulatory regimes, like those in Ethiopia, mentioned above. Although it is necessary to be sensitive and careful when engaged with such regimes, donors still have an important role to play at the country level in improving the regulatory environment for civil society. Especially important is supporting an independent media and access to information, as well as promoting the establishment of “invited spaces” for civil society groups to engage in policy dialogue. TICAD VI in Nairobi in August 2016, for example, can be a model for this type of venue. It is an example of how collaboration between U.S. and Japanese civil society groups can set up common spaces for democratic promotion, not only for restrictive regimes but also for democratizing regimes on the continent.

The coming years will be a critical time for African political regimes to decide whether to become more or less democratized. In this context, U.S.-Japan cooperation can play a major role in influencing the trajectories they choose.
The essays presented in this volume have explored what contributor Larry Diamond calls the “democracy recession” that threatens to reverse decades of progress in liberalizing nations around the globe. Established democracies, states in transition, and autocracies, alike, face challenges related to maintaining or pursuing democratization. The ultimate choice about whether or not to democratize is of course up to individual countries. Yet the encouragement and support that can be provided by outside nations can also play a significant role. Reversing the democratic recession requires not just heartfelt rhetoric but also concrete policies supported by leading liberal nations. In particular, as the essays herein show, both Japan and the United States have played and can continue to play crucial roles in global democratization.

As impressive as the individual policies of Tokyo and Washington may be, the authors represented in this volume recognize that coordinating bilateral efforts can lead to an even greater return on investment. A collaborative approach to democracy promotion between Japan and the United States does not require that all their policies must be joint or identical. One of the key goals of this Sasakawa USA project has been precisely to determine what kind of synergy can develop from complementary approaches.

**Differences in U.S. and Japanese Approaches to Democracy Support**

Before recommending ways in which the United States and Japan can work together to support democratic development, it is important to understand the differences between their approaches. David Kramer, Yaunobo Sato, Tsuneo Akaha, Aung Din, Mitsugi Endo, and Richard Kraemer all provide trenchant insights on the differences. In short, the
United States works from the bottom-up, while Japan works from the top-down. With U.S. law in many cases prohibiting direct assistance or even cooperation with repressive governments, the United States works through civil society organizations in countries that allow them. The hope is that these organizations will cause or support reform from within, and once a democratic transition has reached a certain point, the United States will initiate direct support programs with transitioning governments. Japan, in contrast, conducts its programs through cooperation with even authoritarian governments. It believes that the development of better judicial systems and better anti-corruption systems will support transitions to democracy, allowing more extensive cooperation.

David Steinberg describes how the American approach has taken place with regard to Myanmar. Until recently the United States had almost no official contact with the country, funded relatively small programs for non-governmental society groups, and imposed economic sanctions on the country. This approach seeks to push states towards democratization by enabling those who seek to transform their society in opposition to government, but not provide any U.S. aid that can be used by illiberal governments to strengthen themselves.

The American approach has the advantage of providing a major incentive to groups within authoritarian countries that seek democratic transitions. Part of the reason for the turn to democracy by the Myanmar military government was the lure of economic and other assistance from the United States to offset oppressive Chinese economic and diplomatic pressure. The record of U.S. assistance to countries that have turned to democracy, from Eastern Europe through Africa, has provided incentives for change. On the other hand, the U.S. approach foregoes the potential of using programs like professional military education to influence officers from authoritarian countries, or of using the operations of American international companies in authoritarian countries to introduce best international practices and ideas into closed societies.

By contrast, Japan often works directly with illiberal governments, seeking to transform them from within. Tokyo funds official economic, education, and capacity building programs with the approval of target governments, even repressive ones. Japanese leaders believe that such an approach builds up both individuals and organizations that will be more receptive to democratic change, and gives Tokyo access to top policy makers and a greater chance of influencing their decisions. As Endo says, Tokyo also engages with civil society groups, but direct democracy support for such non-governmental organizations (NGOs) makes up only a fraction of its total overseas development aid. This strategy of engaging authoritarian regimes before they begin a transition to democracy has sometimes put Tokyo at odds with Washington, as well as outside the international mainstream. The Japanese approach has the advantage of maintaining contact with some government officials and business leaders within authoritarian countries. Sometimes it is these individuals who will lead democratic
change, in part inspired and assisted by their knowledge of outside countries. It has
the disadvantage of providing support to repressive regimes that can simply pocket the
support and continue their authoritarian ways.

Both countries have much to learn from the other’s different approach.

While not going as far as Japan does in relations with authoritarian governments,
the United States can selectively expand its contacts with government personnel from
repressive regimes. One of the most promising avenues of contact is international
military education and training (IMET). Japan’s past programs of continuing contact
with military officers in Myanmar has enabled it to be far more effective in supporting
the reconciliation process, in which both active and retired military officers are playing
major roles. The United States could use other education programs for selected civilian
government officials or business leaders from authoritarian government for the same
purposes. In particular, the Fulbright Program and the State Department’s International
Visitors Program not only provide excellent opportunities for engagement, they also offer
a lifelong network of contacts on whom participants can draw for future assistance. While
not every foreigner who studies in the United States becomes a democrat, many become
more open to democratic ideas than their colleagues who remain at home.

Japan, for its part, can more accurately assess whether its official programs with
repressive governments are actually increasing the likelihood of democratic transition or
not. As Yasunobu Sato points out, Japan has poured enormous resources into legal and
judicial training programs that have had little effect on overall democratic development.
He cites programs in Cambodia and Vietnam. The legal systems in both these countries
receive withering criticism in the 2016 *Freedom in the World* report. As Dr. Sato
recommends, Japan should use NGOs to monitor the results of its programs to assist
legal systems in authoritarian countries to determine if they are benefitting citizens or
improving the efficiency of oppressive justice systems.

Neither Japan nor the United States has developed effective concepts for
conditionality, that is, linking development and other assistance to a country to
progress on democratic development and human rights. Japan traditionally has not
employed conditionality at all. As Richard Kraemer describes in his article on
Afghanistan, one notable exception was the “Tokyo Mutual Accountability Framework”
of 2012, which had some success. Broad American policies of withholding all
development assistance until human rights improve in authoritarian countries have
had little effect in speeding transitions to democracy, for example in Laos, Venezuela, or
Syria. On the other hand, a recent American success has been the Millennium Challenge
Corporation, which links measures of success in African countries to the continuation
of assistance. American conditionality has been especially clumsy and ineffective
when there have been disputes between the legislative and executive branches, for
example in the use of military-military programs, or in relations with autocratic
countries of strategic importance such as Saudi Arabia and Egypt.

Both countries now have a great deal of experience in the effectiveness of conditionality, and through consultation, could reach complementary and effective policies towards specific countries. Tying specific assistance programs to the achievement of specific outcomes within the recipient authoritarian country offers a middle ground between the American practice of refusing all official contact with repressive regimes and the Japanese practice of attaching no strings to their official development programs. Countries that are still early in democratic transitions or have substantial authoritarian influence within their governments are candidates for conditional assistance programs: Myanmar, Ukraine, Venezuela, Peru, and Bolivia.

A concerted effort aimed at priority countries, combining the most effective features of the American and Japanese approaches, could achieve greater results, especially when budget constraints in the U.S. and Japan make joint action more effective than individual action.

Recommendations:

1. **Establish democracy support cooperation as a goal for the US-Japan alliance and develop formal procedures to achieve it**

   The very first step must be recognition by both Tokyo and Washington that cooperating on democracy support should be a higher priority for the alliance. The alliance should more explicitly focus on shaping the international environment, so that liberalism and democracy are nurtured and strengthened. As noted in the introduction, the wider the spread of democracy, the more likely it is that tensions will be reduced and the global environment will tend towards cooperative behavior as well as increased economic development and trade. Any policies that can help bring about a reduction in the need for a military response to instability or conflict should be embraced as a primary goal for the alliance. Although many of the ideas proposed by the authors in this volume were taken from country-specific situations, they form a core set of policy suggestions that are applicable widely to democracy promotion. One of the most important lessons of recent years in democracy support is that every country is unique. So these core principles must be applied differently for each target country.

   - Create an Alliance Coordination Democracy Support Mechanism (ACDSM), a bilateral bureaucratic body that is a regular means for setting objectives by picking specific countries for priority attention, integrating complementary policies, and assessing progress in democracy support.
   - Draft “Democracy Cooperation Guidelines,” setting out goals, principles of cooperation, identifying key nations for assistance, describing specific policies for each country to use, and prioritizing the implementation of the policies.
• Add a component on democracy support to the U.S.-Japan High Level Development Dialogue so that it becomes an integral part of both countries’ development efforts. The 2015 joint statement made no reference to democracy.
• For the highest priority countries, establish regular, linked consultative processes, capital-to-capital and embassy-to-embassy, to ensure that the programs are complementary and coordinated both at the policy level and on the ground.
• Initiate direct engagement of the Congressional Study Group on Japan, U.S.-Japan Congressional Caucus, and the Japan-U.S. Parliamentary Friendship League on the issue of democracy support.

2. Reach agreement on a list of the highest priority countries for U.S.-Japan cooperation on supporting democratic transitions.
As a starting point, the ACDSM should plan complementary U.S. and Japanese policies and programs for the countries with which they have strong ties that are undergoing democratic challenges—Myanmar, Thailand, and Malaysia. Other strong candidates are the group that Larry Diamond classifies as “insecure developing democracies” — Indonesia, the Philippines, Mongolia, Ukraine, Georgia, Tunisia, and South Africa. He adds the countries of sub-Saharan Africa, Peru, Bolivia, Sri Lanka, and Nepal. Tsuneo Akaha’s list of the highest priority countries for human security promotion include Thailand, Myanmar, Cambodia, Nepal, Indonesia, Afghanistan, Honduras, Bolivia, Chad, and Sudan. These lists provide a good starting point for U.S.-Japan consultations to form a common priority list of countries for democratic support.

• Southeast Asia Priority Countries: Myanmar, Thailand, Malaysia, Indonesia, and the Philippines.
• African Priority Countries: South Africa, Chad, and Sudan.
• Central and South Asian Priority Countries: Mongolia, Nepal, and Sri Lanka.
• European Priority Countries: Ukraine and Georgia.
• Middle East and North African Priority Countries: Afghanistan and Tunisia.
• Latin American Priority Countries: Peru, Bolivia, and Honduras.

3. Re-invigorate U.S. and Japanese participation in international bodies to promote democratic transitions.
Since the end of the Cold War, there has been a series of international efforts to increase international cooperation in supporting democratic transitions. Reaction to some of the American rhetoric that linked democracy promotion to the second Iraq War, and a downgrading of democracy and human rights concerns within the Obama administration, have weakened these movements. The official statements of the United Nations from its founding have enshrined the principles of democratic governance and human rights,
but many of the UN organizations concerned with democracy and human rights have been hijacked by authoritarian governments. With the experience of the past quarter century it is possible to strengthen the best elements of these organizations to build a wider international consensus for assisting democratic development within authoritarian countries, and for resisting backsliding within both new democracies and established ones.

- Japan and the United States should reprioritize the Community of Democracies (CD). Founded in 2000 to bring together governments, civil society, and the private sector to support democratic rules, norms, and institutions around the world, the CD has not received high-level attention from the United States or Japan. The CD's biennial ministerial conference should become the main global event for highlighting leading democratic thinkers, dissidents, and politicians. The United States currently holds the presidency of the CD and will host the next ministerial in 2017.

- Encourage a more robust role for the new ASEAN Intergovernmental Commission on Human Rights (AICHR), by promising support for activities that specifically aim at preventing atrocities against civilians, and establishing baseline norms for government behavior towards minorities and more vulnerable segments of the population.

- Take back control of the UN Human Rights Council and bring their activities into line with the principles of the UN Charter. Consider working with the UN High Commissioner's Office, which is separate from the Council, when progress with the Human Rights Council is stymied.

4. Strengthen functional democracy and human rights support programs to provide greater capacity worldwide.

While organizing a mechanism for U.S.-Japan cooperation on democracy support, a priority list of countries in which to bring that cooperation to bear, and re-invigorating international democratic organizations, the United States and Japan can take a number of capacity-building initiatives identified by the authors of this volume:

- (For both Japan and the United States) Provide technical aid and expertise for establishing information technology and social media platforms for civil society groups, independent media, and educational institutions in transitioning countries. While useful in all countries of concern, such assistance is of particular importance for African states, which are more internally coherent as well as more integrated into the global economy than places such as Afghanistan. Further promoting civil society development in African countries through greater employment of technology can spur democratization movements.
• (For both Japan and the United States) Establish a fund for civics education in transitioning states. Textbooks, videos, lecture series, and social media, among other tools, can be used to form a global curriculum covering democratic practice. While recognizing differences in governance (for example, between presidential and parliamentary systems), the basics of democracy can be distilled for wide dissemination. This global civics education should cover both national and local levels of democratic practice.

• (For both Japan and the United States) Translate important documents in democracy and human rights support into other languages. While a massive literature on democracy and human rights issues has accumulated in English and other Western languages, and to some extent Japanese and Korean, efforts to translate this knowledge into other critical languages (including Chinese, Vietnamese, Arabic, and Russian) have been limited. The United States and Japan should sponsor a program to translate the important publications into other languages and make them available to audiences in transitioning and autocratic countries.

• (For both Japan and the United States) Expanding overseas educational experiences for teachers, researchers, graduate students, and undergraduates from authoritarian and transitioning countries should be a priority, ideally by pooling resources to encourage scholarship recipients to study in both countries.

• (For Japan) Direct a greater share of its development aid through Japanese non-governmental organizations in order to develop their number and capability. Currently Japanese NGOs play a very small role in developmental programs and they have little influence within the international community of NGOs concerned with democracy and human rights support. They have much to contribute in terms of experience and ideas and need support to gain size and stature, but they need to be encouraged to develop their overseas activities and to focus initially on one or two priority cases where they will commit human and material resources to democracy development. This is a role that the Japan International Cooperation Agency (JICA) can take the lead, by working with private organizations.

• (For Japan) Second Japanese officials and experts on international legal and judicial reform assistance to U.S. counterparts and global and local NGOs to work for democracy and human rights promotion. Conversely, personnel from local counterparts and NGOs should be seconded to work for the Japan International Cooperation Agency (JICA) and the U.S. Agency for International Development (USAID) to make them more effective. This interchange will help develop a common vocabulary of democratization concepts and policy preferences, which can be passed on to new administrations and officials in both Japan and the United States.
• One of the most important developmental actions that would promote democracy in Vietnam is for both the United States and Japan to ratify and implement the Trans-Pacific Partnership (TPP). If the trade pact goes into effect, member states will eventually negotiate an expansion of the agreement to include other transitioning Asian states. While Japan has ratified the pact in 2016, the United States appears on the verge withdrawal. Every effort should be made to pressure Washington to pass TPP as part of a larger strategy for economic development in Asia, which remains one of the prerequisites for gradual liberalization in centralized economies. Should TPP fail to be implemented, the United States and Japan should seek alternative measures that would promote freer flows of goods and services and the rules and norms that make international trade possible.

5. As a matter of priority, build a combined U.S.-Japan program to support Myanmar’s democratic transition.

While these recommendations apply globally and to a wide spectrum of countries, the United States and Japan should make Myanmar, a transitioning regime receptive to U.S. and Japanese assistance, a priority country for cooperation in the coming years. Thus, it is important to develop an integrated action plan, as David Steinberg and Aung Din note in their chapters in this book. Under current Congressional restrictions, the United States can provide only limited assistance to the government, while Tokyo has a much freer hand. As the new government of Myanmar establishes itself, continued popular support will depend, in part, on meeting some of the public’s high expectations for economic and other progress. Japan can continue to provide assistance to Myanmar’s government for capacity building and infrastructure while its companies can continue to engage in private economic development projects. The United States must continue to provide financial assistance to civil society organizations. Both countries can play an important role in supporting a free media and independent judiciary as well as in establishing the rule of law.

Both countries can further provide micro-finance loans, small grants, and technology transfer to Myanmar to assist farmers and small and medium-sized enterprises. As regional and state legislatures have expanded their governance roles since a number of key groups signed a ceasefire agreement in October 2015, the United States and Japan should focus on building the capacity of these institutions through overseas and on-site training. In addition, Myanmar’s new federalism will require new local tax initiatives, and joint technical assistance in this area could be useful. Further, the judiciary is neither independent nor effective, and would benefit from training and resources, which could be provided collaboratively. Since U.S. engagement with Myanmar’s military remains extremely limited, the Japan Self-Defense Forces (JSDF) should continue working with Myanmar’s military and assist mid-level officers in gaining education and training.
regarding civil-military relations in democratic countries. U.S. military personnel could participate in the Japan-Myanmar military engagement as observers.

Working in Myanmar does not have to be solely a bilateral initiative. Collaboration with the South Korean-funded Myanmar Development Institute could include work on private sector reforms, including the development of a stock market, which the United States and Japan could also support. As Steinberg discusses in his chapter, any U.S.-Japan or U.S.-Korean collaboration in Myanmar will concern China, and thus all three countries will need to be clear in messaging that their democracy building efforts in Myanmar are not part of a containment strategy directed at Beijing. While the U.S. and Japan should seek to become the primary partners of the Burmese government, a successful strategy in Myanmar ultimately may include some level of U.S.-Japan-China cooperation as well. Any cooperation should avoid providing any geostrategic advantage to Beijing, which may be easier to achieve if the focus remains on domestic issues and stabilizing Myanmar’s regional position through internal development.

The United States has been assisting Myanmar media in gaining capacity and developing standards, but Japan also has much to offer and a coordinated program could be productive. To enhance educational development, both countries should provide more scholarships for Burmese students seeking undergraduate and graduate degrees in the United States and Japan. As David Kramer also notes, in our joint efforts to promote democracy, America and Japan must not overlook the ongoing plight of the Rohingya people in Myanmar. Both Washington and Tokyo should press not only the military to stop the abuses but also Daw Suu to condemn such outrages.

Democracy promotion remains one of the most important tools for promoting stability and prosperity. It should become a greater priority for both Japan and the United States, separately as well as through their alliance partnership. Encouraging and supporting the right of all peoples to self-determination, and working to link liberal societies in a global community of interests, offers a way ultimately to reduce global conflict and unleash the productive capabilities of hundreds of millions of individuals. With their long histories as supporters of the liberal international order, not to mention their national wealth and level of development, Japan and the United States have a unique role to play in helping nurture a new wave of democratic progress around the globe. Doing so will allow countries to better their own societies and live up to their ideals, as much as it will better the wider world.
Notes

Introduction

Chapter One
2 For documentation, see: Larry Diamond, In Search of Democracy, (London: Routledge, 2016), Chapter 4.
10 See, for example: http://www.civiced.org/civitas-program-resources/reference-materials/ res-publica.

Chapter Two
11 This paper builds off of work done by the Democracy & Human Rights Working Group, a nonpartisan initiative bringing together academic and think tank experts and practitioners from NGOs and previous Democratic and Republican administrations, seeking to elevate the importance of democracy and human rights issues in U.S. foreign policy. The group is convened by Arizona State University’s McCain Institute for International Leadership, and David J. Kramer is co-chair.
14 Samuel Huntington, “Democracy’s Third Wave,” Journal of Democracy 2, no. 2 (1991). The first wave, according to Huntington, began in the 1820s, with the widening of suffrage to a large part of the population in the United States, and continued for nearly a century; after nearly being reversed
by fascist and Nazi regimes in World War II, the post-war movement of democratization marked the second wave, reaching a peak in the early 1960s.


17 Germany and Japan after World War II stand as huge—and tremendously successful—exceptions to this claim, of course.


23 Ibid.


Chapter Three

25 It was the United States that woke Japan up by sailing the so-called black ships to Japan. This gunship intervention forced Japan to open her market. As a result, the Shogunate government could not help singing an unequal treaty with the United States. This incident led Japan to the Meiji Restoration, centered on the Emperor in 1868.


28 In the case of the peace mediation for Sri Lanka, supported by U.S. and European partners, Japan proactively negotiated with the government of Sri Lanka to minimize the escalation of the armed conflict, for instance, by convening the Tokyo conference in 2003, although it was not entirely successful.

29 Japan’s democracy support is defined as assistance to developing nations to establish legal systems, including not only assistance for drafting and enacting bills but also for establishing systems to enforce laws and train legal professionals. The Japan International Cooperation Agency (JICA) categorizes it as governance assistance. See: http://www.jica.go.jp/english/our_work/thematic_issues/governance/activity.html (accessed on February 12, 2016).

Japan did not cut off diplomatic relations with Vietnam during the Vietnam War. Japan also played an important role in negotiating with China over Beijing’s support for the Khmer Rouge. Japan pursued diplomatic normalization with China, as did the United States, in the 1970s. After the Tiananmen incident in 1989, Japan suspended yen loans to China.

When UNTAC left Cambodia, there was no real judiciary functioning, since the Khmer Rouge destroyed the legal system as well as the necessary human resources.

According to the original Japanese version of the Ministry of Foreign Affairs’ Evaluation Report in 2014, the number of practicing lawyers was 230 in 2002, and it grew to 897 as of 2014. Japan has assisted the Royal School of Judges and Prosecutors (RSJP) and the School of Practicing Lawyers, since 2005. As of 2011, 70 percent of public prosecutors and judges were graduates of RSJP.

Training of judges, public prosecutors, and practicing lawyers has benefited from assistance for the construction of facilities and development of curriculums.

According to the Ministry of Justice of Japan, Costa Rica and Ivory Coast are now asking the Japanese government for legal and judicial reform assistance (requested in an inter-ministerial coordination meeting in Osaka from January 21-22, 2016).

The Cambodian Human Rights and Development Association (known as ADHOC), which is a prominent local human rights NGO in Cambodia, stated that it did not know how different Japan’s official development assistance was from China’s in Cambodia (interview in Phnom Penh with ADHOC’s President, November 13, 2014).

In the case of the Sri Lankan peace talks, Yasushi Akashi, a special envoy of the Japanese government, invited local NGOs to be involved in the process in order to avoid mutual mistrust. According to him, this was successful to a certain degree (personal email, February 24, 2016).

In comparison with the United States, which provided U.S.$56.1 million, ranking first, Japan’s funding of $10.2 million ranked fifth, as of the end of 2015. See: http://www.un.org/democracyfund/contribution-table (accessed on February 11, 2016).


Japan has hosted the Tokyo International Conference for African Development six times since 1993. The last one was held in Nairobi on 27-28 August 2016.


Chapter Four


There are many excellent discussions of the principle of Responsibility to Protect. See: Gareth Evans, The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All (Washington, D.C.: Brookings Institution, 2008); Alex J. Bellamy, Responsibility to Protect (Cambridge: Policy Press, 2009); Alex J. Bellamy, Responsibility to Protect: A Defense (New York: Oxford University

Components of human development include education for girls and boys, healthcare, nutrition, jobs, and environmental quality.


Chapter Five


The government claims there are some 135 races, but this is an old, colonial categorization of linguistic/dialect differences, and not based on ethnicity. The word lu-myo (literally, person-type) in
Burmese means race, ethnicity, or nationality, thus causing confusion.

Scholars complain that the prominence of ethnicity is a recent construct based on a colonial approach to governance and history in Burma. Although this may be true, it has become essentially irrelevant in dealing with contemporary attitudes, which have become deeply ingrained. See: David I. Steinberg, “The Problem of Democracy in the Republic of the Union of Myanmar: Neither Nation-State nor State-Nation,” Southeast Asian Affairs 2012, Singapore: Institute of Southeast Asian Studies, 2012.

The state has begun to allow teaching in local languages in the official school curriculum, as well as publications in such languages. An intense case of such vulnerability, affecting the Muslim Rohingya population, is perceived by the Rakhine (Arakan) Buddhists, who were conquered by the Burmans in 1785 and have been treated as second-class citizens.

There have been three coups: 1958, when the parliament agreed to a limited military takeover to prevent civil war; 1962, which was intended to be permanent and was allegedly caused by fears of minority secession; and 1988 to shore up the previous military in the face of a widespread people's revolution.

Andrew Selth, personal communication with the author.


Although one considers the military grammatically as singular, it has its plural aspects. The dichotomy between active-duty military and military in civilian or political party roles has become apparent during the Burma Socialist Programme Party (BSPP) era, and may again reassert itself. This may become a critical factor in the dynamics of future Myanmar administrations. Personal rivalries also exist.


Aung San, in February 1947, called for a federal state, which was never instituted after his assassination. In 1969, the military asked a group of distinguished Burmese civilians whether the state should be unitary or federal. The recommendation was for a federal state, but General Ne Win formed a unitary state, increasing ethnic rebellions and further deteriorating national unity.

President Thein Sein, in a speech on October 6, 2015, reported in the Global New Light of Myanmar, October 7, 2015.

H.R. 2029: Consolidated Appropriations Act, 2016. I am indebted to U Aung Din for bringing the bill to my attention, especially Section 7043, pp. 543-44.


Yet a leading Asian intellectual noted to me that surrender is often better than compromise, because if one compromises, one loses one’s moral position and standing.

Chapter Six


Personal experience.


Ibid., 463.


“Archive: Eyewitness Account of Burma’s Depayin Massacre,” Radio Free Asia, September 10,


98 Steinberg, et al., The United States and Japan: Assisting Myanmar's Development: 86.

99 Patricia Zengerle, “U.S. nominee to be Myanmar envoy does not see big sanctions changes,” Reuters, December 1, 2015, http://www.reuters.com/article/2015/12/01/us-myanmar-usa-envoy-idUSKNB9T5920151201#oTgbXj38mbjDqOrZ.97


107 Steinberg, et al., The United States and Japan: Assisting Myanmar’s Development: Annex 1.

Chapter Seven

108 Note that “nation building” was never U.S. policy, per se. While the phrase has, on occasion, been employed in remarks made by State Department and Pentagon officials, no official document or strategy makes reference to it. For the sake of this chapter, I couch its definition as follows: “What Americans refer to as nation building is rather state building—that is, constructing political institutions or else promoting economic development.” See: Francis Fukuyama, Nation-Building – Beyond Afghanistan and Iraq, ed. Francis Fukuyama (Baltimore: Johns Hopkins University Press, 2006): 3. My only modest addition would be assistance in the establishment of professional security forces accountable to the state.

109 Ibid., 4.

110 Reconstruction involves returning the post-conflict country to its pre-conflict situation, whereas development is focused on creating new institutions and promoting sustained economic growth. Ibid., 4-5.

111 Thorough definitions and discussion of these approaches’ merits and shortcomings can be found

112 Ibid., 5.

113 Ibid., 14-15. As an example, the National Endowment for Democracy’s Statement of Principles and Objectives states, in part, that, “[D]emocracy involves the right of the people to freely determine their own destiny [and] that the exercise of this right requires a system that guarantees freedom of expression, free and competitive elections, respect for the inalienable rights of individuals and minorities, free communications media, and rule of law.” http://www.ned.org/docs/Statement-of-Principles-and-Objectives.pdf.


117 Ichihara, Ibid., 6.


119 Ibid.


123 See: USAID Afghanistan Municipal Strengthening Program, improving “the ability of mayors and municipalities to provide essential public services such as water and power management, sanitation, safe roads, parks, solid waste management, ditch cleaning, youth activities, parks, and urban greener.“ https://www.usaid.gov/node/52006.


125 For example, see the Initiative to Promote Afghan Civil Society (I-PACS II; implemented by Counterpart International) and Ambassador’s Small Grants Program to Support Gender Equality (ASGP; implemented by Creative Associates International), https://www.usaid.gov/node/50151 and https://www.usaid.gov/node/51881, respectively.


NOTES FOR PAGES 84–90

133 Ibid., 57.
137 JICA, Ibid., 74-75; Ministry of Foreign Affairs of Japan, Ibid..
138 JICA Research Institute, Ibid., 98–106.
142 Ibid., 9-11.
144 Japan’s Assistance in Afghanistan, Osaka: Ministry of Foreign Affairs of Japan, April 2012, 17.
147 Ibid., articles 12, 15.
152 Despite the donor community’s prioritization of gender issues and women’s rights, the Elimination of Violence against Women law remains in force only by presidential degree; the Afghan parliament has yet to ratify the law.
For further discussion, see: Michael Trebilcock and Ronald J. Daniels, *Rule of Law Reform and Development: Charting the Fragile Path to Progress* (Cheltenham: Edward Elgar, 2009).

**Chapter Eight**


Ibid., 148.

Ibid., 149.


Cheeseman, *Democracy in Africa*, 134


Karlstrom, “Civil Society and Its Presuppositions.”


Ibid, 19.
178 Ibid., 199.
182 Ibid., 291.
187 I got this information on this part from a member of Japanese Embassy on August 2002.
189 Ibid.
190 Ibid., 158.
191 Ibid., 160.
192 Ibid., 161.
193 Van Rooy and Robinson, “Out of the ivory tower: civil society and the aid system,” 60
195 Ibid., 161-163.
197 Cheeseman, *Democracy in Africa*, 85
199 Ibid., 18-20
200 Ibid., 40

U.S. - JAPAN APPROACHES TO DEMOCRACY PROMOTION

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