China's Normative Challenge to the Global Governance System

Abstract

The paper analyses China's proposal for the future of global governance, going beyond its seemingly candid rhetoric to show how it is undermining the legitimacy and contesting the authority of international organisations. Based on China's vision of the future global order and the values that must govern it, the paper argues that China is contesting specific norms and standards to either undermine the work of international organisations of the economic regime or promote their reform to increase its own power within them. It illustrates this through two in-depth case studies: the challenge that China's actions and claims in the South China Sea pose for UNCLOS and the international law of the seas; and China's vetoes at the UN Security Council and the significance of its 'no limits' partnership with Russia. The paper concludes that China is selectively challenging global governance to advance its national interests and that it does not want to overturn the global governance regime but instead wants to adapt global governance to 'Chinese characteristics'.

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Introduction

In June 2018, at a Central Foreign Affairs Work Conference, Chinese President Xi Jinping called for China to 'take an active part in leading the reform of the global governance system' (积极参与引领全球治理体系改革)[1]. Previously, he and his predecessors had more modestly called for China to 'actively participate' in global governance reforms (Tobin, 2018). China's vision for what this reform of the global governance system would look like was outlined in the paper 'Proposal of the PRC on the Reform and Development of Global Governance', published by the Ministry of Foreign Affairs (MFA) of China in September 2023. The contents of this paper, which will be detailed and analysed in what follows, have led to allegations by the European Union and the West that China is indeed a 'systemic rival' (EC, 2019) aiming to promote an alternative governance model and undermine the current liberal internationalist order created in the aftermath of the Second World War and based on the principles of human rights, democracy, and individual freedom.

These allegations come not only at a time of crisis in the global governance regime and the multilateral rules-based order, but also at a time when China is increasingly asserting itself and its own interests (Carrai, Defraigne, & Wouters, 2020), as can be observed, for instance, in the South China Sea. However, in order to analyse whether or not China is trying to promote an alternative global governance model, intentionally or not, it is necessary to understand what we mean by 'global governance'. As it is understood today, global governance has three distinctive features: firstly, it highlights the global scale of many of the world's pressing issues, such as economic interdependence, migration, climate change, and health pandemics; secondly, it emphasises the role of non-state entities as significant actors in national and global politics, together with traditional state governments, shaping how the world is governed; and thirdly, it presumes the validity of a number of norms of 'good governance' rooted in Western experience, such as market competition, human rights, democracy, transparency, accountability, and rule of law (Wang & Rosenau, 2009).

In this context, the following analysis aims to offer greater clarity on China's vision for global governance and to identify its implications for global institutions through the case studies of the United Nations Security Council (UNSC) and the South China Sea. It illustrates how, for different normative and political reasons, China undermines the legitimacy of international organisations, contesting their authority and promoting their reform because of the alleged unfairness and inequality of their structural designs, or creates counter-institutions that better promote China's interests and position in world politics. First, the academic literature on the topic is briefly presented. Then, the paper analyses in detail

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1   'Xi: China to Contribute Wisdom to Global Governance', Xinhua, 1 July 2016, http://www.xinhuanet.com/english/2016-07/01/c_135481408.htm

the content of China's Proposal on the Reform and Development of Global Governance, going beyond the literal meaning to understand the political intentions and motivations behind China's rhetoric. In the third section, two case studies are presented to illustrate China's challenge to the legitimacy and authority of international organisations. After a brief conclusion, the paper offers policy recommendations for the European Union to better address the challenge that China poses to the existing regime of global governance and its norms, values, and institutions.

Theoretical framework

Several theoretical models have been proposed to understand the kind of challenge that China represents to the global governance regime and its values, norms, and principles based on liberal internationalism. The most relevant one was presented by Michael Zürn (2019), who claims that, considering that international institutions have a Western bias and help to prolong an unequal distribution of benefits, China is engaged in a struggle against institutionalised inequality aimed at reforming those institutions, which in turn weakens and challenges them. This can represent either a turn towards bilateralism or the creation of alternative institutions (Schneider & Urpelainen, 2013; Urpelainen & Van de Graaf, 2015). This means that China does not aim to undermine the whole global governance system, from which it has benefited so much in its own economic growth through free trade and the global flow of capital and investment, but instead aims to change the procedures, norms, and rules that it considers unfair and shift the power constellation to gain greater control.

Indeed, we see both strategies being used by China to reform the global governance system.

To be sure, China has also aimed to change the rules, standards, and norms

> While China is seeking to play a larger role in existing organisations, potentially transforming the Western-led global governance system through a strategy of 'incremental improvement' (Chen, 2014), it has also begun to sponsor its own initiatives

of international institutions 'from the inside' and by challenging existing institutions. This point will be further developed and analysed through the case studies below. On the counter-institutional side, China has created the Asian

Infrastructure Investment Bank (AIIB) and the New Development Bank (NDB), which, nonetheless, have adopted standard international prudential rules (Carrai, Defraigne, & Wouters, 2020). The AIIB fits in China's strategy to build regional influence, capitalising on China's economic strength to place it at the centre of Asia's institutional and infrastructural architecture, and to promote a kind of multilateralism with Chinese characteristics (Beeson & Li, 2016). While the initial US reaction to the proposed AIIB reinforced the view of some Chinese sceptics that 'US policy is designed to curb, if not contain, China's rise' (Beeson & Li, 2016 : 495), others see it as a way to alleviate an over-reliance on the US and promote an alternative institutional order (Liu, 2015; Wang, 2015). However, the AIIB's institutional and governance design has not challenged the core norms and rules that currently govern the system; instead, some new China- and BRICS-sponsored institutions 'appear to be more inclusive in terms of their governance structures compared to the existing Western-dominated institutions' (Önis & Kutlay, 2020 : 133) For instance, the NDB has a pattern of rotating presidencies instead of a political appointee system.

This would fit into China's rhetoric that its aim is to bring more fairness and equality to the global governance system. However, while the AIIB closely resembles other multilateral development banks, other forms of Chinese development financing, including those under the Belt and Road Initiative (BRI), clearly diverge from, and weaken, global norms (Hameiri & Jones, 2018), pointing to the existence of both 'revisionist' and 'status quo' perspectives in China's policy on global governance reform (Hameiri & Zeng, 2020). This has the potential side effect that China's model of authoritarian capitalism might become more attractive on a global scale (Önis & Kutlay, 2020). Furthermore, the acceptability of 'selective multilateralism', that is, that governments can pick and choose which international norms, principles, and rules they will abide by, comply with the instructions of international organisations only when and if it suits them, and ignore their dictates or choose to 'exit' if reforms are not made, could increase. This directly undermines the authority and legitimacy of international institutions and changes the political economy paradigm through China's emphasis on flexibility, a no-strings-attached policy, and individual experimentation (Bremmer, 2010; Kurlantzick, 2016), putting national considerations and sovereignty at the top of the global scale of norms, values, and rights. **In short, China's paradigm states: 'If it is for regime survival, national stability and greater social good — whatever that is — might is right.'**

Global governance 'with Chinese characteristics'

The most obvious proof that China feels confident enough to move from challenging the norms, principles, and regulations that comprise the current liberal internationalist regime, and to propose its own version of global governance, is the paper 'Proposal of the PRC on the Reform and Development of Global Governance', published by China's MFA in September 2023.

In this paper, China advances its vision of a 'community of common destiny for mankind' (人类命运共同, translated in English as 'community of shared future for mankind') (Tobin, 2018) and 'calls on the international community to act on true multilateralism, uphold the international system with the United Nations at its core, … [and] further develop and improve the global governance system', and it points to security as 'humanity's most basic need and the most important global public good'. While seemingly hiding its reformist component behind internationally accepted concepts and institutions, it is necessary to analyse what China actually means and what is behind this rhetoric. The 'community of shared future for mankind' expresses China's long-term vision for transforming the international environment to make it compatible with China's governance model and emergence as a global leader (Tobin, 2018). The paper is structured around the three G's, or Global Initiatives, that Xi Jinping recently put forward: the Global Security Initiative (GSI), the Global Development Initiative (GDI), and the Global Civilisation Initiative (GCI). Firstly,

> " China wants to raise security up the global scale of fundamental values, above human rights, freedom, and democracy than traditional batteries.

This version of security is based on the respect of sovereignty and territorial integrity, and of the legitimate security concerns of all countries; 'peacefully resolving differences and disputes between countries through dialogue and consultation; and a commitment to maintaining security in both traditional and non-traditional domains'. In coordination with the BRICS, China emphasises 'a conventional understanding of sovereignty as the right to non-interference in domestic affairs', which 'constitutes the most important force opposing the movement towards human rights as universal principles and the empowerment of international institutions' (Zürn, 2018: 2), such as the UN's Responsibility to Protect (R2P) principle. Instead of direct intervention, it argues, security crises should be resolved through dialogue, and in China's opinion, national security is directly linked to development. To illustrate what this means in practice, we just need to look at China's policies in Xinjiang, where the Uyghur community was considered a threat: in the name of national security and social stability, more than a million Uyghur Muslims were interned in 're-education camps' and the region was transformed into a surveillance state (The Economist, 2018).

This re-conceptualisation and prioritisation of security is also meant to isolate Taiwan, which China considers a domestic affair and a legitimate security concern, and to counter US hegemony and China's perception that it is 'keeping China down'. This is why China calls for abandoning 'the Cold War mentality, stop ganging up to stoke camp-based confrontation, and work to build a balanced,

effective and sustainable European security architecture'. China's reference to Europe's security architecture is a not-so-indirect reference to Ukraine, where China also considers that the country's rapprochement with the West and its potential NATO membership threatened Russia's national security and thus created a legitimate concern and imperilled Europe's stability. This also fits with China's vision of regional security for Asia, where it believes the US has a too large presence, as will be further detailed later, and it reconciles the contradictions in its position on the war in Ukraine that arise from China's stark defence of territorial integrity and sovereignty, and its 'no limits partnership' with Russia.

Secondly, development is also given a pre-eminent place in China's global governance vision, which is consistent with its claim to be a 'developing nation' and its self-portrayal as a defender of the interests of developing countries around the word, as part of its strategy to appeal to the Global South. Development is presented as 'the eternal pursuit of mankind and a shared responsibility of all countries', of which the BRI is a part. China states that it supports open, inclusive, and balanced globalisation that is beneficial to all, opening up, upholding multilateralism, firmly safeguarding free trade and the multilateral trading system, opposing unilateralism and protectionism, promoting connectivity, and encouraging integrated development. This is targeted at the rhetoric and policy around 'de-risking', and especially 'decoupling', in the West, and the move towards strategic autonomy and economic security in the EU's trade policy.

Finally, on the future of civilisation, the paper calls for the need to 'let cultural exchange transcend estrangement, mutual learning transcend clashes, and coexistence transcend feeling of superiority'. This goes back to the notion of 'Chinese characteristics' itself, which defines everything that has to do with its political, cultural, and economic system, but that ultimately aims to challenge the notion of the universality and absoluteness of core international norms such as human rights and democracy, asserting that there are multiple definitions of those concepts, and that the West's definition is no more or less valid than China's. Thus, it 'reject[s] imposing values and models on others, and oppose[s] stoking ideological confrontation'. That is, **human rights and democracy are a matter of ideology and subject to ideological change and interpretation.**

Going even further in challenging the core of the notion of human rights, the paper states that 'people's happiness is the biggest human right' and that 'people's aspirations for a better life' should be the 'starting point and ultimate goal' of human rights. Solving societies' practical problems is, according to China's interpretation, a better way to enforce and ensure their human rights. Importantly, China argues that 'the principle of universality of human rights' needs to be combined with 'national conditions' and 'national realities', and that it 'should not be politicised or used as a tool, double standards should be rejected, and still less should human rights be used as an excuse to interfere in other countries' internal affairs or encircle and contain other countries as they pursue development'. This statement aims to condemn what China sees as Western countries' meddling in its domestic affairs, such as its treatment of the Uyghurs in Xinjiang, and the respect for democracy in Hong Kong under the 'One Country,

Two Systems' formula. In sum, arguing that there is 'no one-size-fits-all model' of protecting human rights, China changes the fundamental hierarchy of human rights to prioritise its societal perspective of economic, social, and cultural rights over the notion of human rights as individual freedom.

Case studies

In this section, two case studies will be analysed in depth to illustrate China's proposal for reform of the global governance system in specific sectors. Both cases – the South China Sea and the law of the seas, and the reform of the United Nations and its Security Council more specifically – figure prominently in the paper on good governance. The case studies will show that, in general,

> China's challenge has focused on the normative principles behind international institutions, that is, questioning their legitimacy, authority, fairness, or efficiency, among other things, in order to advance its own interests and vision of the world order .

Law of the sea, UNCLOS, and the South China Sea

The South China Sea has a pre-eminent position in the paper on global governance. 'Oceans hold great significance for the survival and development of human society. China will work with all countries to uphold the maritime order based on international law, properly address all kinds of common maritime threats and challenges under the framework of the GSI, develop and utilise marine resources in a science-based and orderly manner under the framework of the GDI, advance marine governance cooperation based on equality, mutual benefit and mutual respect, safeguard maritime peace and tranquillity and waterway security, build a maritime community with a shared future, and promote steady progress of the global maritime cause.'

Since 2009, when Malaysia and Vietnam jointly submitted information on the limits of the continental shelf in the South China Sea to the UN Commission on the Limits of the Continental Shelf, highlighting competing claims over the shelf, China has based its sovereignty claims on the so-called nine-dash line, which it has promoted since the late 1940s, with a U shape that overlaps with the claims of Malaysia, the Philippines, and Vietnam in parts of the South China Sea (Rothwell, 2023). On 12 July 2016, the Arbitral Tribunal of the UN Convention on the Law of

the Sea (UNCLOS) ruled unanimously that China's claim had no basis in modern international law and the law of the sea, and in favour of the Philippines. China, however, refuses to respect this ruling and continues to assert its entitlement, thus challenging the authority of the institution and the law of the seas more broadly upon which the ruling is based. While China has signed the UNCLOS and incorporated it into domestic law, it rejects the jurisdiction of the tribunal in The Hague and its ruling (Hameiri & Zeng, 2020).

Beyond specific policies, China's economic and technological rise has challenged the former status quo and, by extension, the United States' uncontested geopolitical dominance in controlling the trade routes of the Asia-Pacific (Carrai, Defraigne, & Wouters, 2020), as China promotes its 'new security concept' and 'new regional security architecture'. Although this concept was initially coined by Jiang Zemin, Xi Jinping has elevated it as a central pillar of Chinese strategy. Beyond the rhetoric of envisioning a more 'common, comprehensive, and sustainable' regional cooperation framework, China seeks a security architecture in which the US plays a limited role, that rejects treaty alliances as a legitimate organising structure, that is more closely integrated with the Asian economic order, that is oriented around activities that better address its domestic security concerns, and that is more accommodating of the Chinese Communist Party's ideology and principles (Ford, 2020). In short, Xi wants regional security to be determined by Asians for Asians (Beeson & Li, 2016).

While the international community has been generally aware of China's increasing assertiveness in the South and East China seas because of the US presence in the area, more vivid images and tactics have recently surfaced because of the Philippines' more public reactions to the situation since President Ferdinand 'Bongbong' Marcos was elected in 2022 and returned the country to a pro-Western stance, after Rodrigo Duterte's policy of appeasement vis-à-vis China. China's 'grey-zone' tactics to enforce its nine-dash-line claim include Chinese vessels blocking maritime research vessels; firing
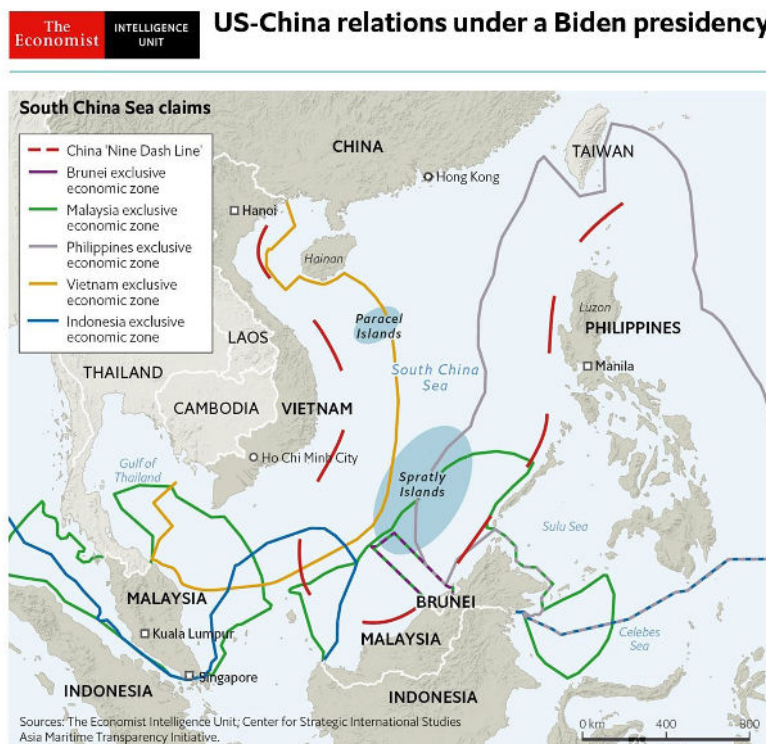

Image 1. Map of South China Sea claims by country
Source: The Economist Intelligence Unit.

water cannons at supply boats for Philippine warships; building artificial islands fortified with missiles, runways, and weapons systems to expand its exclusive economic zone (Wright, Watson, & Broad, 2024); and asserting its right to explore and exploit maritime oil and gas reserves in the area it claims. This increases the risk of miscalculation and the potential for conflict, not only with the Philippines but also with the many other countries in the region with disputed claims to islands and shores in the South China Sea, including Japan, Malaysia, and Vietnam.

Obstructing the UNSC

While China claims that it supports the 'international system with the UN at its core', this should be interpreted not as acceptance of the current status quo, but instead as a key part of China's proposal for the reform of the global governance system. While it aims to safeguard multilateralism and the role of the UN, it wants to give greater voice to developing countries on the principle of 'equal-footed consultation'. A key part of its proposed reform of the United Nations is focused on the Security Council. Specifically, it wants to give the UNSC greater authority and make it more efficient, as well as expand the opportunities for developing countries, and especially African countries, to participate in the UNSC's decision-making. This reinforces China's preference for statist or intergovernmental multilateral cooperation, that is, giving a pre-eminent role to states and governments in multilateral negotiations, instead of pooling sovereignty, and focusing on tackling global threats and challenges instead of interfering in members' sovereignty and domestic policies.
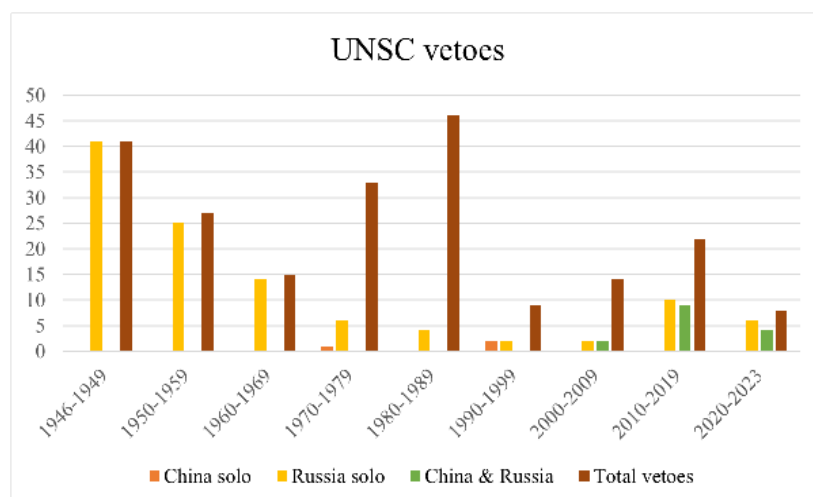

Table 1. Number of resolutions vetoed by China and Russia (1946−2023)
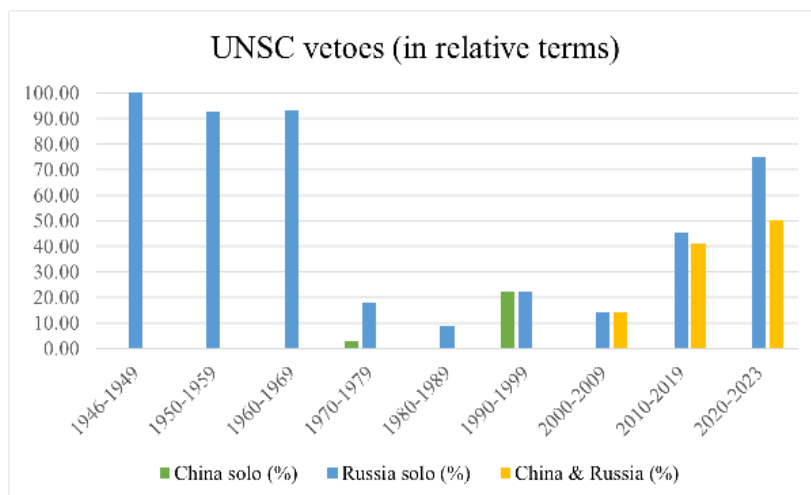Source: Author.

Image 1. Table 2. Percentage of resolutions vetoed by China, Russia, and China and Russia together, of all resolutions vetoed (1946–2023)
Source: Author.

The majority of resolutions that China has vetoed at the UNSC are those that would interfere in the politics of a country, figuring most prominently in the Middle East and Syria, Myanmar, North Korea, Zimbabwe, and Venezuela. Moreover, it can be easily observed in Table 1 that **China traditionally shied away from vetoing Security Council resolutions prior to the 2000s, when a partnership between China and Russia was formed and the two started acting in tandem to veto draft resolutions**. China and Russia together were responsible for half of the vetoed drafts since 2020, and over 40 per cent of those between 2010 and 2019, compared with China's 20 per cent at its peak between 1990 and 1999 (Table 2). This points to the increasing polarisation of global politics and the prevalence during the last two decades of East–West dynamics in the decision-making of the UNSC. This does not have to do with geography but instead illustrates global alliances based on political systems and values, which has been described as the world entering a 'New Cold War'. While this is not entirely the case, as the context is quite different, the world does find itself in a situation of 'growing bipolarity, intensifying polemics, sharpening distinctions between autocracies and democracies' (Brands & Gaddis, 2021 : 10), and this inevitably finds its translation in the dynamics at the Security Council.

Conclusion

The previous analysis has demonstrated that in order to understand China's politics and intentions, it is crucial to go beyond the rhetoric and explore the ideological content behind the political speeches and documents. This paper has focused on the specific case of the reform of global governance, delving into China's own proposal and vision for the future of the global world order and the norms, principles, rules, and institutions that will govern it. In order to visualise how this theoretical proposal is being translated into reality, two specific

case studies have been put forward: the United Nations Security Council, and UNCLOS in the South China Sea.

While China may not be proposing a different system but rather aiming to reform the existing one to make it more accommodating to its own interests, political system, and values, its actions are having an undeniable effect on international institutions and global norms. Specifically, they increase the flexibility, no-strings-attached policy, and national experimentation and adaptation of (previously thought to be) universal norms, putting national considerations and sovereignty at the top of the global scale of norms, values, and rights. By challenging the legitimacy of those norms, such as human rights, China launders their selective respect and application , depending on national contexts and situations, making it possible for other countries to apply them selectively as it itself does. In turn, it questions the authority of the institutions that are based on those norms, principles, and values, suggesting that their dictates and laws are inferior and judging their applicability against the ultimate goal of regime survival, stability, national security, and national interests. The European Union, together with its democratic allies, needs to understand the systemic challenge posed by China, as well as the specific strategies it employs, if it wants to avoid falling into the spiral of protectionism to which the economic security and strategic autonomy paradigms can lead, for reasons of unfairness and trade defence. Only in this way will the EU remain the ultimate defender of true, and not selective, multilateralism, and of the universality and absoluteness of human rights, democracy, freedom, and the rule of law, which cannot be subject to any national – not even Chinese – characteristics if they are truly fundamental. This is precisely what China is trying to contest, and the last word has not yet been said.

Policy recommendations

Taking into account the previous analysis and conclusion, the paper puts forward five recommendations for the European Union to deal with and counter China's attempts to promote an alternative global governance system and redefine its basic norms and principles.

- Firstly, it is not enough to claim that human rights and fundamental values such as democracy and freedom are universal and thus not subject to interpretation, which China clearly disputes. The EU needs to play the 'technical' game and lobby for its own definitions and regulations on global norms, principles, and standards, not only in new fields such as artificial intelligence (AI) and 5G/6G technology, but also in traditional fields such as trade, infrastructure, and investment, so as to counter China's strategy of 'incremental improvement'.

- Secondly, the EU needs to make a greater effort to work with and build coalitions with like-minded partners, such as the United States, South Korea, Japan, and Australia. These countries could not only participate in the lobbying strategy to defend Western norms and standards in global governance and

international institutions, but also pool resources and capabilities to make a better offer in the fields of development infrastructure, security, and foreign direct investment to developing countries.

- Thirdly, the EU should defend multilateralism and its institutionalisation, including international treaties, as well as tools for the enforcement of international law itself. Currently, the multilateral institutional system has no teeth, and thus the EU could position itself again as a 'normative power' and the greatest defender of multilateralism by rejecting domestic calls for protectionism and designing economic security and strategic autonomy strategies that give greater authority to international institutions and thus re-legitimise their role.

- Fourthly, the European Union should become involved as a security provider in Asia. This does not necessarily mean it has to offer traditional defence and military guarantees; instead, it could develop other kinds of security in partnership with like-minded regional actors, for instance, in the fields of cybersecurity, climate change resilience, human and drug trafficking, and mass migration. This would create win–win dynamics, as the EU would increase its own capabilities in these areas by sharing best practices with Asian partners, who are more advanced in some of these areas for historical reasons.

- Fifthly, the European Union and its Member States should work in partnership with the United States to develop and promote a credible reform proposal for traditional international organisations that reflects the changes in the global distribution of power and the emergence of new challenges. The fact that China promotes normative change does not de-legitimise its claims for institutional reform, and the best solution to preserve existing norms and principles is to recognise the flaws of the global regime and get ahead of the game.

Author bio

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