

LSE seminar
China and Africa: Human rights implications
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My key points are:

- We need a comprehensive framework for analysing human rights and development, and therefore China's potential impact on rights;
- This framework must also be capable of disaggregating the nature of China-Africa relationships and the political implications of them;
- We need a constant awareness that critiques of China's human rights record serves other ideological purposes;
- Those pre-emptive solutions to any potential problems tend to be more of the same, which haven't really worked, and we must stay alive to the hidden agendas of any prescriptions by the 'West'.

In analysing China's impact on human rights in Africa there has been a tendency to focus on the obvious and most damaging breaches of human rights (e.g. Sudan, Zimbabwe). But my first point is that we need to take a more structural and wide-ranging view of the linkages between human rights, democracy and development. This is not so much a normative conceptualisation, as we get in much of the policy prescriptions about 'rights-based development', but rather to see the right to development as conditional upon the interplay of other rights and linked to various forms of democracy.

Here I follow Beetham (1995) who has outlined three different relationships between rights and democracy:

- Civil and political rights are an integral part of democracy – if democracy involving 'popular control over collective decision making' (p.2) then it requires certain basic freedoms of assembly, speech, movement etc;
- Economic and social rights stand in a relationship of mutual dependency with democracy - insofar as they promise inclusion and equality they are necessary for democracy, which is compromised by economic inequality and exclusion. On the other hand democracy is necessary for the protection of such rights.
- Cultural rights require a re-evaluated conception of democracy and its procedures - which can bring equality of citizenship within a political nation.

Such a framework recognizes the indivisibility of rights since they are all interdependent. By taking such a view we can see that any discussion of human rights in Africa must take into account structures of inequality and the relationship with and between culture and democracy. I would also add, but this takes us away from the argument, that any discussion of rights tends to privilege western understandings of rights and the political processes for achieving them and ignores any 'African' understandings of rights.

In order to understand the implications of China's presence in Africa on rights my second point is that we need to disaggregate the linkages and effects of China's involvement. We must avoid taking one example, as the western media are so fond of doing, and projecting this onto the entire 'China-Africa' relationship. This crude extrapolation is part of a move to demonise China's presence in order to represent 'Western' approaches as morally and ethically superior. Our role over the coming months and years is to develop analytical frameworks for analysing these relationships and then undertaking rigorous

empirical research into how these relationships actually unfold and their impact on African economies and politics.

Time precludes the elaboration of such an analytical framework, which we are developing in our ESRC funded project. Broadly speaking the political outcomes of China's involvement in Africa will primarily be shaped by state-capital dynamics, particularly how Chinese capital and parts of the Chinese state intertwines with fractions of capital and political blocs within Africa. As we will see China's foreign policy has shaped the Chinese state's interactions with African states, but whereas in the past Chinese firms and the state were coincidental, now there is some relative autonomy of Chinese firms from state agendas. However, smaller private Chinese firms, which have proliferated in Africa, are independent of Chinese state agendas to a degree even though they are encouraged.

Furthermore the outcomes of Chinese involvement are also conditioned by the histories, structures and capacities of African states. This concerns how capable African states are of governing their territories and generating conditions conducive to inward investment. It also concerns the levels of institutional regulation and the robustness of political society since for many African states organised political debate and action, which might challenge development models, Chinese influenced or otherwise, are often lacking. This is also important as Chinese policy responds to local political conditions while the Chinese doctrine of respecting sovereignty and non-interference is implicitly based on an assumption that a state exists in the first place, which for parts of Africa is debatable, or at least state forms that are radically different from a liberal ideal. So, understanding the political institutions that actually exist and with which the Chinese do business is crucial. And it also has future

implications for governance, because if China seeks 'stability' in which to do business and is not bothered how it achieves it then the state may not be the vehicle to achieve this.

As a start we have Tull's (2006) 3-fold categorisation:

- States undergoing transitions to democracy – As we know China does not get actively involved in governance reforms. In such states China's role will be minimal given that any criticism of authoritarianism and moves towards liberal democracy will simultaneously reflect badly on China's domestic record.
- States with significant resource endowments – These are the ones usually mentioned in discussions. Here, China's role is likely to exacerbate a resource curse and benefits will accrue to elites thereby undermining development and democracy.
- States emerging from conflict – China's peace-keeping interventions are welcome, but only if other economic activities do not enhance inequality/instability. For example, in Liberia the Chinese contributed to peace-keeping, but Chinese logging companies were also aggressively stripping forests.

Woven through a political economy perspective is a deconstructive analysis which decentres Western accounts of China and Africa and makes space for the voices and perspectives of actors not normally heard in accounts of international politics, aid and development. However, in valorising 'non-western' perspectives we are not advocating an uncritical relativism, which treats, for example, the proclamations of the Chinese government as any more legitimate than claims by rival governments vying for African resources. This necessarily has to be historicised and to analyse continuities and identify traces of the past

that influence (or are manipulated by) contemporary actors. This avoids *de novo* accounts that suggest what China is doing is, first, out of the blue in terms of Chinese foreign policy and, second, a significant departure from past practices of other external interests on the continent.

Within China and Africa relations are a number of emerging issues which we can analyse using this framework. In championing rights-based approaches the counter-argument by China and some African states is that good governance prescriptions contravene basic political rights by being tied to conditionality. The question, then becomes, is the defence of sovereignty used by China and African countries in their mutual dealings valid? The answer is ambivalent. I do think that for African countries development has to be liberated from paternalism, trusteeship and 'imperialism' if it is to have any meaning. As Issa Shivji, the Tanzanian legal expert and political commentator, notes human rights in Africa "must be thoroughly anti-imperialist, thoroughly democratic and unreservedly in the interest of the 'people'" (Shivji, 1989: 70). Hence, processes which respect national sovereignty should, in principle, be welcomed.

But, first, it is not clear that China does respect sovereignty in the way it publicly claims. Second, there are times when non-interference is not morally defensible. On the first we know that conditions are attached to Chinese aid and investment, and while few (if any) are directly about good governance the framework I identify suggests that they can have serious impacts on governance. Most notable are what we might term 'shadow state' activities, whereby decision-making around investment and rents is organised through small cliques of Chinese businessmen and African bureaucrats, as is rumoured in Angola. So, the public discourse of non-interference masks direct and

indirect impacts on African governance, which need to be analysed and made visible.

On the issue of non-interference I agree with the moves among the African Union towards 'non-indifference', which is a purposeful move to distance itself from the OAU's non-interference policy. However, in keeping with Shivji's anti-imperialist argument, this can be justified if it is "thoroughly democratic and unreservedly in the interest of the 'people'". This involves negotiated approaches which respect national sovereignty and African centred initiatives. For China this means clarifying its support of NEPAD and the AU, which is currently rather fuzzy and non-committal. For example, NEPAD's African Peer Review Mechanism, while not flawless, is an attempt to instil responsibility in governments, but the Chinese do not seem to adhere to it despite voicing support for NEPAD. So, while the Chinese supports these organisations publicly the persistent bilateralism of China's policy undermines such pan-African initiatives.

The second issue is that while we focus on the human rights abuses in Africa the whole idea of human rights is their universality which also means unpicking the wider rights implications of China's presence in Africa and how this impacts on African politics. Here we need to consider rights abuses in China and how the recent upsurge in African diplomatic efforts by China came in the aftermath of Tiananmen Square in the late 1980s. Consistently over the past 15-20 years China has courted support, largely via aid, from African countries in order to vote down formal condemnation of China's domestic rights abuses within UN bodies such as the UNHRC. This aid has at times helped to bolster regimes that themselves perpetrate rights abuses, so there is an onus to link rights issues in different countries through these complex webs of aid and influence.

That said, China is currently being used as an ideological and political scapegoat. This is not to argue that China is above criticism, but rather that we need to avoid a Manichean discourse which uses the China factor as an excuse for non-intervention by the West or for justifying certain forms of intervention to counter the China 'threat'. As George Monbiot (The Guardian October 2nd) argues "China the excuse is not the same place as China the country". For example, in the ongoing crisis in Myanmar and the recent protests western companies have continued dealing with the junta arguing that if they don't the Chinese will simply step in, and that will be far worse for the country. Here defence of rights are used to justify business as usual for western corporations.

Relatedly, and my third point, is that we need to acknowledge that negative rights impacts are not the preserve of China. Here I concur with Barry Sautman, and supporting my earlier comments about rights and development, that anything which reduces the well-being of Africans through means which denies them any agency is a contravention of rights. This forces us to look at global structural inequalities and the totality of actions through which these uneven relationships are maintained. So, while international law regarding rights stresses sovereignty and self-determination, the actual operation of dependency denies the realisation of these rights. Therefore, for example, Structural Adjustment Programs can be seen as an abuse of African peoples' rights and the recent War on Want report on UK mining companies demonstrates that they have been party to relationships with African states not unlike those of the Chinese. So, this calls for us to get our own house in order before criticising others.

In terms of the future and possible political and policy implications I tend to agree with Tull (2006) that China's presence signals more of the same for Africa. Economically China probably won't alter Africa's 'extraverted' relationship with the world economy in which it supplies raw materials with little value added local industry. For resource endowed countries the evidence suggests that elites will continue to capture rents with little developmental redistribution. And politically there is not much evidence that China will, purposefully or not, promote democracy.

The suggested solutions on the table tend also to be more of the same. The US is quite confrontational and tends to see China as a direct competitor for resources. Policy is often about out-maneuvring China and using military support to secure access to the same resources that China craves. For the European donors they seek to socialise China into the western aid paradigm by suggesting dialogue between China and the rest through existing forums to reach mutually agreeable solutions. All agree that if Africa is to benefit from China then the political process needs opening up, which places much emphasis on the role of African civil society in pushing for pro-developmental redistribution of rents. So, policy is about supporting CSO capacity building although the only CSOs to actively contest China's presence have been the trade unions who see Chinese trade increasing African unemployment. Moreover, there are calls for aid coordination, which encourages China into the 'fold' of rational western approaches to aid delivery and seeks to reduce its bilateralism. Finally, recognition is given to the autonomy of Chinese firms from the Chinese state so that corporate regulation and voluntary CSR are seen as possible ways of enhancing the responsibility of China.

But all these need bold governmental and inter-governmental action on behalf of western countries, but due to geo-economic rivalry and the need to maintain good relations with China they will probably be watered down.