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A Call for Self-criticism in Defending Values: From Human Rights in China to the War in Ukraine

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Abstract

From the beginning of the Russian invasion, Western countries have rallied behind Ukraine and the war narrative of defending democracy against authoritarianism. Nevertheless, this binary narrative has been of limited appeal to developing countries and authors have discussed how the revival of great power competition around this narrative risks reinforcing the democratic decline. Considering these limitations, how can the academic community work to counteract a return to the kind of binary thinking that has been reanimated by the Russian invasion of Ukraine? To answer this question, I draw a parallel between responses to the war in Ukraine and how Western countries are handling the issue of human rights in China, including the emergence of a binary narrative that pits Chinese against Western visions of these rights. I argue that Western countries' lack of self-reflectivity in defending values has hindered a genuine engagement with their own weaknesses. These weaknesses have thus been exploited by authoritarian countries. As democracy - like human rights - has been invoked as much to question oppression as to legitimate the status quo and economic interests, there is a need for scholars to scientifically engage with the geopolitical motives for defending values. We should not shy away from such research because of fears of instrumentalisation by authoritarian countries, as self-criticism will help rebuild the legitimacy and credibility that democracies increasingly lack.

Keywords: war in Ukraine, democracy vs authoritarianism, China, human rights, politicisation

From the beginning of the Russian invasion, Western countries have shown strong support for Ukraine. One part of the war narrative presented by these countries concerns a sharpened contest between democratic values and authoritarian regimes. Indeed, Ukraine's defiance of Russia and the Western bloc's newfound unity (Daalder & Lindsay, 2022) has emboldened the fight against authoritarianism. In this context, support for Ukraine has also been interpreted as a signal to Beijing on the consequences of a potential invasion of Taiwan (Sacks, 2022; Kuo & Chiang, 2022) and pro-democracy activists from Hong Kong have shared a sentiment of common struggle with the Ukrainian resistance (Bukhari, 2022).

Despite Western allies' call for solidarity with Ukraine, developing countries around the world have shown ambivalent attitudes towards the conflict and a clear reluctance to follow suit on concrete measures such as sanctions (Boswell & Khannenje, 2022). While a key element of this rationale is economic (Stuenkel, 2022), the framing of the war as a competition between democracy and authoritarianism has also been of limited appeal to these countries (Feldstein, 2022). Presenting the Ukraine war as a fight for democracy has brought the defence of values into broader geopolitical dynamics and great power competition. A revealing example has been France and Russia's simultaneous and concurrent visits in Africa to push

these countries to take sides in the war (Adam Taylor, 2022). Great power competition has forced countries aiming to stay neutral into uncomfortable positions, as illustrated by occasions on which the US has threatened India with consequences for not backing down in their economic cooperation with Russia (Kuo, 2022).

Ironically, as the war in Ukraine and the fight for democracy narrative around it has revived great power competition, authors have discussed how this dynamic only reinforces the democratic decline (Brenes & Jackson, 2022). On the one hand, this war narrative risks pushing China further into Russia's arms by attributing Beijing with similar interests and strategies under the umbrella of authoritarianism. On the other hand, one reason the fight for democracy narrative has been so appealing to Western countries might be precisely because of their democratic decline (Repucci & Slipowitz, 2021), as well as their governments' inability to unite on anything else (Dionne, 2022). As Steven Feldstein has rightly pointed out, "Although a decisive Ukrainian victory might momentarily slow the downward cascade, the pathologies underlying democratic decay are largely disconnected from Russian or Chinese actions. Instead, the greater threat to the world's democracies comes from within" (Feldstein, 2022).

Considering the limitations of a war narrative that is built around defending democracy against authoritarianism, how can the academic community counteract a return to the kind of binary thinking reanimated by the Russian invasion of Ukraine? I argue that a fruitful parallel may be drawn to international debates over China's challenge to the international human rights regime. In both cases, a binary defence of values has generated an increasing polarisation, accompanied by an erasure of the nuanced dialogue necessary to genuinely safeguard the values in practice. As with human rights, a defence of democracy must be grounded on the credibility and legitimacy of its proponents, which may be attained through greater self-reflectivity with regard to the underlying geopolitical calculations.

While democracy is said to be defended on Ukraine's soil, a battle of another sort is being waged at the Human Rights Council and other United Nations fora over human rights (International Service for Human Rights, 2022). Authors have rightly highlighted the Chinese government's activities within the human rights regime to rewrite norms and reframe existing procedures. Further work has addressed its increasing assertiveness in challenging the human rights regime to better serve its own interests and minimize scrutiny of governments' violations, and its reinterpretation of key human rights concepts such as universalism (Inboden, 2021a; Richardson, 2020; Sceats and Breslin, 2012; Piccone, 2018; Kent, 2019; Foot, 2020; Worden, 2019; Chen, 2021; Fung, 2019). The Western interpretation of human rights is opposed to the Chinese human rights narrative, and exhortations to choose sides have become common amid the building of alliances (Inboden, 2021b). In this context, the defence of universalism has become a rallying cry within Western countries' discussions with the Chinese government.

Yet this uncompromising stance on universalism has silenced acknowledgment of the profound contentiousness of human rights (Balibar, 2013; Ingram, 2008; Lefort, 2013; Perugini & Gordon, 2015; Rajagopal, 2006). While human rights are a set of historically and politically constructed concepts that reflect the concerns and interest of those who invoke them (Stammers, 1999; Evans, 2005; Falk, 2002), this crucial characteristic of human rights has been overlooked due to fears of political manipulation by authoritarian countries (Freedman, 2014). In the context of China's challenge to the human rights regime, calls to make a virtue of the social contingency of human rights have been inaudible as this might require abandoning the claim to universality and thus reinventing these rights for the new challenges of our times (Goodale, 2022). In the same vein, voices that question Western countries' lack of consistency and

coherence in protecting human rights risk being dismissed as supporting Chinese propaganda. Such polarization elucidates that the weakness of human rights does not lie in their contentious and contingent nature, but on increasing doubts about the political agendas that drive the attention some countries pay to human rights.

Defending human rights demands a strong political stance. Such defence is also not the exclusive domain of the more advanced democracies with the most favourable human rights records. However, the defence of human rights is more likely to be successful when grounded in the solid credibility and legitimacy of their proponents. In this sense, some scholars have already started to highlight the need for self-reflectivity in human rights discussions between China and the EU. For example, in his assessment of the EU-China human rights dialogue, Taylor highlighted the "lack of reflectivity among diplomats, informing ineffective approaches to engaging with China" (Max Roger Taylor, 2022: 373). Further, Taylor explores how "an uncritical belief in the EU interpretation of human rights is informing didactic approaches which ultimately undermine, rather than strengthen the EU's normative power with China" (Max Roger Taylor, 2022: 374). In addition, Genoud and Pils demonstrate how previously dominant ideas that have shaped the EU's human rights relationship with China such as the 'change through trade' approach have largely failed, entailing the need for the EU to acknowledge the failure of such cooperative models and to confront the Chinese government on its human rights violations (Genoud & Pils, 2022). As accusations of double standards, resentments against colonialism (Boswell & Khannenje, 2022: 12:25), and politicization (Genoud, 2022) are levelled against the concept of human rights, self-reflectivity will help human rights proponents to understand how their own shortcomings have created opportunities for authoritarian countries to exploit.

With the Ukraine war, a similar dynamic may now be witnessed. A war narrative based on fighting for democracy, if turned into a mere binary competition against authoritarianism, might have unintended consequences for our understanding of the challenges that democracy faces in Ukraine and around the world. This likewise impacts our capacity to find solutions for democracy's decline. For example, according to Freedom House, Ukraine is not yet a democracy but is qualified as a "transitional or hybrid regime" (Freedom House, 2022a) and as "partly free" (Freedom House, 2022b). While these qualifications in no way diminish the bravery of the Ukrainian resistance, the ongoing progress the country has achieved or the aspirations of its people for democracy, a binary narrative overlooks some of the reasons why an EU membership for Ukraine has not yet materialised. These reasons include the failure to deliver on promised reforms related to corruption and the independence of the judiciary (Shea, 2022). Analysts have also highlighted differences between Beijing and Moscow's attitudes towards the international order and questioned the strength of their relationship (Maizland, 2022). They define this relationship as one of convenience, with their alignment driven more by their common rivalry with the United States than any natural affinity for each other (Lo, 2022).

The uncritical positions taken by human rights proponents to defend those same rights have created opportunities for authoritarian countries to exploit. By a similar logic, democracies sometimes unintentionally contribute to the reinforcement of autocracies by refusing to engage with their own weaknesses. For example, Werner makes a strong case for the manner in which the fixation of U.S. President Biden on a clash between autocracy and democracy obscures a deeper conflict between rich and poor. As Biden focuses on outcompeting China, the President actually stands opposed to most democracies - and especially the poorest ones - on many of the most significant global issues (Werner, 2021).

Moreover, in discussing complicity in democratic engagement with autocratic systems such as China, Pils demonstrates how democratic actors and their systems are often not mere victims of authoritarian countries' activities. Rather, they participate or contribute to their wrongs, expanding their influence beyond their national borders through international collaborations and exchanges (Pils, 2021).

Given the capacity of autocracies to exploit the ailments of democracies, there is an urgent need to genuinely amend these weaknesses, thus that democracies can regain trust and legitimacy. The academic community has an important role to play in this process. As democracy - like human rights - has been invoked as much to question oppression as to legitimate the status quo and economic interests (Moyn, 2018; Hopgood, 2013; Whyte, 2019), there is a need for scholars to scientifically engage with the motives behind its defence. No matter how uncomfortable the analysis of geopolitical motivations for defending democracy and human rights, such scientific research is crucial to prompt the formerly leading proponents of these values, such as the U.S., to embark on a genuinely self-critical journey to restore their credibility and legitimacy. The Biden administration's willingness to show humility regarding its own human rights record (Toosi, 2021) is an important turning point, which the academic community can accompany.

Further research in this area has also proven to be necessary and urgent in the context of the war in Ukraine. Indeed, some Western countries' incoherencies are already undercutting the sincerity of their posture towards democracy. For example, Biden's visit to the Saudi Crown Prince (Viser & Hudson, 2022), as well as his plan to ease sanctions on Venezuela (Jakes & Kurmanaev, 2022), can both be seen as actions designed to increase global oil supply. This has led some to argue that promoting democracy matters in Washington only as long as it does not interfere with security and economic goals (Stuenkel, 2022). At the same time, the controversy around Amnesty International's report on Ukrainian fighting tactics illustrates the backlash against deviations from the binary war narrative because of fears of instrumentalisation by Russian propaganda (Amnesty International 2022a, 2022b; Boot, 2022).

In conclusion, the academic community has an important role to play in providing scientific research on the geopolitical motivations for defending our values. We should not shy away from such research because of fears of instrumentalisation by authoritarian countries. Self-criticism will help rebuild the legitimacy and credibility that democracies are increasingly lacking.

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