Transplanting Nationalism:
How the Chinese Government Provokes Nationalistic Emotions Where
Nationalism Foundation Does Not Exist

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Abstract

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During international disputes that involve China, if there is no existing foundation for nationalism, such as historical grievances and former conflicts between the disputing nations, how does the Chinese government manage to evoke a wide-range of nationalistic sentiments in Chinese society in a very short time? To answer this question, I conducted a content analysis based on the Philippines v. China (or the South China Sea Arbitration case) by using articles that were published in the People’s Daily. I argue that the Chinese government attempts to transplant existing nationalistic emotions from other nationalism foundations and symbols, which are familiar with Chinese people, to the “unblemished” target country to create an instant nationalistic fever among the Chinese public if there’s no nationalistic foundation between these two countries.
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1. Introduction

In January 2016, hundreds of thousands of self-proclaimed organized Chinese nationalist ‘warriors’ made a concerted effort to circumvent internet controls, flooded the Facebook pages of Tsai Ing-wen, the President of the Republic of China, and posted thousands of messages, protesting against the Taiwan independence movement. Ironically, to justify their government to the rest of the world, Chinese netizens had to break through the internet blockades set by the very authority they defended.

China has been rapidly rising, but it seems like many people do not really know China well. Generally, the Western world thinks Chinese people are oppressed by an authoritarian regime, eager for human rights and democracy, and waiting for rescue from the ‘free world,’ but the truth is that many Chinese people support their government and what their government is doing, showing a sort of strong nationalistic emotion toward states that are identified as being ‘unfriendly’ to China.

Although there is certainly no consensus on the issue, many scholars believe that Chinese nationalism has been rising in the past decades. Some scholars observed this trend by investigating the international relations and domestic politics that China has been involved in during recent decades. Focusing on China’s domestic and security politics, Randall Schweller proposes that “today, more than ever, Chinese public displays of nationalism and outrage—whether set off by perceived unfair treatment by the West, U.S.–South Korea naval exercises, or insults from the Japanese—appear genuine rather than manufactured.”¹ Moreover, he also observes a “diffusion of Chinese nationalism” whereby nationalism has spread from young Chinese and soldiers to include Chinese businesspeople, academics, and elite politicians.² Daniel Chow studies China’s investment policies and argues that China is following a strategy

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² Ibid.
in an attempt to advance its own economic interests at the expense of those of others, which reflects a rising trend of nationalism in China. Vanessa Fong observed rising nationalism in China through anthropological work that uncovered youth nationalism that is expressed as a filial, though critical, loyalty to the cause of China’s modernization. Yongnian Zheng points out that one of the most important events in international relations in the late 20th century is the rise of nationalism in the People’s Republic of China. He also argues that this rising nationalism is coincides with China’s rapid economic growth, increase in military budget, military modernization, growing anti-West sentiments, and assertiveness in its foreign behavior.

Why is Chinese nationalism on the rise? The answer is multifarious, but an important factor is the successful information manipulation strategies applied by the Chinese central government to evoke nationalistic emotions. However, nationalism is by no means easy to control. In fact, because the communication between individuals with different cultural backgrounds has becomes easy and information asymmetry has been reduced, there is a high possibility that the unskillful manipulation on nationalism will end in failure. Therefore, scrutinizing and understanding the mechanism behind the successful nationalism manipulation strategies carried out by Beijing is important, especially in cases where nationalism seems unlikely to be evoked at first glance.

In this paper, I try to answer the following question: During international disputes that involve China, if there is no existing foundation for nationalism, such as historical grievances and former conflicts between the disputing nations, then how does the Chinese government manage to evoke a wide-range of nationalistic sentiments in Chinese society in a very short time?

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I argue that the Chinese government attempts to transplant existing nationalistic emotions from other nationalism foundations and symbols, which are familiar with Chinese people, to the “unblemished” target country to create an instant nationalistic fever among the Chinese public if there’s no nationalistic foundation between these two countries.

2. Nationalism in China

When we talk about nationalism, what are we talking about? As Benjamin Akzin put it, literature focusing on nationalism is a “terminological jungle” where many researchers have lost their way.

What is a nation? Benedict Anderson proposes that a nation is “an imagined political community—and imagined as both inherently limited and sovereign.” Anthony Smith mentions the controversy between “statists” and “ethnicists”: The statists define a nation as a “territorial-political unit” where nationalism involves a tendency for self-government while the ethnicists view a nation as a “large, politicized ethnic group defined by common culture and alleged descent” where nationalism is characterized by a cultural movement.

When it comes to the definition of nationalism, Ernest Gellner argues that nationalism is “the striving to make culture and polity congruent” and that nations should become states and states should become nations. Combining this classic definition of nationalism with Smith’s dichotomic interpretation of nation, James Townsend comes up with two families of nationalism: “ethnic nationalism,” in which an existing ethnic group strives to attain, enhance, or protect its nationhood, perhaps by becoming an independent state, and “state nationalism.”

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in which an existing state strives to become a unified nation or claims that its goals embody those of a nation and are essential to its nationhood.\textsuperscript{10}

I argue that ethnic and state nationalism coexists in China. On the one hand, ideas based on the concept of ‘Chinese ethnicity,’ such as the narration of the ‘century of humiliation,’ the history of national independence, and the aspiration for national rejuvenation, are crucial components of today’s nationalistic emotions in China. On the other hand, concepts that emphasize ethnic diversity and unity within China are also promoted by the Chinese government.

How does nationalism express itself? Scholars hold different opinions about this. Townsend summarizes three versions of what nationalism is.\textsuperscript{11} In the first version, nationalism is seen as a doctrine or set of ideas. Hans Kohn insists that nationalism is a “political creed” that centers the supreme loyalty of the overwhelming majority of the people upon the nation-state, either existing or desired, and that regards the nation-state as both an ideal and indispensable organization.\textsuperscript{12} In second version, nationalism is seen as political action or movement. For example, Smith thinks nationalism is “an ideological movement, for the attainment and maintenance of self-government and independence on behalf of a group, some of whose members conceive it to constitute an actual or potential ‘nation’ like others.” Finally, in the third version, nationalism is seen as a kind of sentiment or consciousness, emphasizing individuals’ awareness of and loyalty to the nation and its tradition.\textsuperscript{13}

What is responsible for the waxing and waning of nationalism in modern China? Opinions on this topic are divided. Generally, two sorts of variables can be identified among various related works: government-centered variables and society-centered variables. The former emphasizes the role of government in evoking nationalism among the public, and the latter

\textsuperscript{11} Ibid
\textsuperscript{13} Snyder, Louis Leo. Global mini-nationalisms: Autonomy or independence. No. 71., 1982.
focus on how the dynamic changes and conflicts within society influence the formation of nationalism.

Government-centered variables are represented in Downs and Saunders’ work. Downs and Saunders argue that although China’s political leaders continue to employ socialist rhetoric, Marxist, Leninist, and Maoist ideology has been gradually losing its ability to legitimate the Chinese Communist Party (CCP)’s continued rule. Therefore, this condition compelled the Chinese government to seek new sources of legitimacy and end up with two potential sources: economic achievement that suggests the necessity of CCP rule for continued and stable economic growth and nationalism that highlights the party’s success in building China into a powerful state. Chinese leaders make tactical shifts between the two sources of legitimacy, stressing and evoking nationalism, blaming foreigners when the economy is doing poorly and emphasizing the party’s successful economic management when the economy is doing well.14 Another example of the politically-oriented explanation is found in Weiss’ work. Weiss argues that because protests in authoritarian states are risky and costly to repress, the decision made by the government to allow or stifle popular mobilization is informative. Therefore, authoritarian states can credibly signal their intentions in international crises by using nationalism, and the anti-foreign nationalistic protest is one mechanism by which authoritarian leaders can visibly demonstrate their domestic vulnerability. The threat of instability demonstrates resolve, and the cost of concession increases the credibility of a tough stance. The danger of instability and escalation increases foreign incentives to make concessions and preserve the status quo.15

Society-centered variables are also supported by many scholars, Ying Jiang argues that the increase of nationalism is related to the promotion of consumerism in China. According to

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Jiang, the government supports consumerism as a legitimate form of freedom for its people in return for loyalty to the state. Chinese people have learned to appreciate the social freedom that shopping and communicating on the internet offers them compared to what was available to earlier generations. Thus, this appreciation for the government can easily become a catalyst for nationalism when the some Western nations criticize the Chinese government.\footnote{Jiang, Ying. *Cyber-Nationalism in China. Challenging Western media portrayals of internet censorship in China.* University of Adelaide Press, 2015.} By studying a constituency of internet users who identify themselves as the “voluntary fifty-cent army” (自干五) that combats criticisms of the authoritarian regime, Rongbin Han tries to explore how these users acquire and consolidate their identities. Han then proposes that the pluralization of online expression in Chinese cyberspace could be the reason for the rise of nationalism.\footnote{Han, Rongbin. “Defending the authoritarian regime online: China’s "voluntary fifty-cent army." *The China Quarterly* 224 (2015): 1006-1025.}

To put it in a nut shell, in this paper, I define Chinese nationalism as a combination of ethnic nationalism and state nationalism that consists of doctrines, movements, or sentiments that support a nation and can be influenced by both government-centered variables and society-centered variables.

3. Theoretical Framework: Transplanting Nationalism

In this paper, I hypothesize that the Chinese government attempts to transplant existing nationalistic emotions from nationalism foundations and symbols that are familiar to Chinese people to create an instant nationalistic fever among the Chinese public in cases in which there is no nationalism foundation in relation the rival country.

I define “nationalism foundation” as a status wherein nationalistic sentiments or nation-level hostility towards certain objects are evoked by specific issues and this nationalistic experience related to the given object has come into the collective memory of people in the nation. The evocation of nationalism can be triggered for various reasons. The reason can be
historical grievances originating from wars or genocide. The reason can also be ideological disagreements leading to distrust and antagonism between political entities, conflicts of interest between two states followed by mutual vilification, or the existing international orders perceived as unfair clauses. Then, these provoked nationalistic emotions towards certain objects need to become part of the collective memories of the nation so that the nationalistic anger can be recalled and related to today’s disputed situation; that is, nationalistic memories must be recorded by the government, conveyed through educational systems, and reinforced through public communications. The lack of a nationalism foundation occurs when the evocation of nationalistic sentiments of certain objects has never occurred before or the nationalism experience has not been transformed into collective memory. When it comes to China, a typical dispute case with a nationalism foundation is the China–Japan territorial dispute over Diaoyu Island and its related waters because Japan invaded China during World War II and the memory of this historical grievance has been passed on through education and been solidified by various public discussions. In contrast, the China–Philippines territorial dispute over South China Sea had no solid nationalism foundation because, tough there were interest conflicts, a nation-wide anti-Philippines sentiment has never been evoked in China before.

Symbols of nationalism, which are derived from nationalism foundations, are certain concepts that are abstracted from existing collective memories. Symbols of nationalism often serve as a trigger to reactivate nationalistic emotion towards certain objects in collective memory when the current dispute situation can be related to the given symbol. In the China case, Japan, again, is a typical example of the symbol of nationalism. The memory of war and genocide conducted by Japan has been consolidated through patriotic education and reinforced by various of public presentations, such as anti-Japanese dramas. In this way, the abstract concept of “Japan invades China,” or even “Japan” for some extreme Chinese people, has
become a symbol of nationalism. When Japan and China started to dispute over a certain island and relevant waters, the fact that “Japan and China have territorial disputes” could be easily transformed, from a Chinese perspective, into the concept of “Japan occupies Chinese territory,” and thus, into the nationalistic symbol “Japan invades China.” Finally, the current dispute was linked to the nationalism foundation, which is miserable national memories related to the evil Japanese invaders, through this symbol of nationalism. Hence, the nationalistic sentiments can be uninterruptedly transported from collective memory to current dispute. Moreover, once the current dispute was ‘baptized’ by the nationalistic sentiment, the dispute itself would be symbolized and “nationalisticized.” That is, the current dispute would come into the collective national memory and, thus, become a new nationalism symbol and part of the nationalism foundation, forming a new source of nationalistic emotions.

I argue that the nationalistic sentiments, originated from certain nationalism foundation and triggered by certain nationalism symbols, can be intentionally transplanted by authorities that possess propaganda apparatus and are able to guide and control domestic public opinion on disputed issues when a nationalism foundation and symbol are inadequate or missing. In two ways, I argue that nationalism transplantation can be conducted. Firstly, the nationalism foundation for other case can be shared to the current nationally foundationless case by suggesting a causal relation between the two cases. In this way, the new case will be regarded as a part or an extension of the existing nationalism foundation. For example, because China lacks a solid nationalism foundation regarding South Korea, Beijing argued that the deployment of the Terminal High Altitude Area Defense (THAAD) system in South Korea, though the deployment decision was made by the South Korean government itself, was another trick played by the United States to confine the development of China and maintain its hegemony in East Asia. Therefore, opposing THAAD and boycotting Korean products became not only actions against South Korea but also, more importantly, a part of the longstanding
interest and ideological conflicts between China and the United States. In this way, South Korea has shared the same nationalism foundation with the United States, and the nationalistic sentiments originating from the United States have been transplanted to South Korea. Secondly, nationalism sentiments can also be transplanted by sharing symbols of nationalism. That is, the current dispute case might share some common features with other existing symbols of nationalism. These similarities can be identified and used by the authority as evidence that nationalistic reactions triggered by the existing nationalism symbols should also be applied to the current dispute case. For example, China’s territorial dispute with Japan over Diaoyu Island provoked fierce nationalistic anger among Chinese people several times. When China had a conflict with Vietnam\textsuperscript{18} over certain islands and relevant water in the South China Sea, the feature of “territorial sovereignty dispute over islands” was also present in the Sino–Vietnam dispute over the South China Sea. Therefore, the Chinese government suggested that the nationalistic pattern used to deal with the dispute in the Japan case should also be applied to the conflict with Vietnam, because they were all territorial disputes over certain islands.

\textbf{4. Methodology}

To test my hypothesis, I conducted a content analysis based on the \textit{Philippines v. China} (or the South China Sea Arbitration case) by using articles that were published in the \textit{People’s Daily}.

\textit{4.1 Case Selection}

I selected the South China Sea arbitration as my case. The South China Sea arbitration is an arbitration case brought by the Republic of the Philippines against the People’s Republic of China under Annex VII to the United Nations Convention on the Law of the Sea (UNCLOS)

\textsuperscript{18} For some political reasons, the Sino-Vietnamese War happened in 1979 has been intentionally covered, or at least has not been actively propagandized, by the Chinese government. Thus, I contend that the war experience with Vietnam has not become an unquestioned nationalistic collective memory of Chinese people. In this way, I argue that China has no solid nationalism foundation towards Vietnam.
Concerning certain issues in the South China Sea. The Philippines proposed that the “nine-dotted line” claim by China is invalid because it violates the UNCLOS agreements about exclusive economic zones and territorial seas. It says that because most of the features of the South China Sea, such as the fact that most of the Spratly Islands cannot sustain life, they cannot be given their own continental shelves as defined in the convention. January 22, 2013, the Philippines served China with a notification and statement of claim. On February 19, 2013, China declared that it would not participate in the arbitration. On July 12, 2016, the tribunal ruled in favor of the Philippines. It ruled that China has “no historical rights” based on the “nine-dash line” map. This ruling was rejected by the Chinese government.

There are multiple reasons for which I chose the Sino–Philippine dispute of the South China Sea arbitration as my case. Firstly, there is no solid nationalism foundation for disputes between China and the Philippines. To test the given hypothesis, the selected case must lack a nationalism foundation upon which the Chinese government can directly evoke nationalism. Although China and the Philippines have been disputing with each other over the South China Sea area since 1990s, the conflicts have not been widely propagandized in China so that the collective nationalistic memory related to the Philippines has not been completely formed. Secondly, the time span of the dispute is applicable. Although the start of the arbitration can be traced back to 2013, the attention of the Chinese public to the dispute, with an abruption of nationalistic sentiment, was drawn around when the rulings were made on July 12, 2016.

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20 Ibid.
Therefore, it allows us to scrutinize the nationalism evocation procedure in a relatively certain time span. Thirdly, because the selected case just happened two years ago, the external validity of the findings should be relatively high.

4.2 Data Source

To conduct the analysis, I collected qualitative data from the People’s Daily and Renin Ribao. To be specific, I gathered articles from the People’s Daily that contain keywords “Philippines (菲律宾)” and “South China Sea Arbitration (南海仲裁)” that were published from May 1 to October 1, 2016, which is about two and a half months before and after the arbitration ruling was made on July 12, 2016.

I argue that the People’s Daily, as the official newspaper of the Chinese Communist Party (CCP), provides direct information about the standpoints and policies of the CCP central government. In an authoritarian political system, the People’s Daily has always served a window for the Chinese public to learn about the attitudes and positions of top leaders in the CCP regarding certain political issues. In this way, the People’s Daily can set a keynote for Chinese people on certain political issues. The most well-known example of this keynote setting function might be the “April 26 Editorial”. On April 26, 1989, the People’s Daily issued a front-page editorial entitled “It is necessary to take a clear-cut stand against disturbances.” The editorial branded the Tiananmen Square protest of 1989 as an anti-party, anti-government revolt, that signaled a turning point—that the government would begin to apply harsh tactics and violently repress this student movement. Therefore, the People’s Daily is a suitable data source for investigations into the nationalism evocation policies and strategies applied by the Chinese central government to deal with international dispute.

5. Case Analysis: South China Sea Arbitration

5.1 First Stage: Put China on the ‘Correct’ Side of the Dispute
In the first stage of the dispute, the Chinese government had to justify its position on the South China Sea Arbitration before the final ruling was made, in order to manipulate domestic nationalistic emotions later. That is, the authority firstly had to convince its own people and the rest of the world that China was on the correct and just side of the international dispute through propaganda. This strategy is clearly shown through the articles in the *People’s Daily* around the time of arbitration. To be specific, Authors of the newspaper made a claim that China has sovereignty over the South China Sea Islands and provided detailed evidence. Then they argued that the international arbitration requested by the Philippines was totally illegal while China’s refusal to accept or participate in the arbitration case and recognize or implement the verdict, which is also known as the “no acceptance, no participation, no recognition, no implementation” position among Chinese people, conformed to the fundamental spirit and principle of international law and norms. Moreover, *People’s Daily* writers alleged that the South China Sea arbitration was, in fact, a plot by the United States and Philippines to restrict the development space of China.

5.1.1 Claim of Sovereignty

The first step to establishing a just image of Chinese government was declaring that the South China Sea Islands are China’s inherent territory and that they undoubtedly belong to China. The justification mainly focuses on China’s “historical rights.” The argument offered by the Chinese government is that China is the first to have discovered, named, explored, and exploited the South China Sea Islands and relevant waters, as well as the first to have continuously, peacefully, and effectively exercised sovereignty and jurisdiction over them. On May 23, the *People’s Daily* published a commentary article with the headline “China’s
Historical Rights in the South China Sea Dotted Line Cannot Be Denied.” The article outlined the “true history” promoted by the Chinese government:

“Philippines disregards basic historical facts and makes an improper claim that the Chinese people have no activity in the South China Sea in ancient times so that China lacks historical connections with the South China Sea. However, the true history cannot be denied. The activities of the Chinese people in the South China Sea date back to over 2,000 years ago. China is the first to have discovered, named, and exploited the South China Sea Islands. Through administrative arrangements, military patrols, and salvage assistance, successive regimes in China have exercised jurisdiction over the South China Sea islands and relevant waters. During the World War II, Japan invaded Xisha Islands and Nansha Islands. After the end of the war, the ‘Cairo Declaration’ and the ‘Potsdam Proclamation’ explicitly requested Japan to return the territory it had stolen from China. China hereby sent government officials and military forces to reclaim and station Xisha and Nansha Islands, exercising sovereignty over the South China Sea Islands and the surrounding maritime areas.”

At the end of this article, the author reiterates the inviolability of the historical right of China to rule South China Sea Islands and relevant maritime areas:

“China’s historic rights in the South China Sea will not be denied by Philippines’ distortion of facts and will not be derogated by Philippines’ abuse of arbitral procedures of the UNCLOS (UN Convention on the Law of the Sea). China’s historic rights in the South China Sea will continue to be adjusted by general international law and will always be respected by the UNCLOS.”

28 “Xisha Islands” (西沙群岛), named by Chinese government, is also known as Paracel Islands. Xisha Islands is a part of the South China Sea Islands. Although Xisha Islands is being disputed between People's Republic of China (PRC), Taiwan (ROC) and Vietnam, the archipelago has been controlled by PRC after the “Battle of the Paracel Islands.”
29 “Nansha Islands” (南沙群岛), named by Chinese government, is also known as Spratly Islands. Nansha Islands, just like Xisha islands, is also a part of South China Sea Islands. Currently, Nansha Islands is under disputation between the People's Republic of China (PRC), Taiwan (ROC), and Vietnam, with Malaysia, the Philippines and Brunei claiming various parts of the archipelago. All these involved states, excepted for Brunei, has occupied some islands, cays, reefs or shools in Nansha Islands respectively.
Another article written by a researcher from the Chinese Frontier Institute of Chinese Academy of Social Sciences was published on May 24. The article\textsuperscript{30} entitled “The Historical Fact that China Owns Sovereignty over the South China Sea Islands Is Unarguable,” provides detailed historical evidence of how China discovered, named, explored, and exploited the South China Sea Islands and set political institutions in this area since the Qin Dynasty, which was about 2,000 years ago. Moreover, the author cites historical publications from the United States and Japan questioning China’s territorial claims in the South China Sea to support China’s sovereignty over the South China Sea area:

“The Columbia Lippincott Gazetteer of the World of 1961 published by the United States wrote that the Nansha Islands is ‘China’s territory in the South China Sea and a part of Guangdong Province.’ … Encyclopedia of World Administration Division of 1971 published by the United States stated that ‘the People’s Republic of China contains several islands, the largest of which is Hainan Island, near the south coast. Other islands include some reefs and archipelago in the South China Sea … These reefs and archipelago include Dongsha,\textsuperscript{31} Xisha, Zhongsha,\textsuperscript{32} and Nansha Islands.’” The World Yearbook published by Japan in 1972 stated that ‘In addition to the mainland part of the territory, China includes Hainan Island, Taiwan and Penghu islands, and the Dongsha, Xisha, Zhongsha, Nansha Islands in South China Sea.’”

With all these historical materials, the author reaches the conclusion that China’s territorial claim to the disputed South China Sea Islands was rightful:

“The historical fact that China owns the sovereignty and related rights of the South China Sea Islands and its adjacent sea areas is conclusive. The historical context is clear; the historical


\textsuperscript{31} Dongsha Islands (东沙群岛), named by Chinese government, is also known as Pratas Island and is a part of the South China Sea Islands.

\textsuperscript{32} Zhongsha Islands (中沙群岛), named by Chinese government, is also known as Macclesfield Bank and is a part of the South China Sea Islands.
basis is sufficient, and the historical status is legal. China has always been the only owner of the South China Sea Islands.”

5.1.2 Refusal of Arbitration

In addition to the justification of sovereignty, Beijing managed to defend its position that China would neither accept nor participate in the South China Sea arbitration case. To do so, the Chinese authority mainly appealed to international laws and conventions, showing that China’s negative response to the arbitration case is a rational and legitimate choice rather than a violation of international order. People’s Daily writers interviewed the Chinese Foreign Ministry Spokesman Hong Lei and published an article about the interview entitled “Do not accept any South China Sea dispute solution imposed on China” on June 30. In this article, Hong Lei mentioned four points to justify China’s “no acceptance, no participation, no recognition, no implementation” position based on the interpretation of UNCLOS:

“Firstly, China and the Philippines have already reached an agreement on settling disputes in the South China Sea by bilateral negotiations and consultations through series of bilateral documents and the ‘Declaration on the Conduct of Parties in the South China Sea.’ Therefore, arbitration procedures under the UNCLOS do not apply to the dispute between China and the Philippines over the South China Sea.

Secondly, the essence of the subject-matter of the arbitration initiated by the Philippines is an issue of territorial sovereignty over some islands and reefs of Nansha Islands, and the resolution of the relevant matters also constitutes an integral part of maritime delimitation between China and the Philippines. However, the territorial sovereignty issue territorial disputes are not subject to the UNCLOS, so these issues have nothing to do with the interpretation or application of the UNCLOS.

33 “外交部发言人——不接受任何强加于中国的南海争端解决方案，” the People’s Daily, June 30, 2016.
Thirdly, the subject-matter of the arbitration initiated by the Philippines constitutes an integral part of maritime delimitation between China and the Philippines. In 2006, pursuant to Article 298 of UNCLOS, China made an optional exceptions declaration excluding from the compulsory dispute settlement procedures of UNCLOS disputes concerning maritime delimitation, historic bays or titles, military and law enforcement activities.

Fourthly, the Philippines deliberately misrepresents concepts in UNCLOS, ignoring the fact that China and the Philippines have never engaged in any negotiation on the subject-matters of the arbitration. Therefore, the Philippines has not fulfilled its obligation under Article 283 of UNCLOS to exchange opinions on dispute settlement methods.”

These four points constitute the core juridical argument given by Chinese government regarding the arbitration. All the People’s Daily articles that tried to justify China’s position in the arbitration from a juristic perspective covered at least one of these four points.

In addition to the voice of Chinese authorities, the People’s Daily attempted to convince Chinese citizens that China held a just position by collecting pro-China voices from foreign scholars and politicians. Although these supportive foreign voices hardly provided any new argument differing from the four points mentioned above, they did help create the sense that China must be on the right side in this dispute because otherwise, it would not have this much foreign support. The effort to intentionally influence readers can be seen though how the editor phrased the headlines and subheads of these international voices:

“British International Law Experts Question the Tribunal’s Jurisdiction over South China Sea Arbitration34,” “The South China Sea Arbitration Result Is Invalid for China—An Interview with Political Science Professor Surakit Siri at Thammasat University of Thailand35,” “It Is Wise for China Not to Accept South China Sea Arbitration —An Interview with Argentine

34 张建华, “英国国际海洋法专家质疑仲裁庭对南海仲裁案管辖权” the People’s Daily, 2016
35 张志文, “南海仲裁案结果对中国是无效的——访泰国法政大学政治学教授素拉猜·诗里皆” the People’s Daily, June 15, 2016
China Scholar Gustavo Giraldo,”36 “Arbitration on South China Sea Dispute Is Invalid–An Interview with Spanish International Affairs Specialist Julio Ríos.”37

Apart from these interviews, the People’s Daily reported on international seminars related to the South China Sea arbitration case and selectively published opinions in favor of China’s standpoint. For instance, the newspaper published an article on June 27 to report on an academic seminar called “South China Sea Arbitration Case and International Law,” which was jointly organized by Wuhan University and Leiden University and held in Hague, Netherlands. 38 In this article, the journalist reported arguments of scholars from the Netherlands, Italy, and Qatar, which of course, were supportive of the position of the Chinese government.

5.1.3 Accusing the Arbitration

If the fact that China owns the South China Sea Islands was undeniable and the response that China will not accept or participate the arbitration was reasonable, then how did the Philippines still manage to push the arbitral proceedings forward? The Chinese authority had to answer this question to finish the final piece of its argument puzzle and fully justify its position in the dispute. The answer given by the People’s Daily, and the Chinese government to some extent, is that the arbitration is totally “a political farce staged under a legal pretext,”39 performed by the Philippines and manipulated by “certain forces outside the region.”40 Similarly, the Chinese Foreign Ministry identified the arbitration as “political provocation to China in disguise of law.”41 Apparently, “forces outside the region” alluded to the United

36 叶书宏，“中国不接受南海仲裁是明智的——访阿根廷中国问题专家古斯塔沃・吉拉多,” the People’s Daily, June 13, 2016
37 冯俊伟, “南海问题仲裁无效——访西班牙国际问题专家胡里奥・里奥斯,” the People’s Daily, June 14, 2016
38 许立群, 任彦, 吴刚, “菲律宾南海仲裁案违反国际法原则,” the People’s Daily, June 27, 2016
39 “外交部副部长刘振民——中国不接受菲律宾所提南海仲裁案完全符合国际法,” the People’s Daily, July 7, 2016
41 周鲷, “外交部发言人——菲律宾仲裁案是披着法律外衣对中国进行政治挑衅” the People’s Daily, May 6, 2016
States. On June 30, the newspaper published a commentary entitled “Illegal Arbitration Is a Political Farce”\textsuperscript{42} and stated the following:

“Without any legitimacy, the so-called Arbitral Tribunal tries so hard to hype up the issue, showing its willingness to serve as a political tool for certain countries, and exposing its embarrassment and panic when this temporary patch-up team trampled on the international rule of law … From the outset, the Arbitral Tribunal was a ‘freak’ which breaks the international law under the banner of championing it.”

The newspaper also criticized the Philippines for extorting China by intentionally undermining regional peace and security in another article:\textsuperscript{43}

“For a long time, China has born the overall interest of the region, responsibly handling the South China Sea issues with constructive attitude. The door for negotiations and consultations has always been open for the Philippines. However, the Philippines, having ignored the Sino-Philippines consensus, lacks the sincerity of settling the dispute with negotiation. Instead, the Philippines pretends to be the victim in the South China Sea dispute, and constantly stirs up incidents and intensifies conflicts, worsening the regional peace and stability. China will not bully small countries by being big; but at the same time China will not be extorted by small countries because of being big.”

In another commentary\textsuperscript{44}, the author accused “Western countries” of distorting the international orders and laws:

“The political farce covered by international law should end … Although western countries prefer to talk about international law than anyone else, experience has shown again and again that they always appeal to the international law to regulate other countries rather than

\textsuperscript{42} 钟声, “非法仲裁是场政治闹剧”, \textit{the People’s Daily}, June 30, 2016

\textsuperscript{43} 杜一菲, “外交部发言人——中国不会纵容个别国家在南海问题上‘以小讹大’”, \textit{the People’s Daily}, May 10, 2016

\textsuperscript{44} 钟声, “拿国际法遮羞的政治闹剧该结束了” \textit{the People’s Daily}, July 8, 2016
themselves and that they often fuzz up the interpretation of law—take ‘illegal’ for ‘legal’ and vice versa.”

Then the author explicitly expressed his anger toward the United States’ position in the dispute:

“The South China Sea arbitration case is the same trick played by the United States and other Western countries. By confusing right and wrong and stretching the truth, they intentionally accuse China of ‘violating the international law.’ … From initiation to advancement, every step taken in the South China Sea Arbitration case is a scam carefully designed by the United States to maintain its dominance in the Asia Pacific region. Vilifying China and driving a wedge between China and its neighboring countries in the name of international law are exactly U.S. government’s preset goals.”

In this way, the authority has portrayed China as a victim of bullying by the United States and its myrmidon countries, the Philippines in this case, even though China had done nothing wrong.

5.1.4 Attitude: Call for Negotiations

By claiming indubitable sovereignty over the disputed region, refusing the arbitration raised by the Philippines, and accusing related Western countries for intervening the dispute, the Chinese central government positioned China on the just and correct side of the dispute for its citizens. At this stage, the authority still tried to bring the Philippines back to the table before the arbitration was made by calling for a negotiation between the two countries, rather than trying to force the Philippines to give up the arbitration by evoking radical nationalistic emotions among Chinese people.

Official voices came out first. On June 9, the People’s Daily published the Chinese Foreign Ministry’s statement on settling disputes between China and the Philippines in South China
Sea through bilateral negotiation. The statement illustrates the Chinese government’s clear will to facilitate the negotiation process without instigating nationalism:

“China and the Philippines are neighbors facing each other across the sea, and the two peoples have enjoyed friendship over generations … Thanks to China’s efforts, China and the Philippines carried out friendly consultations on, among others, establishing dialogue mechanisms and engaging in practical cooperation and joint development, and have achieved positive outcomes in this regard … It is not only the Chinese government’s consistent policy, but also a clear agreement reached between China and the Philippines, to settle their relevant disputes in the South China Sea through negotiation.

The door of China-Philippines bilateral negotiation is always open. China will remain committed to settling through negotiation the relevant disputes with the Philippines in the South China Sea on the basis of respecting historical facts and in accordance with international law. China urges the Philippines to immediately cease its wrongful conduct of pushing forward the arbitral proceedings, and return to the right path of settling the relevant disputes in the South China Sea through bilateral negotiation with China.”

In another commentary article, the author stated that “if the Philippines wants to solve the controversy in the South China Sea in a sincere manner, the only way out is to get rid of the arbitration ‘burden’.”

Besides claims and comments from the Chinese government, voices coming from other countries that supported the negotiation option also appeared in the newspaper. Before the arbitration was finally held on June 12, the People’s Daily published remarks and comments from a law specialist in the Netherlands, a Ugandan Foreign Ministry officer, a Central

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45 “中华人民共和国外交部关于坚持通过双边谈判解决中国和菲律宾在南海有关争议的声明 “ the People’s Daily, June 9, 2016
46 钟声, “谈判协商是解决争议唯一出路” the People’s Daily, June 10, 2016
47 刘芳, “荷兰法学专家在接受采访时表示——南海仲裁应退场 为谈判解决让路” the People’s Daily, May 26, 2016
48 袁卿, “乌干达外交部官员——支持直接当事国谈判协商解决南海争端” the People’s Daily, May 31, 2016
Committee member of the Tanzania Party of the Revolution,\textsuperscript{49} the Chairman of the Cambodia Funcinpec Party,\textsuperscript{50} the former Prime Minister of Hungary,\textsuperscript{51} and a former Judge of the International Court of Justice.\textsuperscript{52} Moreover, some voices calling for bilateral negotiation even came from the Philippines. According to the \textit{People’s Daily}, former Permanent Representative to the United Nations of the Philippines\textsuperscript{53} and former Foreign Ministry officers\textsuperscript{54} urged the Philippines government to negotiate with China regarding the South China Sea dispute.

5.2 Second Stage: Nationalism Transplantation

Having set a ‘just’ image for China in the dispute in the first stage, Beijing was able to take a stronger stance toward the arbitration in the second stage, which lasted from when the final arbitration result was about to be announced until the crisis finally passed. To be specific, the Chinese government made fiercer accusations of “Western countries,” the United States, Japan, and Australia in this case, compared to those in the first stage. Similarly, the \textit{People’s Daily} tried hard to depict the temporary arbitral tribunal as a puppet manipulated by certain political forces. Furthermore, the authority also argued that the arbitration would greatly undermine the international rule of law and international orders. Moreover, Beijing demonstrated its resolution to safeguard its sovereignty and territory through the \textit{People’s Daily}. Besides that, the regime tried to show that Chinese people, both overseas and domestic, were infuriated by the arbitration case. In addition, the \textit{People’s Daily} managed to broadcast China’s position on the dispute to Chinese people through social media. With all these strategies mentioned above, we have seen a clear attempt to evoke the nationalistic emotions among Chinese people.

5.2.1 Accusing the “Western Countries”

\textsuperscript{49} 姚晓程, “坦桑尼亚革命党中央委员——对话是解决南海问题的最佳方式,” \textit{the People’s Daily}, 2016

\textsuperscript{50} 张志文, “支持中国和平解决南海问题立场——访柬埔寨奉辛比克党主席拉那烈” \textit{the People’s Daily}, 2016

\textsuperscript{51} 杨永前, “匈牙利前总理——南海争端只能通过直接和平谈判解决” \textit{the People’s Daily}, 2016

\textsuperscript{52} 仁彦, “协商谈判是解决南海争端最佳方式——访国际法院前法官阿卜杜勒·科罗马” \textit{the People’s Daily}, 2016

\textsuperscript{53} 王文, 杨柯, “菲律宾外交官敦促政府与中国举行双边谈判” \textit{the People’s Daily}, 2016

\textsuperscript{54} 杨天沐, 王文, “菲律宾外交部海事中心前秘书长——加剧南海局势紧张的正是菲律宾” \textit{the People’s Daily}, 2016
Although the *People’s Daily* had already alluded to Western countries’ support of the Philippines’ position and manipulation of the arbitration case in the first stage, more frequent, more explicit, and fiercer accusations of these “Western countries” were made by the newspaper in the second stage. For example, only three articles that explicitly criticized the United States for its stance in the South China Sea dispute were published in the newspaper from April to June in 2016. However, at least 18 articles with specifically accusations of the United States government were published in the newspaper from July to September. Furthermore, in May, the United States was implicitly called a “country outside the South China Sea region” while in September, the headline “How the United States Has Become the Source of the World Unrest” appeared. Moreover, the CCP government expanded its “blacklist” of Western countries that challenged China’s position in the dispute in the second stage, including Japan and Australia.

i. The “Western Countries”

There are articles targeting the general Western world, criticizing the arrogance of “Western culture” and the egotism expressed by the West when dealing with international affairs:

“The West has always been arrogant in adopting its own model as a universal standard. The South China Sea arbitration case once again exposed the Western hegemonic mentality … Although UNCLOS is a legal consensus reached by various countries to compromise each other and there is a great deal of room for maneuvering, the reality is that the western judicial institutions firmly control the right of interpretation and discretion to UNCLOS with their own ideology and mindset … Law is the tool, not the purpose. Law is just one of the means to resolve conflicts. If laws and courts make things worse, then they should not be used.”

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56 李文, “美国何以成为世界动荡之源：谋一己之私的国际战略” *the People’s Daily*, September 18, 2016
57 汤姆·兹瓦特, “所谓仲裁暴露了西方霸权心态” *the People’s Daily*, July 28, 2016
The author then drew a comparison between the occidental and the oriental to castigate Western countries’ standpoint of confronting China:

“Orientals are actually more intelligent. Historically, Asian countries dominated by the Confucian culture have used non-conflict methods and negotiations to resolve disputes. This approach is very humane and effective. In Asian countries, disputes over a specific issue will not influence the cooperation in other fields. However, the West is accustomed to making simple judgments in a black-and-white manner, and it often expands differences in one aspect to the full-scale confrontation, trying to break relationships instead of to solve problems … The most dangerous thing is to use international law to achieve political goals because it will greatly undermine the international law. Unfortunately, some countries are doing so. Historically, China’s leading position in Asia has been widely recognized and accepted by Asian countries. Nonetheless, the West believes that China is a “big guy” that threatens the region and even the world, so it must be limited.”

ii. The United States

As a typical Western country and the ‘world police,’ the United States received most of the criticism from the Chinese government. The first point targeted by Chinese government is the military activities, such as military exercises and patrolling, operated by the United States in the South China Sea area as a part of its “Pivot to East Asia” strategy. A commentary article entitled “America, Showing Off Military Forces Is to Engage in Hegemony!” reads as follows:

“Two US aircraft carriers have recently conducted a military exercise in the waters near the Philippines. The U.S. Chief of Naval Operations John Richardson announced that the

58 “Pivot to East Asia” is a regional strategy conducted by the Obama administration of U.S. government. According to Hillary Clinton, the key areas of the actions are: “strengthening bilateral security alliances; deepening our working relationships with emerging powers, including with China; engaging with regional multilateral institutions; expanding trade and investment; forging a broad-based military presence; and advancing democracy and human rights.” Some observers has suggested that China views this pivot strategy as part of U.S.’ China containment policy.

59 钟声, “美国，炫耀武力就是搞霸权！” the People’s Daily, June 22, 2016
exercise is a signal that the United States is committed to maintaining security in this region and is also a “deterrence” for the relevant countries … The military exercise and remarks made by U.S. high-ranking military official have once again shown that this country is a troublemaker, rather than a defender of regional security. The United States plays a destructive role in the South China Sea dispute. For some time now, the United States has meticulously rendered the danger of militarization of the South China Sea and detained China’s hats that have undermined regional peace and stability.

The United States has meticulously described the danger of militarization of the South China Sea, accusing China for undermining regional peace and stability. However, what people have seen is that America’s aircraft carriers came, that America’s strategic bombers appeared, that America’s guided missile destroyers continued to reach China’s islands and reefs under the banner of ‘freedom of navigation,’ and that military exercises conducted by America and its allies was successively repeated. So, who is the one promoting the militarization of South China Sea? Who is the one trying to turn the South China Sea into a powder keg?”

In another commentary article, the author warned the United States about its military actions:

“The United States’ military action to maintain hegemony might be able to create a sensational effect in a short period. However, everything has a bottom line; once the line is crossed, the United States will have to pay a price.”

The second attack of the Chinese government was about the United States’ cultural and political structure and development strategy. Beijing berated the American government’s international policy on an essential level by arguing that it was the United States that was creating turmoil in international society. In September, the People’s Daily published a series

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60 钟声，“美国不要在南海问题上冲撞底线” the People’s Daily, July 6, 2016
of commentary articles called “How the United States Has Become the Source of the World Unrest,” mentioning three points regarding America’s international policies.

Firstly, Chinese government claimed that the United States tends to “intervene everywhere around the world” because Americans firmly hold the value of “manifest destiny” and “elite consciousness of suffering.” In detail, the author argued the following:

“The basic implication of manifest destiny is that the United States is entrusted by God and bears a special responsibility for the development of human society and the destiny of mankind. Therefore, the United States regards itself as the only moral state in the world. It uses its own criteria to measure value systems and behavioral patterns of other countries. It believes that it has responsibilities to spread the values and ideologies of the United States throughout the world … The so-called elite consciousness of suffering refers that some American people continually create voices that the United States is declining to make an early warning and spur for Americans, so that the United States can maintain their leading position in the world. However, this consciousness is totally a kind of cold war mentality … Manifest destiny and elite consciousness of suffering are the important endogenous driving forces for the strong diplomacy of the United States. They created today’s hegemony of the United States, but they also made the United States surrounded by enemies and made the world more unstable.”

Secondly, the Chinese authority accused the military industry of the United States of coercing the U.S. government into continually provoking conflicts.

“Over the years, the United States has formed a perpetual “chariot system” driven by the “monster” of capital power, which has prevented the America from stopping its aggressive activities … The ‘military industry complex’ system, which represents powerful interest groups, has ‘hijacked’ the American political system … (The military industry complex) has been

61 林宏宇, “美国何以成为世界动荡之源：四处插手的价值观” *the People’s Daily*, September 18, 2016
deeply embedded in the social system of the United States. It is the fundamental driving force for the continued expansion of the United States. After the end of war, what should those interest groups live on? Therefore, new enemies must be created even though there’s no enemy; steady and huge profits in this way can be obtained by interest groups. With the influence of this interest-driven foreign policy, More and more American ‘enemies’ have appeared.”

Thirdly, the Chinese authority criticized the United State for its “selfish” international strategies that tried to maintain America’s hegemony by undermining other countries’ interests and “messing up the world”:

“Incidents that have occurred in many parts of the world today are not ‘local specialties’ but are ‘made in USA.’ The Philippines has been playing a troublemaker role in the South China Sea since the United States implemented its ‘Asia-Pacific Rebalancing Strategy’ … As the largest capitalist state in the world, the United States has always placed its own national interests above other countries’ interest … At present, maintaining its global hegemony is the greatest national interest of the United States. To achieve this goal, messing up the world is almost the best choice for the United States under the current situation: once other countries are enrolled in a zero-sum game, the United States will be able to benefit from the conflict, regardless other countries’ interest might be undermined … Of course, this country has never forgotten to discriminate countries based on their affinity with the United States: North America is the base of the United States, so peace and stability in this region must be ensured; EU is seemingly in harmony but actually at variance with the United States, so EU countries must be guarded against and restricted; The Middle East and Central Asia are close to Russia, therefore the more chaotic this region becomes the better; As to the periphery of China, it is necessary to create controllable chaos and tension.”

iii. Australia and Japan
In addition to the United States, other Western countries that did not agree with China’s standpoint on the arbitration, Japan and Australia in this case, were accused of intervening in the arbitration by Chinese government. The Australian Foreign Minister, Julie Bishop, commented on the dispute, stating that China’s reputation would suffer if it ignored the decision made by the arbitral tribunal.  

The People’s Daily reported Chinese Foreign Ministry spokesman Lu Kang’s reply:

“We have formally protested against Australia’s wrong remarks … Australia should join the majority of the international community in not taking the result of the illegal outcome of the case as international law. We hope that Australia can set more store by international law, and not treat it as a game.”

Japan received a fiercer accusation compared to Australia. On August 15, the People’s Daily’s commentator castigated Japan for its stance on the arbitration case by recalling China’s historical grievance against Japan in World War II:

“Today is the 71st anniversary of Japan’s defeat and surrender (in World War II). From 1930s to 1940s, the war of aggression waged by the Japanese fascists had brought disasters to the people of China and the Asia Pacific region … However, rather than reflecting on the aggressive war and managing to improve Japan’s relation with victim countries, Japanese right-wing politicians choose to kick down other countries by kissing up the United States. After the United States decided to implement the Asia-Pacific rebalancing strategy, Japan keeps playing China off against its South China Sea neighboring countries to suppress China. Although Japan is not a party of the South China Sea dispute, it has contributed to fueling it by making irresponsible remarks, becoming another spoiler besides the United States.”

63 “Julie Bishop stands by South China Sea stance after sharp criticism from China,” the Guardian, July 14, 2016
https://www.theguardian.com/world/2016/jul/15/julie-bishop-south-china-sea-criticism-china

64 周輖, “希望澳方恪守在有关主权声索争议问题上不持立场的承诺” the People’s Daily, July 15, 2016

65 胡德坤, “日本政府的倒行逆施” the People’s Daily, August 15, 2016
In another article, the author stated that Japan’s stance on the South China Sea dispute suggests that Japan wants to revive its military tradition and undermine the post-war international order:

“On the issue of South China Sea, even the American media, such as the Wall Street Journal, has observed that ASEAN’s moderate attitude is in contrast with the performance of some countries outside this region. ASEAN countries are aware of the need to find feasible solutions to manage disputes, rather than unnecessarily fueling tensions. What does Japan want by creating tensions in this region? Could it be that Japan has an evil impulse to dominate the security situation in Asia and manipulate the relations between Asian countries? Japan is notorious for its violation of international law; how dare Japan talk about the ‘rule of law’ to the international community?”

With the implementation of the United States’ Pivot to Asia strategy, … Japan has renewed its hope to become a political great power and even a military great power. When future historians comment on what is happening today, they will have to make a record for the chain reaction of the Asia-Pacific strategic adjustment taken by the United States that it was the America that speeded up the resurrection of Japan’s political and military great power dream, even though Japan has not atoned its sins of World War II yet. U.S. politicians should understand that they are giving their former opponent a green light for challenging the post-war international order”

5.2.2 Castigating the Arbitral Tribunal

In addition to criticize Western countries, after the arbitrament was made, Chinese government started to castigate the temporary arbitral tribunal itself. The People’s Daily even published a commentary series called “Uncovering the Temporary Arbitral Tribunal” to

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66 钟声, “警惕日本战略鼓噪背后的祸心” the People’s Daily, September 18, 2016
67 ASEAN is the abbreviation for Association of Southeast Asian Nations.
criticize the tribunal. The Chinese government lashed out against the tribunal in an extremely
erocious manner, which can be easily seen from the word used in the newspaper. In the
People’s Daily, the arbitral tribunal was called “typical example of violating international law
(违反国际法坏典型),”68 “proxy of outside forces (外部势力代理人),”69 “shabby circus (草
台班子),”70 “freak sailing under false color (欺世盗名的怪胎),”71 “cancer of the
international rule of law (国际法治的癌细胞),”72 etc. Besides the above names, three major
points were brought up by the authority to construct the accusation towards the arbitral tribunal.
Firstly, the Chinese government argued that the temporary arbitral tribunal that was established
for the South China Sea dispute was not widely recognized by international society and its
legitimacy was questionable. Secondly, the authority insisted that the professionality of the
arbitral tribunal was unqualified, and therefore, the arbitrament is unreliable. Thirdly, CCP
government believed that the tribunal was a puppet that was manipulated by some hegemonic
countries, such as the United States, to restrict China’s development in the name of
international rule of law.

i. Questioning Legitimacy

The Chinese government questioned the official legal status of the temporary arbitral
tribunal. It argued that “the temporary arbitral tribunal in the South China Sea arbitration case
has nothing to do with the United Nations … it is not an U.N. department at all.”73 Therefore,
“The temporary arbitral tribunal has no relation with the International Court of Justice (ICJ),
which is also located in The Hague. The latter is the principal judicial organ of the United
Nations and is established under the U.N. Charter.” Moreover, “there is no direct relation

68 张志文, 俞懿春, 陈然, “临时仲裁庭树立违反国际法坏典型” the People’s Daily, July 17, 2016
69 钟声, “仲裁庭竟是外部势力代理人” the People’s Daily, July 13, 2016
70 “摘去草台班子的光环” the People’s Daily, July 17, 2016
71 李忠发, 邹伟, 臧晓程, “欺世盗名的‘怪胎’” the People’s Daily, July 19, 2016
72 “国际法治的‘癌细胞’” the People’s Daily, July 22, 2016
73 仁彦, “联合国和国际法院发表声明——撕开临时仲裁庭‘法理权威’的虚假包装” the People’s Daily, July 15, 2016
between the temporary arbitral tribunal and the Permanent Court of Arbitration (PCA). The only connection is that PCA provided secretarial services for the arbitral tribunal and leased the Peace Palace located in The Hague to the temporary arbitral tribunal as the trial venue.”

“Compared to PCA, the temporary arbitration tribunal has lower threshold for its arbitrators and the requirements are not so strict. Therefore, the arbitral tribunal always wants to be tied up with PCA and to use PCA’s reputation to raise its identity.”

Similarly, “the temporary arbitral tribunal also has no direct relation with the International Tribunal for the Law of the Sea (ITLOS) in Hamburg, Germany.” Hence, the author concluded that “it is apparently that the temporary arbitral tribunal in this case is not a permanent arbitration agency or an authoritative judicial body in the field of international law of the sea. Its procedural rules are also temporary arbitration rules drawn up by arbitrators and applied only to this case.”

ii. Criticizing Professionality

Chinese government also questioned the professionality of the temporary arbitral tribunal. Firstly, the People’s Daily argued that Shunji Yanai, serving as the President of ITLOS at the time, should be limited by the principle of avoidance because of his former experience and comments on China–Japan territorial disputes:

“It seems to be legal, according to the UNCLOS, to let Yanai, the President of ITLOS, appoint the other three arbitrators. However, Yanai himself is quite controversial, especially his Japanese identity and his close relationship with the Abe regime. In addition, he also has a clear stand on the dispute over the East China Sea. These factors indicate that he should evade to participate in the South China Sea arbitration case on his own … The participation of Yanai reflects the fairness defect of UNCLOS procedure, because it enlarges the impact of President’s personal will over the case and undermines the legitimacy of the arbitration”

74 “摘去草台班子的光环” the People’s Daily, July 17, 2016
75 李忠发, 邹伟, 臧晓程, “欺世盗名的‘怪胎’” the People’s Daily, July 19, 2016
76 “摘去草台班子的光环” the People’s Daily, July 17, 2016
Secondly, the selection of arbitrators of the temporary arbitral tribunal was also criticized by the authority. The People’s Daily argued that “in the international judiciary, professional requirements for arbitrators are lower compared to international judges. For example, the entry threshold for arbitrators of Permanent Court of Arbitration is lower than that for judges of International Court of Justice. As for the threshold of the temporary arbitral tribunal, it must not be compared with the international judicial institutions.” 77 Besides that, another commentator criticized the diversity of arbitrators, stating that “the arbitral tribunal consisted of four European arbitrators and one Ghanaian arbitrator who has lived in Europe for a long time … No Asian arbitrator was selected. Based on the background of arbitrators, they clearly lack a full understanding of the South China Sea issue, Asia’s complex geopolitics, and historical and practical issues … This makes the arbitral tribunal’s impartiality problematic.” 78 Then the author claimed that some of the arbitrators were also working on other arbitration cases at the same time: “Among the arbitrators, with the exception of Pawlak, the remaining four were present as arbitrators in other arbitration cases … Such multiple-job holding may have serious impacts on the arbitration, leading to preconceptions and prejudgment, to a certain extent and undermining the impartiality of the arbitral tribunal.” 79 In addition, the writing skills of the arbitrators was also criticized: “In the ruling report, we can fine many unprecise judgments made by these low-threshold arbitrators, revealing political tendencies of these arbitrators … Many people have found an arrogant, arbitrary and extreme attitude after reading the English and French version of the report. We do not know that it was caused by unprofessionalism or emotion.” 80

iii. Accusing Political Manipulation

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77 “假借法律名义 预设仲裁结果” the People’s Daily, July 21, 2016
78 李忠发, 邹伟, 臧晓程, “欺世盗名的‘怪胎’” the People’s Daily, July 19, 2016
79 Ibid.
80 “摘去草台班子的光环” the People’s Daily, July 17, 2016
The Chinese central government also suggested that the arbitral tribunal had been intentionally used as a tool to confront the development of China. It contended that the arbitral tribunal “has deviated from fairness and impersonality from the outset and has become a private weapon for certain countries and individuals.” The authority mainly attacked the arbitral tribunal’s unfairness from two aspects. Firstly, the President of ITLOS, Shunji Yanai, held a tendentious stance in this arbitration case and purposively manipulated the arbitration process to undermine China’s legitimate interest. Secondly, the complicated interest relations, especially money flows, among stakeholders in the temporary arbitral tribunal lead to the partial result that went against China.

In the *People’s Daily*, Yanai was portraited as a politician who always held an anti-China stance and tried to confine China in various ways. The newspaper contained an argument that Yanai’s experience would influence his neutrality in the arbitration case:

“In Yanai’s long professional diplomat career, there are two distinct marks. The first is ‘pro-US anti-China’ and the second is ‘right-wing hawk.’ His inextricable connection with Japanese Prime Minister Shinzo Abe is also well known. His professional background and political leanings constitute the ‘ground color’ of his value of his position in the ITLOS … Yanai entered the Japanese Ministry of Foreign Affairs in 1961 … During his tenure at the Ministry of Foreign Affairs, Yanai participated in sensitive issues such as the Diaoyu Islands issue and Japan-US security treaty. It was during Yanjing’s presidency at ITLOS that the Philippines unilaterally initiated the South China Sea arbitration case. The authority of the President allowed Yanai to form a temporary arbitral tribunal and to appoint four of the five arbitrators in the absence of China. This ‘tacit understanding’ between the Abe government and the Aquino III government is probably difficult to describe as ‘coincident.’”

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81 钟声, “‘仲裁庭’竟是外部势力代理人” *the People’s Daily*, July 13, 2016
82 “柳井与临时仲裁庭的那些勾当” *the People’s Daily*, July 18, 2016
In addition to his former experience, Yanai’s role in the Japanese government during his tenure at ITLOS was brought up by Beijing. The commentator contended that “Yanai’s big flaw as a judge of the ITLOS is that he had a ‘concurrent position’ during his tenure, which is his deep involvement in Japanese government think tanks closely related to Japan’s military and security policies … As is well-known, in recent years, the disagreements and contradictions between China and Japan on the sovereignty of Diaoyu Islands and on the demarcation of the sea have been very prominent. As a leader of the Japanese Prime Minister’s policy think tank, which has been working on the constitutional amendments to lift the ban on collective self-defense, the expansion of Japan’s military alliance with the United States, and thus the attempt to use military deterrence to gain an advantage over China, it is apparent that Yanai’s involvement in the South China Sea arbitration is extremely inappropriate.” Moreover, the newspaper quoted Xinhua New Agency’s interview with Motofumi Asai, Yanai’s former colleague in the Ministry of Foreign Affairs: “He (Asai) told Xinhua News Agency reporters that Yanai, Abe’s ‘good partner,’ had served as the President of the Advisory Panel on Reconstruction of the Legal Basis for Security. This temporary arbitral tribunal was also built by Yanai based on the intention of Abe regime … It can also be seen from the arbitration result that this is a decision made by some people who are completely unfamiliar with the South China Sea. The conclusions have been prepared in advance before the verdict being made”

The Chinese government also accused the arbitral tribunal for being “kept (包养)” by the Philippines and the United States because the arbitral tribunal was mainly sponsored by the Philippines government. The People’s Daily argued that “the five arbitrators of the arbitral tribunal make money; and they made their money from the Philippines. Indeed, there may be other sponsors, but it is certain that the arbitration is paid service … In general, the arbitration tribunal is established by agreement between the parties, and the related expenses are shared

83 Xinhua News Agency (新华社) is the official press agency of the People's Republic of China.
equally. In this case, however, the secretary of the PCA, which provided the service for arbitral tribunal, has asked China and Philippine to pay fees for five arbitrators’ remuneration, court rent, and other expenses to maintain the daily operation of the arbitral tribunal. Because China did not accept or participate in this arbitration, Chinese government never paid the fees. However, to fulfill regular operations of the tribunal, the Philippines not only paid its own share, but also paid China’s share … Based on the preliminary calculation, the cost of the arbitration case for the past three years is approximately 26 million euros, which is about 0.2% of the Philippines’ budget for 2015. This means that the temporary arbitral tribunal is completely ‘kept’ Philippines … Hereby, tricks behind the temporary arbitral tribunal become apparent.”

Moreover, the motivations of the arbitrators in the arbitral tribunal was also questioned: “Experts familiar with such organizations told our reporters that the establishment of temporary arbitral tribunals is nothing more than an opportunity for those unemployed judges and arbitrators to ‘moonlight.’ They have nothing to do with the UN and the ICJ, because judges in international judicial institutions, such as ICJ, are paid by salaries. Finding ‘moonlighting’ judges instead of judges paid by salaries is a meticulous plan for the Philippines’ lawyers. Because those “famous” Western lawyers know best that there is a difference between these two kinds of judges.”

5.2.3 Criticizing the Sabotage to International Environment

The Chinese central government also tried to promote its standpoint by appealing to the hazard of the South China Sea arbitration to the international environment, especially to the international rule of law and regional peace and stability. To be specific, the People’s Daily insisted that the “unfair” arbitration would become a negative example for international society and lead to additional violations of the international rule of law in the future. Moreover, the

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84 李忠发, 邹伟, 臧晓程,“欺世盗名的‘怪胎’” the People’s Daily, July 19, 2016
government also argued that this arbitration case could only intensify, rather than alleviate, disputes and conflicts among countries in the South China Sea region.

i. International Rule of Law

The Chinese government firstly expresses its concerns on the international rule of law. It mentioned that the arbitration case would undermine the authority of international law: “The arbitration case violated a number of norms of international rule of law … All these violations have given law experts and scholars reason to worry that this case will have a negative impact on the international rule of law.”85 Moreover, the People’s Daily criticized Western countries for holding “double standards” for the South China Sea arbitration: “For a long time, some Western countries follow a pragmatist or a double-standard approach to international law, using whatever that suits their interests and abandoning whatever that does not. In this way, they have made a number of bad examples for international rule of law … On the issue of international rule of law, some countries, especially the United States, are not qualified to be China’s ‘teachers;’ instead, these countries should completely examine themselves and abandon their long-standing hegemonism, selfishness, hypocrisy, and double standards. These countries should show their respect to the international law and basic international relation norms by practical actions.”86 In conclusion, the Chinese authority stated that “The so-called arbitration does not have any positive impact on solving the South China Sea dispute; instead, it greatly damages the integrity and authority of the UNCLOS … China calls on all countries that respect the international law, believe in justice, and pursue peaceful solutions for international disputes to boycott this violation of the international rule of law and to figure out how to avoid this kind of ridiculous arbitrations happen again.”87

ii. Peace and Stability in the South China Sea Area

85 许立群， “仲裁庭损害国际法体系公正性——访武汉大学中国边界与海洋研究院首席专家易显河” the People’s Daily, July 10, 2016
86 钟声，“双重标准是对国际法治的亵渎” the People’s Daily, July 15, 2016
87 吴恳，“非法裁决令国际法蒙羞” the People’s Daily, July 19, 2016
The Chinese government then argued that the arbitration and the United States’ intervention in the South China Sea region would undermine the peace and stability in this area. The *People’s Daily* argued that “situations where foreign forces interfere will always bring disaster. We believe that if there are disputes in the South China Sea region, they should be settled directly by the countries concerned and should not be interfered by external forces.”

“Once the situation in the South China Sea becomes tense or chaotic, the stability and development of the Asia Pacific region and even the global political and economic situation will surely be affected. China and ASEAN have already established free trade zones and the annual trade volume between China and ASEAN amounts to hundreds of billions of U.S. dollars. We should not let the common interest suffer from disputes.”

The author also quoted Charles Freeman, an American diplomat who is familiar with China: “the rulings of the arbitration will not solve the problem; instead, it will make the situation in the South China Sea more complicated. In the short term, the arbitration was not conducive to the settlement of disputes through diplomatic means.”

Fierce rhetoric was also used by the author “The so-called ruling of the temporary arbitral tribunal is just a joke. It does nothing to resolve disputes, nor can it mitigate the tensions in the South China Sea. It can only be used as propaganda materials by people with ulterior motives. The ridiculous acts have caused the arbitral tribunal itself to be controversial.”

### 5.2.4 Attitude: Hardened Stance and Nationalism Evocation

In the second stage, the Chinese authority started to take a strong and nationalism-evoking position on the dispute case, especially after the ruling was made by the temporary arbitral tribunal, even though the voice advocating for bilateral negotiation still existed. In the *People’s Daily*, July 12, 2016

*钟声，“滥用国际法就是冲击国际秩序” the People’s Daily, July 12, 2016*

*魏良磊，“俄罗斯专家——不应让南海争议损害地区国家共同利益” the People’s Daily, July 11, 2016*

*张朋辉，“所谓仲裁令南海形势更复杂——访美国资深外交官傅立民” the People’s Daily, July 19, 2016*

*徐伟，“临时仲裁庭所谓裁决威胁区域稳定——访巴基斯坦国立科技大学中国研究中心主任哈桑·贾韦德” the People’s Daily, July 25, 2016*
Daily, this tough attitude can be seen through three aspects: (1) the declaration of the firm resolution to defend China’s sovereignty over the South China Sea, even through military action, (2) show the anger of Chinese people toward the arbitration and the protests around the world, and (3) try to ignite nationalistic emotions on Chinese social media platforms.

i. Declare the Resolution

Making a strong announcement about the dispute was a typical way for the Chinese government to stir up nationalistic sentiment in society: “we will not take anything that isn’t ours, but we will defend every inch of territory that belongs to us. This is determined by China’s will and ability … The words and deeds of the United States to promote militarization and to show off military forces in the South China Sea region have deepened China’s concerns about its interests being damaged and have inspired China’s determination to enhance its ability to defend itself.”

“China will take all necessary measures to protect the territorial sovereignty and maritime rights and interests from being infringed. All attempts to infringe upon China’s territorial sovereignty and maritime rights will only be a delusion.”

“Sovereignty is a bottom line for China. Big as China is, we cannot afford to give away a single inch of territory that our ancestors have left to us…. The Chinese government and people will remain united and act resolutely to safeguard every inch of our land and every swath of our waters.”

Moreover, to evoke national pride and nationalistic emotions, the authority tried to recall the miserable joint memories of Chinese people of when China was poor and weak and always insulted and invaded by imperialistic countries and compared the past decayed China to today’s powerful China: “Don’t you remember? In 1839, when the British government learned that China had prohibited the opium trade, Palmerston, the British Foreign Minister, became furious. He claimed that the only effective way to deal with China was to ‘beat it first and then explain.’

92 钟声, “中国意志和能力的必然选择,” the People’s Daily, June 27, 2016
93 “中国维护南海领土主权和海洋权益的决心坚定不移,” the People’s Daily, July 13, 2016
94 李伟红, “历史不容篡改 法律不容滥用——杨洁篪就南海仲裁案仲裁庭作出所谓裁决接受人民日报等中央媒体采访,” the People’s Daily, July 15, 2016
The pain of history is unforgettable for Chinese people; however, if some people think they can bully today’s China with this kind of arrogance, I’m afraid that they have made a terrible mistake. Just as President Xi Jinping said, today’s China ‘does not covet the rights and interests of other countries, nor does it envy their development, but it will never give up its own legitimate rights and interests. We Chinese people do not believe in fallacies, but we are not afraid of them; we do not make trouble, but we are not afraid of it. No country should entertain the fantasy that China will barter away its core national interests or allow its sovereignty, security, and development interests to be infringed upon.’ … Chinese people today have the determination to safeguard world peace and justice; Chinese people today also have the ability to defend their territorial sovereignty. We will firmly walk on the path of national rejuvenation. Nothing can ‘shake’ our will and resolution.”

Voices from the Chinese military system also appeared in the newspaper. Military exercises in the South China Sea area carried out by the Chinese navy were reported on. 

Announcements from military officers were also published in the newspaper: “No matter what ruling the arbitral tribunal makes, it will not affect China’s sovereignty and legitimate rights in the South China Sea. Regardless of the outcome of the arbitration, the Chinese military will unswervingly safeguard national sovereignty, security and maritime rights, and respond to various threats and challenges.”

“On 18th, Wu Shengli, member of the Central Military Commission and naval commander, met with the US naval operations minister John Richardson in Beijing to exchange in-depth views on maritime issues of common concern … When talking about the South China Sea issue, Wu emphasized that we will never give away the sovereignty over the South China Sea, since this is China’s core interest. It is related to our Party’s ruling foundation, national security and stability, and the fundamental interests of the

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95 王传宝，“没有什么能撼动和平正义的力量,” the People’s Daily, July 13, 2016  
96 “海军在南海举行实兵对抗演习,” the People’s Daily, July 10, 2016  
97 “国防部新闻发言人——中国军队将坚定不移捍卫国家主权、安全和海洋权益,” the People’s Daily, July 13, 2016
Chinese nation. Do not expect us to make a concession on territorial sovereignty issues; we will never fear any military provocation. The Chinese army is a strong force that safeguards China’s national sovereignty, security and development. The Chinese navy is fully prepared to respond to any infringement and provocation … We will never let down our guard. The number of defensive facilities depends entirely on the extent to which we are threatened. Attempts to force us to surrender by showing off ‘military muscles’ can only be counterproductive.”

ii. Show the Anger of Chinese People

Supportive voices from Chinese people around the world were also reported on by the government. On June 13, a day after the arbitration result was published, the Chinese central authority appealed for Mainland China and Taiwan to work together to preserve China’s sovereignty over the South China Sea. The People’s Daily reported the Taiwanese government’s response to the arbitration—that Taiwan will never accept the ruling—and stated that “compatriots on both sides of the Taiwan Strait have the responsibility to jointly safeguard the territorial sovereignty and maritime rights of the South China Sea, and the overall and fundamental interests of the Chinese nation.” “The Chinese people on both sides of the strait have to work together to safeguard the inheritance left by our ancestors of Chinese nation.”

Moreover, overseas Chinese voices that supported the stance of the Chinese government on the South China Sea arbitration case were covered in the People’s Daily. “On July 12, Chinese students studying international law in the Netherlands issued a joint open letter to expose that the so-called South China Sea arbitration case is a serious violation of international law. ‘The reason we chose to issue an open letter at this time is to protest this illegal arbitration case and make people hear rational and fair voices.’” The demonstrations against the arbitration...
case were also covered by the newspaper. “On July 15, local time, the Five-Starred Red Flags blew in the wind on the small square in front of the Peace Palace in The Hague, Netherlands. The song ‘March of the Volunteers’ was loud and exciting. From 12 p.m. to 2 p.m., overseas Chinese from all over the Netherlands gathered here to solemnly protest the illegal ruling made by the temporary arbitral tribunal over the South China arbitration case.”\textsuperscript{102}

iii. Nationalism Evocation on Social Media

Through its social media account, the \textit{People’s Daily} attempted to mobilize Chinese netizens to get involved in the nationalistic discourse. For example, On July 11, one day before the arbitration ruling was made, the \textit{People’s Daily} posted a meme on its Weibo account with a phrase that said “China: Not even a bit can be left behind. (中国，一点都不容少)” (see Figure 1). In Chinese, the word for “bit” is the same word as “dash” and “dot,” so the phrase also punned that the “nice-dash line”\textsuperscript{103} advocated by China is incontrovertible and that not even a small island or rock (a dot on the map) in the South China Sea can be occupied by other countries. This post was forwarded more than 2 million times, and there are more than 93,000 comments and 692,000 ‘likes’ under this post, which is an enormous information flow, even for social media in China. The nationalistic emotions can be easily seen from the top-rated comments below the post, such as “anyone who offends China will be killed no matter how far the target is (犯我中华者虽远必诛).” The author of another typical post on the Weibo account of \textit{People’s Daily} tried to simplify the complicated version of the Chinese government’s stance in the dispute to a sloganized, easy-spread version: “Won’t accept, won’t participate, won’t recognize (不接受，不参与，不承认)” (see Figure 2). The simplified version, with striking pictures, can be readily understood and disseminated on the internet, and thus bring up a wide range of nationalistic sentiments.

\textsuperscript{102}许立群，吴刚, “海牙和平宫前的严正抗议,” \textit{the People’s Daily}, July 16, 2016
\textsuperscript{103}The nine-dash line refers to the demarcation line used by the People’s Republic of China for their claims of the South China Sea.
Figure 1: “China, not even a bit can be left behind!”
*Source: Sina Weibo, screenshot taken and processed by author*

Figure 2: “Won’t accept, won’t participate, won’t recognize.”
*Source: Sina Weibo, screenshot taken and processed by author*
6. Conclusion

A clear change in the choice of nationalistic strategies has been observed though the analyzed data. In the first stage of the dispute, the Chinese government tried to shape a moderate standpoint where bilateral negotiation and communication among related parties involved in the arbitration were promoted. In the second stage, however, a nationalistic attitude replaced the balanced one after the arbitration ruling was finally made.

Along with the strategical change, we observed the attempts of the Chinese government to transplant nationalistic emotions from other nationalism foundations and symbols to the Sino–Philippine arbitration dispute. The Chinese central government fiercely criticized some “Western countries,” the United States, and Japan in this case for manipulating international jurisdictional institutions to contain the development of China, trying to transplant the nationalism foundation of some so-called “Western countries” to the Philippines case. Moreover, the CCP also managed to classify the arbitration case with many nationalism symbols by suggesting that China was a victim of the unfairness of the international law system and that the arbitration is actually a sovereignty issue.
7. Bibliography


