

New Values for New International Norms

Yan Xuetong

The Charter of the United Nations and most international norms formulated under U.S. dominance since the 20th century are based on American values of “equality, democracy and freedom.” For instance, Clause 2, Article 1 of Chapter I: Purposes and Principles of the UN Charter reads: “To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace.” The Cold War ended with the Soviet Union’s disintegration and America’s victory, which led more people to believe that the American values of “equality, democracy and freedom” are the best values of the mankind that could no longer be transcended.

With the quickened narrowing of the gap of material strength between China and the United States, quite some people expressed that China might surpass the United States in terms of material strength, but not in terms of values. Based on the values of fairness and justice as well as the diplomatic principle of win-win cooperation put forward by Xi Jinping since 2012 and drawing on Chinese ancient thoughts on humane authority or the “kingly way,” this article attempts to prove from the angles of “benevolence,” “righteousness” and “rite” that China can not only transcend the United States materially but also in terms of values.

I. Differences between the Kingly Way and the Way of Might

The Chinese government issued the white paper China’s Peaceful Development in September 2011, which pointed out unequivocally: “Taking the path of peaceful development is a strategic choice made by the Chinese government and people in keeping with the fine tradition of Chinese culture, the development trend of the times and the fundamental interests of China.” In this statement, “development trend of the times” and “fundamental interests of China” are objective factors while “fine tradition of Chinese culture” is the ideological factor. All traditional thinking, including the traditional Chinese political thinking, is an assemblage of essence and dross. Therefore, the white paper prescribes that the Chinese government only inherits the fine tradition but not everything in Chinese culture.

In Western international relations theories, hegemon or hegemony is a concept used to describe the highest international leadership. After the Cold War, American scholars, in order to distinguish between the U.S. hegemon and other hegemons in history, invented the concept of “benevolent hegemon.” But they failed to realize that hegemon is not the highest form of international leadership. Different from the Western political concept, Chinese thinkers classified

long time ago the different natures of ways handling “state” relations and concluded that “way of might” or hegemon was not the best. Guan Zhong, a thinker in the Spring and Autumn Period (770BC - 476BC), divided state leadership into four levels, i.e., grand ruler, emperor, king, and overlord when talking about military strategy and tactics, and overlord or “hegemonic ruler” was at the bottom. Celebrated thinker Xun Zi (313BC – 238BC) divided the ways of handling the then “state-to-state relations” into the kingly way, way of might and way of power and held that “way of might” was better than “way of power” but inferior to “kingly way.” Theoretically speaking, this traditional political idea of “kingly way” of China’s can by all means transcend the hegemonic values of the United States.

There have been discussions on the differences between the kingly way and way of might long ago in traditional Chinese culture. Mencius (Ca.372BC – 289BC) held that maintaining rule in the name of benevolence but actually with might was exercising the way of might and a state practicing way of might must be one with strong material force; executing benevolent rule with morals was the kingly way and a state practicing such a rule did not need strong material power. Such views of Mencius’ are typical idealistic thinking which are out of line with the current international politics.

Xun Zi was a realist, maintaining that the difference between a state exercising the kingly way and that following the way of might lied not in power but in morality. He affirmed to certain degree the state of might, as it would at least try to “defend the weak and stop the despotic” and prove it had “no ambition to annex other states” in a given period so that other states would “feel close” to it. A state of might should also follow the principle of being friendly with states with matching strength, as other states would keep a distance with it if it revealed its ambition to annex others and would deviate from it if it showed its intention to submit others. In his view, it was no easy either to be a state of might. In view of the doings of the United States at present, its “hegemony” is somewhat similar to what Xun Zi had said, as it has never openly declared its intention of “seeking hegemony” though it has been busy intervening in other countries by flaunting the so-called universal values of “democracy” and “human rights.” The best proof to show that the “democracy” and “human rights” preached by the United States are feign is that it toppled the Saddam regime in Iraq and the Qaddafi regime in Libya under the pretext of ridding off tyranny and protecting human rights while adopted a policy of alliance and support toward the monarchical states in the Gulf Bay having similar human rights problems. For another example, both India and Iran implement the system of election, but the United States only admit India, not Iran, as a democratic country.

Xun Zi maintained that the kingly way was different from the way of might, saying that a state practicing the kingly way was the most benevolent and therefore all other states wanted to be close and friendly with it; it was the most moral and hence all the rest showed respect to it; and it was the most powerful and hence no state dared to be hostile to it.

Such a view of Xun Zi’s is worth for the rising China to learn as a reference. To reduce pressures from the international system in the course of its rising, China needs, in the moral field, to provide the world with values that transcend the American hegemony and practice such values

so that most countries would embrace China's rise. The diplomatic principle of fairness, justice and win-win cooperation put forward by Xi Jinping in 2012 indicates the possibility of transcending the American values. Addressing the World Peace Forum sponsored by the Tsinghua University in July 2012, he pointed out: "A country should let others develop as well when pursuing its own development; let others feel secure when seeking for its own security; and let others live well when striving for a better life." This win-win idea opposes the hegemonic actions of the United States that cares only for its unilateral benefits and at the same time constitutes a guide for China that it should not follow the example of the United States in the course of its rise to carry out invasion and intervention in the name of "democracy" and "human right" but should take the interests of other countries into earnest consideration.

The core of the thinking of kingly way is "benevolence" and "righteousness." "Benevolence" is very close to the meaning of "fairness" while "righteousness" to "justice." When meeting with president of the 67th Session of UN General Assembly Vuk Jeremic, Xi Jinping stated: "China shall as always strengthen cooperation with the United Nations and work together with all countries to achieve peaceful development, win-win cooperation and fairness and justice in the world." This proposition is quite similar with the core elements of "benevolence" and "righteousness" in the thinking of kingly way in ancient China.

II. Promoting the International Norm of Fairness with "Benevolence"

The concept of "equality" originates from man's natural instincts. The innate genetic differences as well as divergences in living environments determine that disparities exist between man and man. People differ in intelligence, physical strength, height, weight, speed, family background, educational attainment, social relations, etc. Stressing equality to the neglect of these differences is equivalent to advocating the law of the jungle. Absolute equality in rights means no leader and the led, and hence no internal cooperation in the group. Absolute equality in opportunities means life-and-death competition, and violent means would be the best choice if such means could decide the result of the competition.

The essence of "benevolence" is the principle of the strong sympathizing and caring for the weak, which regulates conflicts resulting from disparities between the strong and the weak. As the international community divides into the strong and the weak members, equality without "benevolence" actually places the weak countries in a very unfavorable position. The law of unbalanced development of strength determines that countries could not have exactly the same strength, which means disparity in strength between strong and weak countries cannot be eliminated. Hence, how to remove conflicts between the strong and weak countries becomes a major political problem. The international norm of "fairness" formed under the guidance of the idea of "benevolence" can to a great extent dispel conflicts brought about by the norm of equality. For instance, absolute equality gives rise to grabbing seats in a bus, but the norm of

fairness will result in offering seats to the needed. The same can be used to explain international phenomena.

Fairness is a value that is more conducive than “equality” to promoting harmony of the international community. The rule of equality for boxing in the Olympic Games is that the one who falls on the floor in the set time loses while the rule of fairness classifies the boxers into heavy weight and light weight, thus giving boxers of lighter weight a chance to win medals. This equitable principle of differentiated treatments is not only applied in the Olympic Games but also practiced in international politics.

For instance, the concept of “common but differentiated responsibilities” which budded at the Stockholm meeting in 1972 was accepted by the United Nations Framework Convention on Climate Change of 1992 and the Kyoto Protocol of 1997. On the question of reducing CO2 emission, the international community has embraced the principle of developed and developing countries taking common but differentiated responsibilities. The Lomé Convention signed in February 1975 between nine European Community (EC) countries and 46 developing nations in Africa, the Caribbean and the Pacific (ACP) also embodied the equitable principle in that the EC countries offered preferential treatment economically to members of the ACP group. Fairness is a social progress at a higher level than equality.

As a rising major country, China needs to examine and understand from the angle of the strong relationship between its own interests and that of other countries. Xi Jinping said: “With their interests intermingled, all countries share common security and danger. They should seek win-win results when developing mutual relations, safeguard common interests and create greater benefits for all.” He also pointed out: “Countries should accommodate others’ legitimate concerns in their pursuit of national interest and the implementation of a country’s development strategy should also lead to better development opportunities for other countries. ...China is not only an active advocate but also a real practitioner of win-win cooperation in the world.”

The general rule of formation of international norms provides that there are mainly three ways to promote the formation of new international norms, namely, exemplary role of the advocate, incentive to the follower, and punishment to the offender, among which exemplary role of the advocate is most important.

III. Promoting the Principle of International Justice with “Righteousness”

The value of “democracy” is a major political progress achieved by human society. Democratic procedures are now employed to ensure the legitimacy of actions of a state. The formation of the contemporary civil society has led to the result of state powers resting with the citizens. Not all citizens who hold equal political rights, however, could directly participate in

political decision-making and hence the representative system has been employed to perform the democratic procedures. The principal way of performing democratic procedures is majority consent through secret ballot. The democratic decision-making procedures, however, only justify the actions of a state but cannot guarantee the justness of such actions.

In November 2011, members of the Arab League adopted a decision through democratic means expelling the Syrian government led by Bashar from the organization and deciding to offer military assistance to anti-government forces in Syria. This “democratic” decision, which justifies support to civil wars in Syria, has no justice at all. The Arab countries backing the decision are all monarchies whose level of democracy is lower than Syria that practices a secular political system. Saudi Arabia even dispatched troops to suppress the anti-government forces in Bahrain. The military assistance to the anti-government forces in Syria resulted in the increasing expansion of the civil war, causing deaths to over 40,000 innocent civilians. Hence, Xi Jinping said to Jeremic: “I hope the United Nations will uphold justice in words as well in actions.”

“Righteousness” is an ancient Chinese moral concept with broad meanings, the core of which is that one’s behavior must be upright, reasonable and necessary. Mencius said: “Benevolence is man’s safe abode and righteousness, correct path.” Since imbalance in strength between countries is a reality, it is necessary that the strong ones adopt benevolent policies toward the weak ones, and to do so, the strong ones must uphold justice. In international politics, democratic procedures may provide legitimacy for actions of a state but not necessarily guarantee the justness of such actions. “Righteousness,” however, requires justice in the contents of state actions. Only the combination of the two will ensure that actions of a state are legitimate in form and just in nature. When the two are unified, justice is upheld.

For instance, most countries exercised sanctions against the apartheid regime in South Africa during the Cold War. Not only such actions had the legitimate basis of UN resolution which was adopted by the majority of UN member countries but more importantly the anti-apartheid policies were just in nature and accorded with the fundamental principles of humanitarianism. This is why sanctions against the apartheid regime in South Africa were not regarded as intervention in its international affairs.

“Justice” is a value that is more helpful to promoting social fairness than “democracy.” Justice does not repel but draws support from democracy. Justice takes democracy as a means to achieve more fairness in society while at the same time prevent such means from leading to unjust results. American philosopher John Rawls once set forth two principles for justice: one, freedom and equality, and two, combination of equal opportunities and differentiated treatment. Principle two added to justice the content of maintaining fairness which democracy lacks. In addition to ensuring the legitimacy of state actions through democratic means, it is necessary to examine the justness of democratic results with the principle of justice.

Against the background of increasing polarization brought about by globalization, international justice appears to be more important than international democratization. Democratization only ensures that countries, big or small, enjoy equal rights but justice aims at

eliminating or mitigating polarization to realize win-win results for all. For example, democracy only gives the right of independent development to weak nations whereas justice requires that developed countries provide assistance to developing ones.

IV. Promoting New Relations among Major Countries with “Rite”

Natural contradictions exist between freedom of a country and the international order. The concept of “freedom” derives from man’s natural attributes. Wanting freedom is an instinct of the animals, and the human, as one of the animal species, is no exception. Such natural need of human beings constitutes the legitimate basis of freedom, just as man’s desire for life forms the legitimate ground of the right to live. Human beings, however, live by group, and hence they need social order as well. As a result, natural conflict emerges between state freedom and international order. When each and every country has absolute freedom, the international community will have no order and violence will prevail. Hence, how to balance freedom of the individual states and order of the international community becomes a major political issue.

“Rites” are ethics and etiquettes formed out of moral concepts and customs and habits. Rite, though only a form, plays a more extensive role than law in maintaining balance between freedom of the individuals and social order. Law deters extreme and absolute acts of freedom by punishing law-breaking behavior afterwards while rite restrains people’s behavior with social morality beforehand. Moreover, rite has a more extensive restraining force than law: it functions in areas beyond the jurisdiction of law. For instance, law protects freedom of speech but is unable to restrict hurling abuses while rite can restrain people from uttering dirty words. Rite helps people to behave in a civilized way, thus enriching the meaning of human life. One of the major differences between man and animal is that only man pursues the meaning of life. That is why in Chinese language extremely uncivilized behavior is referred to as “inhuman” or “bestly.”

“Civility” upgrades to a greater extent than “freedom” the value of human life meaning. The difference between man and other animals does not lie in pursuing freedom but in pursuing civilized freedom. Freedom without civility leads to retrogression of human society to animal world. Human civilization advances incessantly while the animals remain forever in the stage of no civilization. Xun Zi said: “Birds and beasts have parents but no parental affection; they distinguish between male and female but do not have the distinction between man and woman.” Therefore, human morality lies in its ability to distinguish what is correct and what is wrong. For example, both human beings and animals have the freedom to excrete, but civility teaches people not to excrete anywhere and everywhere. Etiquettes in Oriental and Western civilizations may differ but observing etiquettes is universal. Etiquettes are part of public civility. The value of “civility” developed on the basis of the concept of “rite” can by all means transcend the value of

“freedom.”

During his visit to the United States in February 2012, Xi Jinping proposed to shape the cooperative partnership between China and the United States into a new-type relationship between major countries in the 21st century. Expounding the implication of major-country relationship, he said at the World Peace Forum: “Relations between major powers are an important factor affecting the development of international situation. China and the United States are exploring in an active way to build new-type relations between major countries featuring mutual respect and win-win cooperation. This accords with the common interests of China and the United States as well as the world and will be a pioneering work in the annals of international relations.”

The shifting of world center in history has always been associated with wars between the rising country and the hegemonic power, which in fact is a manifestation of incivility of the international community. The core of the concept of new-type relations among major powers put forward by China is that strategic competition between the rising country and the hegemonic power should be carried out by peaceful means instead of war. Not only direct wars between China and the United States should be avoided but wars by proxy should also be avoided. Nuclear deterrence during the Cold War avoided direct wars between the two superpowers of the United States and the Soviet Union but not wars by proxy.

The emergence of two new factors in the post-Cold War period makes it possible that wars by proxy caused by China-U.S. strategic competition can be avoided. The first one is that economic globalization has turned the world into a single market in which all countries can directly obtain natural resources through economic exchange. The second one is innovation has become the primary productive force since mankind entered the age of knowledge economy. As a consequence, the goal of strategic competition between China and the United States is no longer obtaining natural resources but enhancing innovative ability.

Strategic competition aimed at strengthening innovative ability benefits not only China and the United States but all other countries in the world. The materialization of this will not only be a historic pioneering act but also progress of human civilization, and to realize peaceful competition, it is necessary to set the norm of civility as a premise. When China and the United States regulate strategic competition between them in a civilized way, it will be possible that such competition will produce benign results.

V. Requirements for Practicing the Values of “Morality and Justice”

The Chinese government has realized the importance of political soft power in the course of its rising. The enhancing of political soft power is conducive to greatly upgrading its friendly

relations with other countries and reducing pressures on it from the international system. At a time of China's accelerated rising, it is of extremely great importance to study the role of values in enhancing a country's soft power.

No traditional values system is applicable in all ages of history that is constantly advancing. We should not direct our policies for rising by copying the ancient definitions for "benevolence," "righteousness" and "rite." It is, however, possible and most meaningful to draw on their essence to create by modernizing them a new values system that transcends the American values of equality, democracy and freedom. It is most likely that a moral and just values system featuring fairness, justice and civility can be established on the basis of the concepts of benevolence, righteousness and rite and in combination with the ideas of freedom, equality and democracy.

The values system composed of fairness, justice and civility is pretty universal. First, the contents of the three concepts are not opposed to the ideas of equality, democracy and freedom but embrace and transcend the latter. Second, they do not conflict with any religious civilizations in the world. Since World War II, religion has become the representative and protector of the disadvantaged groups. The concepts of fairness, justice and civility are attractive to religious believers. Third, these concepts have been put into practice on many occasions by the international community. For instance, commitment by the developed countries to offer 0.7% of their GDP as aid for developing countries is the norm of fairness, non-recognition of regimes taking power through military coup is a manifestation of the norm of justice, and banning the use of biochemical weapons in wars is the norm of civility.

Practicing the values by the advocate is always the precondition for such values to become prevalent in the world. The prevalence of the values of equality, democracy and freedom in the world is closely associated with America's practicing of them in domestic politics. When proposing to formulate the fair and just international norms, Xi Jinping stressed that we should "work hard to let the people feel the sense of justice in every legal issue, and never allow unfair rulings to hurt people's feelings." This is a policy to use the fair and just values as guidance in China's domestic affairs. In so doing, the international norms advocated by China and the social norms practiced in China become consistent. This also lays the domestic grounds for China's advocacy of formulating a fair and just international norms system. When China guides its domestic and foreign policies with the values system of fairness, justice and civility, it will not only eliminate differences in the values on which its domestic and foreign policies are formulated but will effectively help raise its soft power and enhance its influence and appeal in the international community.

(Source: China International Studies, Vol.38, Issue1 (January/February 2013))