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EXPLAINING THE RISE OF “HUMAN RIGHTS” IN ANALYSES OF SINO-AFRICAN RELATIONS¹

Shaun Breslin and Ian Taylor

This article seeks to unpack why it is that human rights has emerged as an issue in critical analyses of Sino-African relations. Whilst not seeking to minimise some of the real concerns and issues, we aim to contextualise the motives of much of the critique, particularly when it emanates from Western sources close to government. In short, it is asserted that material interests have long tended to dictate the capitalist West’s response to the issue of human rights when it relates to China and in this regard, Sino-African ties and the attendant expressed alarm over human rights is no exception. It is suggested that concern over competition, particularly over energy resources, has reintroduced human rights in to the diplomatic discourse.

Popular perceptions of China and its global role are often shaped by two words: “made in”. Yet this vision of China that focuses primarily on Beijing as a coming economic superpower is relatively new, and it is not that long ago that two other words tended to dominate debates on and discourses of China: “human rights”. To be sure, real interest in human rights in China was never the *only* issue in other states’ relations with China, nor consistently pursued throughout the years (Nathan, 1994). Nor did human rights totally subsequently disappear from the political agenda.¹ Nevertheless, the rhetorical importance of human rights—perhaps best epitomised by the narrow defeat of resolutions condemning Chinese policy in 1995 at the Human Rights Council in Geneva—stands in stark contrast to the *relative* silence thereafter as the bottom line of most states’ relations with Beijing took on ever greater economic dimensions.

If the rise of China economically marked one watershed in the importance of Human Rights, the rise of Chinese interest in Africa marks a second, with an escalation in expressions of concern in public discourse, primarily (though not exclusively) from Western sources. Of course, there are *some* genuine causes for concern that China’s expansion into Africa may threaten to undermine attempts to advance new norms relating to constitutional rights and privileges, as well as broader

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governance issues (Taylor, 2007). However, much of the rise of human rights critiques aimed at Beijing's expansion into Africa needs to be located within a broader context. By examining how the issue of human rights became neglected in Western engagement with China, we reveal the same reason that human rights has re-emerged as a key issue when discussing Sino-African ties. In short, whilst the predominance of key economic interests in the West led to the relative neglect of human rights in the second half of the 1990s (to help access the Chinese economy), the predominance of economic interests and concerns also explain the reassertion of the human rights discourse as new Chinese actors come into competition with Western corporations in Africa.

This article seeks to unpack why it is that human rights has emerged as an issue in critical analyses of Sino-African relations. Whilst not minimising some of the real concerns and issues about this relationship, we aim to contextualise the motives of much of the critique, particularly when it emanates from Western sources close to government. In short, it is asserted that material interests have long tended to dictate the capitalist West's response to the issue of human rights when it relates to China and in this regard, Sino-African ties and the attendant expressed concerns over human rights is no exception.

The Rise of China and the Rise of Human Rights as an Issue

As noted in the introduction, the importance of human rights has waxed and waned throughout the most Mao era. Indeed, in the early periods of reform in the 1980s, the general approach was to encourage rather than condemn China. Domestic economic reform and the repudiation of the excesses of the Cultural Revolution combined with an increasing openness to the global economy. Additionally, Beijing began to involve itself in various international regimes vis-à-vis human rights. 'Perceived as undergoing a much-applauded modernization programme with social as well as economic ramifications, Beijing was throughout the 1980s given favourable treatment by the Western media who saw/hoped that China was being remade as a Chinese imitation of the West's self-image. Western policy-makers replicated this wishful aspiration' (Taylor, 1998: 446). Certainly, the West appeared quite happy that Beijing's contribution to any human rights regime was more rhetorical than anything else. Chinese praise for the Universal Declaration of Human Rights as 'the first international instrument that systematically sets forth the specific contents regarding

respect for and protection of fundamental human rights’, in spite of transgressions, underscores this point (quoted in Zhang, 1998: 188).

It is arguably only after the Tiananmen Square incident of June 1989 that human rights became somewhat re-elevated as a matter of concern (Taylor, 2006). The footage of a lone man standing in front of a line of tanks in Beijing stopping them from proceeding, became a symbol for a global audience of a struggle for freedom that was defeated by military power. The “Tank Man” was even nominated for *Time* magazine’s most influential person of the Twentieth Century as ‘a symbol of the world’s desire for freedom’.²

In fact, within the West there had been a great hope that China’s emergence from the relative isolation of the Mao days into global engagement under Deng Xiaoping would result in a loosening of political oppression. And indeed, there had been signs of a thaw of sorts. Although outright political opposition to the Communist Party of China’s (CPC) monopoly on political power remained strictly off limits, the party-state had withdrawn from its previous domination of everyday life, allowing the creation of a “personal space”; something that might not seem very dramatic when compared to the freedoms in a mature liberal democracy, but which was a marked difference from the previous polity in China. There had also been some signs of an increased toleration of new ideas on how to democratise the party—not to loosen the CPC’s grip by allowing others to compete with it for political power, but rather strengthening the party by allowing it to become more transparent and plural in its thinking (if not plural in its exercise of political power).

The evidence was not all one-way however. There had been periodic campaigns to combat spiritual pollution and bourgeois liberalism throughout the 1980s and Hu Yaobang had lost his position as party leader for being too supportive of student calls for greater democratisation. So in many ways Tiananmen 1989 was an extreme example of the tension between the two dominant strands of the CPC that had created periodic internal clashes throughout the first decade of reform—how to re-legitimate the authoritarianism of CPC rule by liberalising economically and very moderately politically on the other. Nevertheless, 1989 acted as a sharp break on the optimism that had largely dominated external views of China for much of the 1980s.

Yet to say that human rights issues thereafter dominated the major powers’ foreign policies towards China after 1989 is rather contentious. It is true that arms embargos by Japan, the United States and the European Union (EU) remain in place

despite an apparent concerted effort to lift the EU ban led by Jacques Chirac in 2005. However, with the benefit of hindsight, we can now see that the sanctions placed on China after June 4th were not severe and not in place for very long, with economic relations resuming relatively quickly. Indeed, in terms of placing economic sanctions on China (either debating them or actually implementing them), human rights has been largely irrelevant, with two other issues dominating diplomatic concerns: the transfer of military and nuclear technology to other (“rogue”) states; and what are considered to be unfair Chinese economic policies and strategies. This makes the focus on human rights as a key anxiety by Western commentators vis-à-vis Sino-African ties the more interesting.

Chinese Responses to Western Criticism

In responding to Western criticisms, the Chinese authorities have tended to utilise a variety of different ways of rebutting criticism. The force of each response has tended to vary over time, and as we will see, some of these are more relevant for resisting the criticisms over China’s current African adventures than others. The original approach was to simply deny that human rights had anything whatsoever to do with China. Human rights as demanded by the Western nations were seen as bourgeois liberal rights and thus not relevant for the Chinese socialist state. This straightforward rejectionist approach was however abandoned in the 1980s as Chinese responses tended to argue from within the human rights discourse rather than simply rejecting it (Weatherley, 2001; Chen 2005).

For example, rather than just dismissing the criticism, relativist justifications were deployed to explain why China was different. This partly entailed cultural relativist positions, with the basic argument that human rights as conceived in the West were a result of a specific way that state-society relations evolved under capitalism. In China, the traditional emphasis on harmony under Confucianism meant that there was no need for the individual guarantees of protection from the state provided by the legal protection of individual human rights (Kent, 1993). Moreover, Confucianism stressed the importance of the collective rather than the individual. As Weatherley (1999) argues, what the collective is has changed over time; from the family in the Confucian era to the revolution in the Maoist era to the state today. But underpinning all of the different approaches is a common understanding with its roots in interpretations that the individual is not the primary focus of state-society relations.

But the focus on relativism more often emphasised the materialist dimension. The key argument here is that guaranteeing socio-economic and basic standards of living must be the main focus, given the level of development in China. Moreover, the same was true in the West in similar stages of development. Indeed, in rebutting human rights criticism, there is a very strong focus on the Western experience. The Chinese point to the slow implementation of rights in the West, and note that it is only relatively recently that human rights have been legally guaranteed in even the richest most advanced liberal democracies—for example, racial segregation in the US in the 1960s. When transferred to discussions of Sino-African ties, Beijing is quite assertive in arguing that ‘For a starving man, which should he choose bread or ballot, if he is supposed to choose only one? The ballot is of course important. But he must feed himself with the bread before he can cast a ballot’ (*Xinhua*, December 12, 2005).

Perhaps not surprisingly, the main focus of attention is on the US, and a related approach is to point to the hypocrisy of those who are criticising China. Since 1998, the Information Office of the State Council has published an annual *Human Rights Record of the United States*, highlighting what are considered by Beijing to be serious human rights abuses. The basic message here is not just that it is hypocritical to criticise China when abuses continue at home, but also that human rights is a cynical tool used by the US and the rest of the West to keep China and others from developing. Ming Wan (2005: 291) has noted that ‘In discussions with Chinese diplomats and officials...I sense a strong indignation toward the United States and an equally strong conviction that the US human rights pressure was simply an excuse for keeping China weakened and subordinated, a humiliating situation that Chinese patriots should not allow to happen’. Indeed, the comment in September 1989 by Deng that ‘there are many people in the world who hope [China] will develop, but there are also many who are out to get us’ (Deng Xiaoping, 1994: 309) is emblematic. Deep-seated memories of colonial meddling in China in the nineteenth century and an anti-foreignism that is arguably integral to Chinese political culture (Liao Kuangsheng, 1990; and Lovell, 2007; though cf. Waley-Cohen, 2000) feed into such positions.

China, International Relations and Human Rights: The West Soft Pedals?

Such arguments were repeated on numerous occasions after 1989 as the West maintained a human rights rhetoric in international relations with China (if not always backed up with firm and practical policies). Not surprisingly, the Chinese position was

very strident in 1995 after the vote at the UN Human Rights Council. Given the close vote in 1995, it might seem rather odd that two years later, the EU stopped tabling resolutions condemning China, and in 2002, no resolution was tabled by either the US or the EU. How do we explain what appears to be such a rapid about turn given the close nature of the vote in 1995?³

Some have argued that pressing China actually makes things worse in terms of the actual practice of human rights on the ground. With socialism replaced by nationalism as the ideological basis of CPC rule, depicting the West as attempting to constrain China can actually reinforce the party's nationalist credentials and reinforce rather than weaken authoritarian rule. At the very least, from the pragmatic point of view, there is not much point in criticising China if nothing ever happens (Wachman 2001).

Even for Human Rights Watch the decision to stop pushing on China was a result (officially at least) of a combination of the ineffectiveness of criticism and the positive consequences of other approaches. While condemning China had resulted in only the sort of responses outlined above, other ways of engaging China less dramatically and publicly had had positive consequences. For example, after the EU stopped sponsoring a UN Human Rights Council resolution, China signed the International Covenant on Economic, Social and Cultural Rights in 1997 and the International Covenant on Civil and Political Rights the following year.⁴ China had also become increasingly receptive to technical aid from organizations such as the UNDP for legal initiatives to protect rights. Moreover, Balducci argues that for the EU at least, supporting a UN Human Rights Council resolution would come at the cost of the suspension of bilateral dialogue on human rights with China, which was deemed as being more productive. But as Balducci also notes, in the years after 1995, the Chinese authorities had deliberately targeted key EU states—most notably France and Germany—as key economic partners who might be in a position to win more contracts from China in the future.⁵ And this brings us to the rather thorny but crucial issue of the relationship between promoting human rights and promoting capitalist relations as this directly informs much of the critique of current Sino-African ties.

An Economic Agenda?

Underpinning much of the argument that “megaphone diplomacy” and “China bashing” do not work is an implicit and sometimes explicit reference to classic liberal

international relations theory. In short, the best way of ensuring that human rights improve in China in the long run is by engaging China economically and politically and enmeshing it in the global capitalist order. This will ostensibly lead to the socialisation of China and the gradual acceptance of international (i.e. liberal) norms, and subsequently the transferral of these norms into the domestic sphere. Ostracising and potentially isolating China according to this logic is no good—it should be engaged and this will stimulate change. What this position means is that engaging China economically is not only acceptable in the absence of political liberalisation and the promotion of human rights, but will actually help make the positive transition towards a more liberal regime.

However, for some, this position simply provides a cynical theoretical justification for putting human rights to one side and instead concentrating on the promotion of business (this criticism was made against British policy towards China and is outlined in detail in Breslin 2004). After a brief period of economic retrenchment after 1989, a new push towards liberalisation and global integration followed Deng Xiaoping's overt support for proto-capitalist practices during his southern tour of China in 1992—the *nanxun*. From then on, the potential benefits of engaging China economically mushroomed, but this was a potential that was not easily unlocked. Gaining access to the Chinese market and gaining contacts was not easy because the Chinese state remained the central actor in deciding which foreign actors could do what, where. Moreover, in seeking greater contacts with the newly burgeoning Chinese economy, many companies found that they were clearly and explicitly linked to “their” home country, and that country's policies towards China. In short, Chinese authorities tended to reward and punish private commercial interests based on national economic considerations.

This can and does occur in a “tit for tat” manner in response to the imposition of, for example, the use of anti-dumping legislation and other trade sanctions by importing countries. For example, when the US imposed trade sanctions on China as a result of the transfer of military technology to Pakistan, the Chinese aviation authorities switched from purchasing Boeing jets to the European Airbus, much to the annoyance of American authorities who felt that Europe should have held a common position with the US, rather than exploiting the situation for commercial benefit.

What the Airbus example suggests is that there are high levels of competition to access the Chinese market and what governments do (or do not do) has a key role

in easing the process (or not, of course). Government support is therefore essential in not just technical support such as the provision of export credit guarantees, but also in the provision of “positive” political relationships at the highest level. As Lord Powell noted referring to UK policy, ‘A good bilateral relationship at the political level is very important for doing business in China—and probably more important in the case of China than most other countries, simply because the role of the state and the government is so big’.⁶ For example, the visit of Jiang Zemin to the UK in 1999 was considered as highly successful by the Chinese, not least because the British visit was not marred by demonstrations and protests by human rights activists as a previous visit to Switzerland had been. While the UK visit resulted in the signing of new contracts for UK firms, Jiang Zemin told the Swiss parliament that as a result of being subject to protests, ‘you have lost a good friend’ (*Guardian*, October 20, 1999).

Human Rights, Sino-US Relations and MFN

Economic issues were also crucially important in removing one of the key—and most high profile arenas for human rights criticism of China—the annual vote in Washington over whether to renew Most Favoured Nation (MFN) status to China. The Jackson-Vanik (Title IV) amendment to the 1974 Trade Act was introduced to provide an economic means of punishing states deemed by Washington as authoritarian. In inception, the amendment was designed to block normal access to the American market for those states that were considered to unfairly prevent emigration. ‘To assure the continued dedication of the United States to fundamental human rights’ normal trade relations could be denied to any ‘nonmarket economy’ that ‘engages in practices prohibiting or severely restricting free emigration of its citizens’.⁷

Although originally focused on the Soviet Union and Eastern Europe, as China became economically more important, so debates over renewing MFN became more intense. MFN should, in theory only be renewed if there is clear evidence of improvement, and the annual Presidential proposal to renew MFN always resulted in a welter of complaints about China’s human rights record, one-child policy, treatment of Tibet, policy towards Taiwan, unfair trade practices, trade surplus, labour abuses, arms sales, military technology transfer, environmental degradation and so on (particularly so under Clinton who had been highly critical of Bush’s accommodation with China and the abandonment of ethical human rights concerns—only then to continue the same approach after his election).

The decision to extend MFN repeated the liberal arguments outlined above—that notwithstanding China’s poor human rights record, “constructive engagement” through the extension of economic relations was the best way of ultimately improving this Human Rights situation. Perhaps successive Presidents really did believe that engaging China in commercial terms would lead to political and social change in China, but not everybody was convinced. Indeed, much of the debate over MFN was couched in straightforward economic terms and the promotion of American capitalist interests. If MFN were not extended, then American corporations would not be eligible for export credit and investment guarantees from the federal government. For major corporations such as Boeing, Chrysler, and General Motors, these guarantees were essential for their growing relationship with China—and as noted above, a relationship with China in which they could easily lose out to European or other competitors. Given that EU states in particular were perceived as being less interested in human rights in China than developing commercial contacts, if the US took a moral stance, then it was claimed that American companies would lose out to their European competitors (Roden, 2000).

Perhaps not surprisingly then, every President renewed the waiver and MFN—but crucially, the need to have an annual vote disappeared with the 1999 decision to grant China Permanent Normal Trade Relations (PNTR) as part of the process of laying the foundation for China’s World Trade Organization (WTO) entry. In the words of Long Yongtu:

The question concerning MFN status had long been the crucial factor for difficulties in China-US negotiation, US Congress' involvement in it had made the negotiation more politicized.... I want to point out that entry into the WTO would make future trade disputes between us and other countries and regions not easily be politicized (*People’s Daily*, November 12, 2001)

With WTO entry, the annual theatre of debating China was removed, and American Presidents were no longer left to justify why they were putting aside the human rights concerns of Jackson-Vanik in favour of facilitating economic relations. Consequently, ‘although Western criticism of China’s human rights remained, it gradually became ritualised and marginalized on Western diplomatic agendas in China’ (Ming Wan, 2005: 288).

Sino-US Relations and Human Rights Today

PNTR and WTO entry have massively reduced human rights as a high-profile (publicly consumed) issue in Sino-US relations. Chinese support for the “War on Terror” in Afghanistan and its role as a key broker in six party talks over North Korea have also helped. But human rights issues have not entirely gone away. Campaigning groups like Amnesty International, Human Rights Watch and those that focus on specific Chinese issues (Tibet, Falungong etc) continue to endeavour to keep these issues on the agenda. This entails not just criticising China, but criticising governments in the West for not criticising China.

In addition, human rights have come to the fore in other ways—but again we argue that it is economics that leads with human rights simply a tool rather than an end in itself. Moreover, it is not Chinese politics—human rights abuses and so on—that is the main issue now as it was during the MFN renewal debates outlined above. Rather it is what human rights abuses in China mean for American economic interests that are most important. If the MFN debates were about ignoring human rights to promote American capitalist interests, when human rights issues are now raised vis-à-vis China, they are raised because of the way they are perceived to be damaging different American interests—Africa is a classic case in this regard. The key concern now is linked to American politics and in particular dealing with the concerns of those who face competition from Chinese corporations. The Chinese case is particularly interesting because it combines the Left and Right in the US—trade unions and nationalist Republicans on economic terms, and liberals and conservatives on individual human rights.

For example, in calling for the introduction of restrictions on textile imports from China, Lindsey Graham, Republican Senator for South Carolina justified his calls by saying that, ‘I have long maintained that China cheats on trade agreements. The practices of Chinese companies and the policies of the Chinese government are illegal and give them an unfair advantage’ (Barboza 2003). But it is not just “normal” trade violations that are important here. In their evidence to support a case against Chinese steel imports, Price et al (2006: 56-7) cite the US Department of State’s (2005) report on human rights in China as an example of how what happens in China unfairly impacts on jobs in the US. According to this report, production in China was aided by the lack of “comprehensive” legislation relating to child labour, non-payment of wages, violation of maximum working hour regulations, poor

enforcement of health and safety regulations, and the use of harmful materials in production.

Whilst not wishing to unduly suggest that anybody involved was unconcerned about what was happening in China itself, at least as significant here is the price advantage that such abuses gives to Chinese producers, and the position this places them in vis-à-vis their American competitors. For example, in a petition to President Bush asking for action against Chinese imports, the AFLCIO and the Industrial Union Council argued that more than 727,000 American jobs had been lost as a direct result of labour abuses in China. If these labour abuses were halted, they argued that the price of Chinese manufactured goods would rise by 12 to 77 percent.⁸

Similarly, in a petition to the government recalling for PNTR to be revoked and MFN restored in 2006, Byron Dorgan and Lindsey pointed to the growth of the US trade deficit with China from \$83 billion in 2001 to \$202 billion in 2005. According to Dorgan, 'The Chinese have engaged in labour abuses, intellectual property theft and piracy, currency manipulation, and unfair barriers against U.S. exports. Americans cannot, and should not be asked to, compete under these circumstances'.⁹ Competition with Beijing is clearly at the crux of many critiques of China's human rights records. How this is played out in Africa reveals this quite unmistakably.

Africa, China and Human Rights

There can be no doubt that individuals, nongovernmental organisations and other actors are genuine in their concern about human rights issues as to how they relate to Sino-African ties. This is not in question. However, the welter of critiques (particularly official critiques) aimed at this relationship is more likely grounded in concern over the way Beijing's non-interference policy and its arguable lack of interest in human rights situations in the African states in which it engages with—as well as the domestic human rights situation back in China—provide Chinese corporations with a comparative advantage that Western capitalist actors do not enjoy.

Immediately post-Tiananmen it is true that there was a sudden focus on China's human rights record. But this, as shown above, dissipated very quickly and business as usual rapidly reasserted itself. Making huge profits in China in an environment marked by very low wages and environmental standards, with an oppressive labour regime providing the broader framework, was never apparently an

issue for most Western companies and governments (unless and until covert investigators exposed a particular sweatshop). Yet currently, human rights are placed central to many evaluations of China's ties with Africa.

If one accepts the Chinese discourse on human rights and the centrality of development, then to be fair it should be pointed out that China has made quite considerable progress over the last few decades. Indeed, as Burstein and De Keijzer (1999: 136) point out, 'To the Chinese, the human rights to food, clothing, shelter, economic development, and security...are paramount over traditional Western-style individual political liberties. Judged by this standard, China in the last twenty years is a leader, not a laggard, in promoting the human rights of its people'. And Peerenboom (2007: 173) argues that:

[The US State Department] reports for China invariably start with a description of the nature of the political regime, as if that were the most significant determinant for rights in the country. [For example,] the 2004 report on China begins: 'The People's Republic of China...is an authoritarian state in which...the Chinese Communist Party...is the paramount source of power'. Imagine if it began instead: 'Human rights and other indicators of well-being across the board are highly correlated with wealth. China outperforms the average country in its lower-middle income category on every major indicator except civil and political rights (as is generally true for other East Asian countries)'.

In fact, as Peerenboom notes, the rule of law, good governance and almost all rights (including civil and political rights) are correlated with levels of wealth. Thus comparing China to the developed world unsurprisingly reveals that China has more departures from the rule of law, weaker state institutions, more corruption and less individual freedoms than their Western counterparts. But is that, Peerenboom asks, a fair comparison?

When it comes to Chinese foreign policy, Burstein and De Keijzer point out, 'while the human rights situation in China is not good by American standards, it is not unlike that in Indonesia, India or Saudi Arabia, for instance. Yet in most of these cases, the United States is able to have normal and even close relationships that are not overwhelmed by the human rights agenda' (Burstein and De Keijzer, 1999: 137). Furthermore, 'European and North American leaders in general, and French

politicians in particular, tend to give their African counterparts lessons on democracy, respect for human rights, and governmental transparency—even if such lessons are also exercises in Western hypocrisy. France, for instance, maintains privileged relations with the corrupt regimes of oil-rich Gabon, ruled since 1968 by Omar Bongo, and of Congo-Brazzaville (Republic of the Congo). And the United States has been wooing African dictators such as Teodoro Obiang and Eduardo dos Santos, who rule oil-rich, poverty-ridden Equatorial Guinea and Angola, respectively, both since 1979' (*Inter Press Service*, November 15, 2006).

Indeed, it is important to avoid what Peerenboom (2007) observes in some critiques of the Chinese human rights record, namely that this is often arguably spurred on by particular interests that wish to contain China's development and influence. Zheng Yongnian (1999: 105) notes that indeed within China there is a suspicion that 'forces do not like to see a strong China with a rapid growing economy. Because they perceive China as their potential rival, they will use all possible means including the Taiwan, Tibet and human rights issues to contain China's development'.

In fact, by focusing significantly on Beijing's human rights stance in Africa, to the detriment of other features of the relationship, there is an implicit delegitimization of China and, by extension, what "the Chinese" are doing, either at home or abroad. For instance, Chinese ties with Zimbabwe are indeed arguably problematic given the nature of Mugabe's regime, yet South African interests are equally complicit in their engagement with Harare, with South African businesses exploiting opportunities thrown up by the Zimbabwe economic crisis (Solidarity Peace Trust, 2007). This does not mean that Beijing can or should be above criticism, only that context is required when discussing such issues as a means to avoid the exoticization, if not demonisation, of China and its engagements in Africa.

Yet as Li Xing (1996: 40) notes, the difficulty facing China's rulers is that on the one hand they have sought national independence from Western political influence and on the other hand have sought to "catch up" with the West and modernize the economy through ever-deeper integration with the capitalist world market. This contradiction is often played out around human rights issues and in fact, taking the analysis further, it might be argued that infringing some human rights in China itself (poor labour conditions, for instance) is a *pre-condition* for Beijing's reintegration into the global political economy, something which is actively encouraged by the West and its profit-seeking corporations.

Indeed, it is a fact that ‘human rights abuses under the banner of “preserving order” are aimed at maintaining the position of the ruling elements [in China]. But it is also undeniable that the state sees the necessity to maintain long-term stability and predictability of the system in order to attract much-needed foreign investment and technology’ (Li Xing, 1996: 34). In this light, critiquing China’s human rights stance when it is played out in Africa, whilst selectively overlooking the abuses that underpin much of the consumer boom in the developed world, driven in part by cheap Chinese imports, lacks coherence, as does ignoring continued Western support for assorted dictators and corrupt regimes across Africa.

It can be reasonably charged that when Western oil corporations complain about the Chinese sewing up oil deals in the Gulf of Guinea through corrupt and opaque means, they are being deeply hypocritical, as it has long been alleged that Western companies, with the tacit approval of their home governments, have used graft to secure deals (Shaxson, 2007). In some cases this is not even tacit but quite open. After all, the Elf corruption scandal in France revealed that annual cash transfers totalling about £10m [\$5 million] were made to Omar Bongo, Gabon’s president, while other huge sums were paid to leaders in Angola, Cameroon and Congo-Brazzaville. The multi-million dollar payments were partly aimed at guaranteeing that it was Elf and not US or British firms that pumped the oil, but also to ensure the African leaders continued allegiance to France (*Guardian*, November 13, 2003). Damning indictments of Shell’s activities in Nigeria are well-known (Okonta and Douglas, 2003) whilst Condoleezza Rice publicly labelled Equatorial Guinea’s notorious president, Teodoro Obiang Nguema, as a “good friend” of the United States (*Washington Post*, April 18, 2006), even though it is characterized as a “criminal state” elsewhere (Wood, 2004). So constructing China’s diplomacy as “bad” whilst glossing over Western governments’ and corporations’ own duplicity in Africa is somewhat unpalatable.

Indeed, much criticism of Beijing has focussed on the apparent willingness to finance corrupt and autocratic regimes and this is often denoted as being emblematic of Sino-African ties. For instance, after three decades of civil war, the Angolan government was on the verge of accepting an International Monetary Fund (IMF) loan package that stipulated strict conditions regarding monitoring of the domestic situation and distribution of aid. However, in the face of a \$2 billion unconditional aid package from Beijing, the Angolan government rejected the IMF’s offer in favour of

China's, of which one of the few stipulations was the right to 10,000 barrels of oil per day. This arguably undercut the IMF's efforts at increasing transparency. However, it does need to be pointed out that in 2004, Standard Chartered, backed by a consortium of European banks, including Barclays and Royal Bank of Scotland, disbursed a loan of \$2.35 billion to Angola's state oil company, Sonangol. Repayments over five years were guaranteed from future oil production (*Guardian*, June 1, 2005). In other words, the Chinese are not the only ones financing the corrupt regime in Luanda, with its poor human rights record.

However, though there is a great deal to be said regarding the pointing out of Western hypocrisy vis-à-vis human rights and Africa, such analysis does not help the average Zimbabwean or Sudanese labouring under autocratic and oppressive governments and casting a weary eye at Chinese support for her oppressor. Here, Beijing's thinking on non-interference and its hands off attitude vis-à-vis human rights and governance needs to modify if it is to avoid being cast by critics as a friend of despots (as some Western countries are). It is imperative that Beijing needs to recognize that its dealings with *some* regimes in Africa at the state-to-state level risks tarnishing its whole African enterprise. There is actually some evidence that a rethink is occurring and Chinese thinking on human rights and sovereignty 'is less a static concept than an idea in flux' (Gill and Reilly, 2000: 42).

Yet it needs to be reiterated that in judging Western critiques of China's human rights policies both domestically and how they play out in Africa, the motives and origins of these critiques needs contextualisation. Doing so provides an interesting take on how Western powers are reacting to the growing Chinese presence in Africa and how concern over competition, particularly over energy resources, has reintroduced human rights in to the diplomatic discourse after many years of neglect and oversight. How and why this is so speaks volumes over the authenticity of these apprehensions vis-à-vis the average African (and Chinese) person.

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¹ For examples of how human rights has continued to influence China's bilateral relations with other states, see Foot (2003, 2004), Zhou Qi (2005) and Drury (2006). Most of the discussion of the international relations of China's human rights regime not surprisingly focuses on relations with the US, though there is also interest in human rights in EU policy towards China and Asia – for example Wiessala (2006).

² Albert Einstein won the accolade in the end, but the “unknown hero” did make the top 100 as one of the twenty leaders and revolutionaries ‘who helped define the political and social fabric of our time’ (alongside Mao Zedong). See www.time.com/time/time100/leaders/

³ We should note that this was not a result of all EU states making a decision at the same time, but that the failure to achieve full support for a resolution meant that it could not be tabled under the name of the EU.

⁴ The first has subsequently been ratified by the Chinese (in February 2001) - though with a waiver on the right to form and join free trade unions.

⁵ References to Balducci are from his doctoral thesis on EU policy towards China to be submitted at the University of Warwick in 2008.

⁶ Lord Powell is Chair of the China-Britain Business Council. Oral Evidence to Foreign Affairs Committee (2000).

⁷ For more details, and a detailed discussion on how MFN was extended to China and then replaced by PNTR in the run up to WTO entry, see chapter three of Breslin (2007).

⁸ AFLCIO website -www.aflcio.org/issues/jobseconomy/globaleconomy/ExecSummary301.cfm

⁹ This quote is taken from Dorgan's web page, which includes a link to the text of the petition. See <http://dorgan.senate.gov/issues/economy/chinatrade>