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US-Malaysia Relations: Strategic Imperatives over Human Rights

By David Han Guo Xiong

Synopsis

The decision by the US to upgrade Malaysia's ranking on its list of illegal human trafficking centres would ease the establishment of the Trans-Pacific-Partnership (TPP) trade pact. It shows the primacy of larger strategic imperatives over human rights issues in US-Malaysia relations.

Commentary

THE RECENT decision by the US to upgrade Malaysia's ranking on its list of illegal human trafficking centres would ease the establishment of the Trans-Pacific-Partnership (TPP), a mega free trade pact involving twelve countries, including Malaysia and the US. It shows that larger strategic imperatives could matter more than human rights issues in US-Malaysia relations.

American foreign policy towards other countries, including Malaysia, frequently incorporates human rights issues. Nevertheless, human rights issues often are secondary to the shared pragmatism and larger strategic concerns of both the US and Malaysia.

Why Malaysia's ranking was upgraded

Last year, the US State department downgraded Malaysia to Tier 3, the lowest ranking in its "Trafficking in Persons" report. The major reason for this classification was Malaysia's poor efforts at improving its illegal human trafficking problems.

This poor ranking has prevented the US and Malaysia to conclude the TPP free trade pact, because last month the US Congress passed a trade bill with a provision which stipulated that fast-tracked trade deals cannot be established with countries that have the worst ranking on the US State Department's list of human trafficking record. In order to overcome this obstacle, Malaysia was upgraded to a Tier 2 ranking which recognizes Malaysia's efforts at improving its measures to tackle illegal human trafficking. These efforts include the clamping down on illegal camp sites at Malaysia's northern border with Thailand earlier this year. Nevertheless, this upgrading has drawn sharp criticism from domestic political and public voices in the US and Malaysia as a compromise on the fight against human rights abuses.

Illegal human trafficking is but one of the human rights bones of contentions between Malaysia and the US. In March 2015, Anwar Ibrahim, the leader of the Malaysian opposition coalition, was jailed for the second time on charges of sodomy. The White House criticized the jailing of Anwar as a blow to democratic progress. Further back in 1998, then US Vice-President Al-Gore openly hailed the *Reformasi* movement during his speech at an APEC Business Summit meeting in Malaysia. This triggered a furore from the Mahathir administration and the Malaysian public.

The Primacy of Strategic and National Imperatives

Despite the issues of human rights between Malaysia and the US, these issues do not seriously undermine the strategic imperatives shared by both countries. It is true that the US has occasionally directed strong criticisms against Malaysia's human rights record, but these statements tend to be cosmetic and rhetorical in nature.

Dr. Mahathir himself skilfully operated on a dual track approach in his foreign policy towards the US and the West at large. For instance, since the late 1980s through the 1990s, while he was overtly very critical of US-led, Western policy of discrimination against Islamic states, he quietly promoted closer economic and military cooperation with the US. Subsequently, ties between both countries improved significantly under then Prime Minister Abdullah Badawi, followed by Premier Najib Razak. Engaging the US would ensure that the world's only superpower stays engaged in Southeast Asia, thereby preserving a stable security environment in the region.

The US has always seen Malaysia as a modern and moderate Islamic state even during the premiership of Dr. Mahathir, who was also a strong ally of the US in the War against Terror. Indeed, Malaysia is a bridge for the US to the Islamic world. And the US considers Malaysia as a helpful partner in its counter-terrorism efforts against extremist groups such as ISIS.

Under the Obama administration, the US has been building stronger economic and security ties with Malaysia as part of its "Asia-pivot" strategy to shore up waning US influence in the Asia-Pacific against the challenge of a rising China. More importantly, as ASEAN chair in 2015, it is in Malaysia's strategic interests to leverage on this position to foster stronger ties with the US to further anchor US presence in Southeast Asia.

In April 2014, President Obama became the second top US leader to visit Malaysia since Lyndon Johnson's visit to the country in 1966. Both President Obama and Prime Minister Najib Razak agreed to upgrade their ties into a Comprehensive Partnership. Prime Minister Najib Razak has been eagerly supporting this strategic pact as it would be beneficial to Malaysia's economic growth. In May 2015, both US naval and Malaysian armed forces participated in a joint-training exercise in Malaysia, a sign of the improved relations between the two countries.

Implications

At least three implications could be inferred from the above developments. First, pragmatic, strategic concerns tend to have primacy over human rights consideration in US-Malaysia relations. This is not an isolated event. The US has also been building closer economic and security ties with Vietnam, which is also involved in the TPP trade pact. Human rights issues in Vietnam have not seriously undermined the country's improving relations with the US.

Although an advocate of human rights in his foreign policy, President Obama is also a pragmatic leader when it comes to larger strategic concerns. These strategic concerns have pressed President Obama to strengthen relations with allies and friends in the Asia-Pacific region, even if at the expense of issues of human rights concerns.

Second, the issue of human rights is usually a foreign policy tool that serves as a means to an end, which is to optimize national interest. Indeed, US criticism of Malaysia's poor record in tackling the flow of human trafficking and the low ranking had pressurized Malaysian authorities to tackle the problem of illegal human trafficking. Malaysia has made significant efforts in this aspect. While such efforts may not be fully adequate, they are grounds for the US to justify the upgrading of Malaysia's ranking to smooth the process for both countries to seal the TPP trade pact.

Third, such an episode could embolden other countries with serious problems of human rights abuses to find ways to manoeuvre around human rights issues in their relations with the US. These countries could seek to cultivate stronger ties with the US by focusing primarily on common strategic concerns while downplaying human rights issues.

To conclude, the human rights concerns will continue to give rise to occasional contentions between Malaysian and the US. But such issues have been subject to larger strategic and national interests that carry greater weight in the calculations of both countries. Currently, realpolitik is the key determinant in guiding the bilateral ties of both countries.

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