

Implications of China's new Foreign Relations Law

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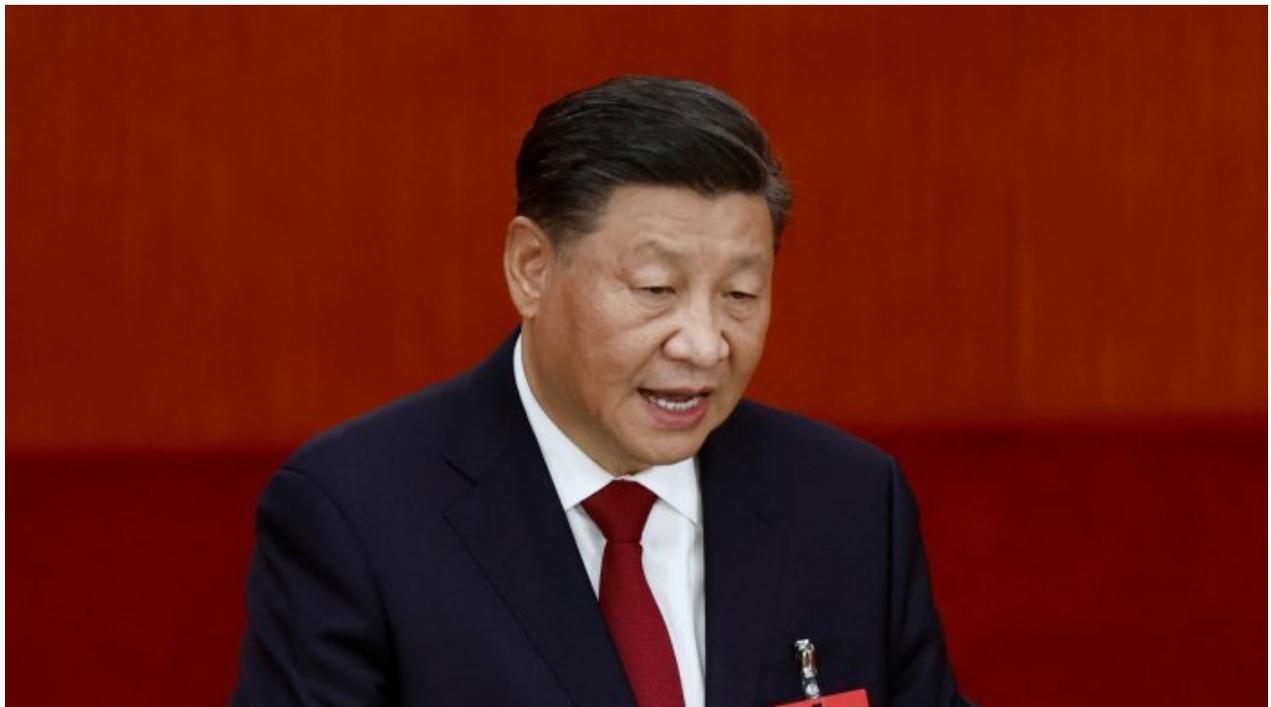
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China's new foreign relations law securely places the seat of foreign policy formulations in the hands of the CCP, and its paramount leader Xi Jinping



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Xi Jinping. Credit: Reuters Photo

China's much-awaited foreign relations law (FRL) was approved and put in effect on July 1. It consists of six chapters and the Global Development Initiative and the Global Security Initiative are a part of it. The FRL is directed towards “the right to take, as called for, measures to counter or take restrictive measures against acts that endanger its sovereignty, national security and development interests”.

The FRL also asserts that China supports a multipolar order, and wants to “maintain and practice multilateralism; and participate in the reform and construction of the global governance system”. It will also help Beijing use domestic laws to counter the international sanctions and provocations, and policies that counter China's national interests.

The FRL provides Beijing a legal weapon to penalise countries and companies which do not respect its domestic sovereignty and policies. As per the Global Times, the law will help challenge the rising foreign intervention in Chinese domestic politics, and the Western hegemony, especially the sanctions. The FRL securely places the seat of foreign policy formulations in the hands of the Chinese Communist Party (CCP), and its paramount leader, Xi Jinping.

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Why does China need legal backing for its foreign policy-making, and why now? After all, since 2021 China has an anti-sanctions law in place. Scholars such as Suisheng Zhao argue that the law is a manifestation of Xi's foreign policy 'declarations', and a new legal tool developed by Beijing to challenge the rising hurdles posed by the United States.

The answer is based in the deteriorating relations between China and the US, and Xi's desperation to show the domestic population that the CPC has the capability to make China 'great again'.

One of the major paths identified by Xi to achieve the 'rejuvenation of the Chinese nation' depends on domestic technological development. China had adopted several ideas to achieve this; like attracting foreign talents with the lure of better pay; appealing to the Chinese diaspora to come back to the motherland; and reverse engineering. However, even after investing billions of dollars, the achievements have been miniscule. The primary hurdle being the sanctions imposed by Washington, which are directed towards high-end technologies, especially required for the semiconductor and chip manufacturing. How far the FRL will help is still debateable. These sanctions have also affected the recovery of China's economy after the COVID-19 pandemic.

The other factor has been the growing international criticism directed at the CCP's domestic policies, directed at the developments in Xinjiang, human rights violations, Taiwan and Hong Kong, and Beijing's support of Moscow. To counter these criticisms, Beijing has focussed at moulding the existing norms towards human rights. China believes in 'human rights with Chinese characteristics', which basically calls for 'State directed human rights as opposed to universal rights'. However, it has failed to achieve success in this regard, and has been at the receiving end of sanctions and criticisms. Washington has blacklisted more than 1,300 Chinese companies and pushed the CCP into a corner. Domestic growth is necessary for the CCP if it hopes to continue to rule as its legitimacy is intertwined with the pace of economic growth.

With changes in the global equations, like the Indo-Pacific, and Quad, the challenges before Xi are mounting. US President Joe Biden referring to Xi as a "dictator" will negatively impact the already tense bilateral relations.

An environment like this highlights the contradiction between the CCP's domestic and international aspirations. The sanctions which are linked to the CCP's domestic policies are perceived as a direct challenge to China's sovereignty, and, thus, an attempt to

curtail Beijing's rise on the international platform. Given this, the FRL is a way to bridge this gap and provide the Chinese foreign policy with some legal tools deeply-rooted in China's national security discourse.

By bringing the domestic and foreign policies under the total control of the CPC, Xi is hoping to renew the focus to build an international order with Chinese norms. However, the question with rises is will it clash with the existing international norms, and lead to more aggression by China directed towards Taiwan, the South China Sea, and the India-China border, further calling for retaliation.

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