

## What Is the “International System Based on International Law”?

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On the 18<sup>th</sup> of March, 2021, Yang Jiechi, director of the Central Foreign Affairs Commission of the People’s Republic of China, gave a speech that rang around the world and had most people in the world nodding their heads in agreement. According to the report of the speech on the PRC’s Foreign Affairs news service:

Yang Jiechi pointed out that China upholds humanity’s common values of peace, development, fairness, justice, democracy and freedom. *China stands for safeguarding the international system with the United Nations (UN) at the core and the international order based on international law, rather than the order based on the rules formulated by a small number of countries. Most countries in the world do not recognise that US values represent international values, do not recognise that what the United States says represents international public opinion, and do not recognise that the rules formulated by a few countries represent international rules.* The United States has its own model of democracy, and China has its own style. Unlike the USA, which wilfully uses military force, and causes instability and unrest worldwide, China is committed to the path of peaceful development and has made unremitting efforts to promote international and regional peace and development, and uphold the purposes and principles of the UN Charter.<sup>1</sup>

I would like to emphasise a particular phrase, namely, an “international order based on international law, rather than the order based on the rules formulated by a small number of countries.” In other words, the question is: what is a “rules-based international order,” as the more specific Chinese phrase puts it, an “international order based on international law”? Is it the order determined by a few countries known as the “West” or is it an order based on an agreements between all countries in the world and accords with international law? My argument will have two steps. First, I will examine the paradox at the heart of Western liberalism, which means that it can never be the basis for a rules-based international order. Second, I examine what democracy means at an international level, between countries.

### The Paradox of a Liberal “World Order”

Why is Western liberalism unable to provide a framework for an international rules-based order? Some of the other papers at this workshop deal with this question in different ways: the Columbus myth in the context of the long decline of Western countries;

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<sup>1</sup> See <https://www.fmprc.gov.cn/web/zyxw/t1862521.shtml>.

the fact that precisely these countries were former colonisers (with the United States as a late-runner being in many respects a failed empire); a pluripolar world that has been emerging now for some decades; the either-or (zero-sum) approach that is an inescapable part of the Western philosophical tradition; or indeed the inherent antagonism that runs through all Western political structures, where everything – including health (as we have seen in the last couple of years with the COVID-19 pandemic) – becomes a “political football.”

Here, I would like to focus on the paradox of Western liberalism. Before I do so, we need to remind ourselves of a few facts. The “West” is comprised of only a few countries in the world, between 12 and 15. They comprise only 14% of the global population. And they achieved their relative wealth through imperialism and colonial occupation of other countries of the world – in short, through crimes against humanity. When you are in a “Western” country, you find that the idea of what counts as “the world” or “the international community” is very small and shrinking. For example, I am currently in Denmark due to COVID-19 (long story). If one looks at Danish “news,” it focuses primarily on Denmark, the USA, sometimes other Nordic countries and even less other European countries, and virtually never to the vast majority of countries and peoples in the real world.

To our question: why is Western liberalism unable to provide a viable framework for international rules? I would like to use the definition of liberalism from Domenico Losurdo: liberalism is the small “community of the free and its dictatorship over peoples unworthy of liberty.”<sup>2</sup> Losurdo shows in careful detail how the three countries where liberalism first took root – the Netherlands, the United Kingdom, and the United States of America – were central players in the slave trade. They based their initial capitalist wealth on slavery and colonial plunder, and were reluctant indeed to give these up. Crucially, they came to define the “freedom” of liberalism in contrast with the slaves and colonial subjects who were certainly not free.

Much more could be said concerning this paradox (such as the closing of minds and borders in Western countries), but I would like to focus on its implications for international relations. Simply put, in its current form, Western liberalism can only try to impose its hegemony on others – the vast majority of countries in the world. And if a country is unwilling to adopt such an alien model, it will be forced to do so (note here another paradox: a country can be forced to accept the “Western values” of “freedom and capitalist democracy”).

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2 Domenico Losurdo. *Liberalism: A Counter-History*. London: Verso, 2011, p. 248.

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Have these efforts at Western liberal hegemony been successful? I am persuaded by the argument that they have never been particularly successful. There are more failures than “successes”: Korea, Vietnam, Laos, Russia, Belarus, Venezuela, Bolivia, Iran, Cuba, China ... the list could go on, now in terms of continents rather than countries. The most recent failure is the rout of US and NATO forces in Afghanistan.

In sum, Western liberalism in its current form can only be a hegemonic force, and cannot be the foundation of an international rules-based order. To return to Yang Jiechi’s speech: “Most countries in the world ... do not recognise that the rules formulated by a few countries represent international rules.”

## A Democratic World Order

The question remains: what is meant by a “rules-based international order”? Simply put, it means a global system that is truly democratic. This approach respects each country as equal, does not seek to impose hegemony or interfere in the internal affairs of other countries, and thus operates in terms of the mutual respect of sovereignty. There are many formulations of this approach, such as: the “five principles of peaceful coexistence” (Zhou Enlai); or “all things are nourished together without their injuring one another” (a text from *Book of Rites* often quoted by Xi Jinping); or a “dynamic process of the conflict and integration of many elements” embodied in the principle of 和合 *hehe* (Hong Xiaonan).

Obviously, this approach to a genuine form of international democracy is not a “utopian” or unrealisable ideal. Like Communism itself – as Bertolt Brecht pointed – it seems a very simple thing, but it is incredibly hard to achieve. Contradictions there are and will be, even tensions and struggles, but – to draw from the tradition of dialectical materialism – the aim is find a way of operating in terms of “non-antagonistic contradictions.” In other words, this approach accords with the unity-in-struggle principle of dialectical materialism. Or, as Mao Zedong liked to say in terms of a common phrase, 相反相成 *xiangfan-xiangcheng*, things that oppose each other also complement one another.

As I write this text in the later months of 2021, this truly democratic rules-based international order has become a little clearer. I can mention only a few features: as the Russians like to point out, the Western liberal project has indeed come to an end, at least in the way we know it; Venezuela, Bolivia, Syria, the DPRK (North Korea), China (in relation to Hong Kong SAR), and Afghanistan have shown how weak the “West” and its efforts at “regime change” have become; Iran has emerged as a stable country in the

Middle East; Pakistan has become a key to regional stability and growth on the Asian subcontinent; and China has stepped onto the centre of world stage in so many ways, assiduously promoting a model of international relations shared by the majority of the world’s countries. Arguably, the most notable feature – in the northern hemisphere at least – is Eurasian integration, with China and Russia at the core. On a personal note, I am currently in the outer periphery of the Eurasian landmass (Denmark). I am struck by the way Western European countries are already deeply integrated – at an economic level at least – within Eurasia. Why? They know full well that the EU will comprise only 10% of the global economy by 2040 and that their future lies in the east.

### **Conclusion: The Majority Position**

What I have been saying is not the view of a few, but of the vast majority. To return once more to Yang Jiechi (with a slight alteration): the majority of countries in the world share “humanity’s common values of peace, development, fairness, justice, democracy and freedom. Like China, they stand for safeguarding the international system with the United Nations (UN) at the core and the international order based on international law.” The western peninsula of the Eurasian landmass<sup>3</sup> and its liberal project has always been an anomaly in global history. In its place, the first real signs of a properly rules-based international order are becoming apparent.

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<sup>3</sup> Igor Diakonoff, *The Paths of History*. Cambridge: Cambridge University Press, 2003.