Chapter 4

China’s Approach to International Dispute Resolution Mechanisms

For cultural and political reasons, China adheres to negotiations for settlement of its territorial and boundary disputes. So the third party procedures are usually ignored. However, the positive implications of third party settlement may make China rethink its dispute settlement strategy.

4.1 Problems

4.1.1 The Role of Chinese Nationalism

Nationalism, as a political phenomenon, has led to the functioning of international boundaries. In many cases the delimitation of boundaries has become an expression of power.\(^1\) International relations scholars have produced a pessimistic evaluation about nationalism, which increases the chances of international conflict in the Post-Cold War era.\(^2\) Potentially, nationalism can spill over borders and increase the likelihood of international conflict. Where nationalism is involved, territorial and boundary disputes become very volatile and flammable. Chinese nationalism, as one of the most effective instruments available for the Chinese government to deal with its domestic and foreign affairs, has profound implications for its choice of method to resolve its territorial and boundary disputes.

Historically, Chinese nationalism largely aligned with xenophobia, which, as a result, expelled any third party from intervention into its disputes. Before the nineteenth century, Chinese nationalism did not exist in the Chinese Empire. Instead, Chinese culturism, which represented a ‘non-territorial concept’, held the place of today’s nationalism. Chinese culturism, which was the outgrowth of Confucianism, perceived China as the only true civilization and embodied a universal set of values.

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Its cultural superiority was believed to be unchallenged. At that time, the Chinese culture was treated as the main instrument of the Empire's expansion.

The Chinese political elite began to embrace modern nationalist doctrines for China's defense and regeneration only after China's disastrous defeat by the British troops in the 1840–1842 Opium War, which led not only to the eventual disintegration of the Chinese empire but also to the loss of national sovereignty to imperialist powers. Since then, Chinese nationalism, striving to blot out the humiliation China had suffered at the hands of imperialists, has been the dominant theme in the Chinese politics.

Chinese nationalism reached its peak in the May Fourth Movement in 1919 during which xenophobia was the main theme. After its experience of being reduced from the “Central Kingdom” of the universe to a semi-colony at the hands of foreign imperialism, China saw its culturism vanishing and nationalism thriving. Ultimately, Chinese nationalism replaced Chinese culturism. Nowadays, the myth of Chinese nationalism is deeply implanted in Chinese minds. Chinese people still share a deeply rooted, historical sense of injustice they suffered at the hands of foreign countries. China's territorial claims reflect its dissatisfaction with the status quo and historical grievances that resonate deeply with nationalist sentiment. Anyone who accepted the territory's cession in whatever form is dishonorably called Li Hongzhang, and no one would be another Li Hongzhang.

Chinese political elites have been divided on how to revive China. Basically, there are three different nationalist perspectives: nativism, antitraditionalism, and pragmatism.


5 The May Fourth Movement was an anti-imperialist, cultural, and political movement in early modern China. Taking place on May 4, 1919, it marked the upsurge of Chinese nationalism, and a re-evaluation of Chinese cultural institutions, such as Confucianism. The movement grew out of dissatisfaction with the Treaty of Versailles settlement and the effect of the New Cultural Movement.


9 Li Hongzhang was the nineteenth-century official forever tainted by his role in the territory's cession in the late Qing Dynasty (1636–1912).