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Opinion – Rethinking ‘Imperialism’ from the Perspective of International Law and Practices

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The Chinese representative snarled the following line at the Soviet and Vietnamese delegates in the meeting of the Security Council held on 11 January 1979, popularising the concept of “social imperialism” to the international audience: “Vietnam has long ago become the Cuba of Asia, an agent of Soviet *social-imperialism* in Asia. It has become the source of intervention, subversion, power politics, turmoil and even war against the South-East Asian States”. Setting aside the complicated legality of Vietnam’s intervention in Cambodia, China’s accusation of “social imperialism” was interesting. How could a socialist state, the professed political entity of the working class, the self-acclaimed world protector of the struggle of colonial peoples, also be called an imperialist? But as the Chinese leader Mao Zedong seemed to suggest, even the zenith of international socialism, the Soviet Union, could itself become an imperialist power.

After the Russian aggression against Ukraine and its desperate attempts to paint itself as the “resistance” and blast “NATO’s imperialism” or “Western imperialism”, with the rhetorical support of its closest contemporary ally – China, it’s crucial to be reminded of the China-Soviet Union debates in 1979: Imperialism takes all shapes and forms. Supporting Russia’s aggressive war or rejecting “Western” international law doesn’t make someone anti-imperialist.

The literature on imperialism has been built and expanded for centuries. Post-colonial theorists tend to tie imperialism with the institutions of international law and its inherent Western characteristics. As noted by renowned Antony Anghie, the Western colonial enterprise is far from extinct and still lingers within “every” fabric of international law and its institutions. He believes colonialism and imperialism have never been confronted or addressed, and therefore their remnants could not cut ties with Western politics and vision.

There are many approaches that one could take to challenge Anghie’s proposition. For instance, one can point out that contemporary international law has not been written exclusively by developed Western countries. The UNGA resolutions and their quasi-legal nature have eventually overtaken international disputes, undermined former colonial powers and guided international relations. Or, if we take a more direct approach, the Soviet Union’s invasion of Czechoslovakia and China’s invasion of Vietnam were described consistently under the lens of “imperialism”. And surprisingly, international law was used to denounce these invasions. Therefore, the issue of “imperialism” is not limited to just the dualism of East or West.

For the purposes of this article, let’s look at the concept of “imperialism” from the perspective of international law and practices. Although not very popular, if digging deep enough, we can find the UNGA Resolution 34/103 on the “inadmissibility of the policy of hegemonism in international relations” (1979).

In this resolution, the UNGA (mainly developing countries) conflated terms including “imperialism”, “colonialism”, “neo-colonialism”, “racism”, “apartheid”, and even “Zionism” as a part of the “practice of hegemonism”. This refers to situations where there is an attempt to maintain unequal power dynamics, to control, dominate and subjugate, politically, economically, ideologically or militarily, other States, peoples or regions of the world. The resolution added that such practices could be either international or regional. Regardless of whether they are located in the East or the West, countries that engage in such activities can be viewed as practising imperialist policies. This approach frees

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“imperialism” from its historical connotation and Marxists’ assumptions concerning the nature of the concept. A neutral definition of imperialism could also be found in most political dictionaries, as it is simply seen as the tendency to strive to control other countries or regions as colonies or dependencies.

With these observations, we can be confident that opposing the international rule of law does not equate to anti-imperialism, even if we agree with each other on the imperialist remnants of contemporary international law.

The imperial ambition of Putin’s Russia is not a secret. In his most-quoted historical assessments calling the collapse of the USSR the “greatest geopolitical catastrophe of the 20th century”, Putin expressed his sorrow for losing the “territory of the former Russian empire”, not the Soviet Union. He clearly stated his desire to reverse the events that resulted in the loss of territory a century ago.

Putin himself mixed up the historical records of Ukraine’s existence and the Ukrainian people’s distinctiveness. To him, “Russians and Ukrainians were one people – a single whole”. He argues that modern Ukraine is “on the lands of historical Russia”, and is entirely the product of the Soviet era. The perpetuation of these ideas seems to empower Dmitry Medvedev’s recent threat that Ukraine would “disappear from the world map”. As noted by many authors, this rhetorical history creates Russia’s “reverse colonialism”, a narrative of liberation and freedom that only leads to different forms of exploitation and repression. But Putin’s wars have not been going without notice. As soon as the Crimea crisis unfolded, observation and analyses signalled the eventual rise of Russia’s new imperialism.

Concerning China, although a victim of Western colonialism and imperialism, it is not easy to forget China’s own imperialist past. Yet the problem with China’s reconstruction of its image is, as Yu-Ping Chang puts it, the belief in uninterrupted world history in harmony under the Chinese leadership. Analyst Jamil Anderlini rightly captured this phenomenon by describing that Beijing is unable “to view its actions as anything but benevolent and its tendency to ignore historical echoes.”

The expansion of China’s global influence and its Belt and Road Initiative has been at the forefront of international concerns about the possible imperialisation of new China. However, it is still a contentious debate. What is more apparent is China’s assertion of control and its aggressive behaviour within the regional order. At sea, China not only rejected the 2016 ruling on their maritime disputes with the Philippines, but they have also persisted in harassing, pressuring, and even attacking fishing boats and oil drills of other neighbouring countries in the South China Sea, thousands of nautical miles away from China’s southernmost landmass. These regional practices could hardly be found in other oceans where a hegemony resides.

On land, China’s modern relationship with its other neighbours (which began in 1978 in the Deng Xiaoping era) does not really change China’s tendencies to assert control, occupation and domination over other regions and peoples. Considering the continuing territorial and human rights disputes over Tibet and Xinjiang, the costly Sino-Vietnamese Wars and subsequent skirmishes, to China’s border clashes with India, the anti-imperialism and counter-hegemony elements within the Chinese-built institutions and rhetoric do not sound convincing, after all.

The idea of imperialism is a disputed subject in the fields of international law and international relations. In many cases, it is just a strawman for any political faction to attack and discredit other factions. However, using the rather neutral idea of imperialism understood by developing countries reflected in UNGA Resolution 34/103, imperialism is simply seen by many as the unequal power dynamics, the control, the domination and the subjugation of foreign powers over the local, either by employing political, economic, ideological or military means.

In that case, Russia and China are participating in as many imperial projects as their Western counterparts. It is also crucial to note that these campaigns have significant humanitarian, human rights, and economic costs. Consequently, the argument that Russia and China are anti-imperialist forces while the international rule of law hinders human emancipation is far from reality.

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