

CHINA'S IMPACT ON HUMAN RIGHTS IN AFRICA

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Summary. This article explores the impact of Chinese aid and trade on human rights conditions in Africa, linking the theoretical literature regarding potential economic impacts on human rights to the actual conditions. The profit-driven motives of MNCs have the potential to lead to exploitation, degradation, elite corruption and popular repression; Whereas potential positive impacts could stem from advances in economic development that would eventually lead to demands for more rights. China's current engagement in Africa does not have a positive impact on rights, but it seems unlikely that the Chinese government will be able to justify its current strategies over the long run. Even by China's own human rights standards that emphasize economic development over civil and political rights, China is failing to promote human rights in Africa. As local populations and democratic African elites focus on these shortcomings, tensions are likely to increase, leaving some room for more positive outcomes in the future.

Key words: China, human rights, Africa, trade, aid

INTRODUCTION

In the past fifteen years, African states have experienced an increasing level of engagement with China, with the level of trade quintupling in the time that US trade with Africa has doubled. This makes China the third largest trading partner with Africa, behind the US and the EU, with a value of roughly \$55 billion in imports and exports combined in 2008¹. In November 2009, Chinese Prime Minister Wen Jiabao pledged \$10 billion in low-interest loans to African states, doubling a similar pledge made at the last Forum on China-Africa Cooperation (FOCAC) in 2006 by President Hu Jintao. The FOCAC meetings, which began in 2000, symbolize the growing ties between China and African states. The importance of economic development is central to the FOCAC discussions where the official rhetoric advocates peace, security, and development through South-South cooperation. Those countries that benefit the most from China's interest in the region are those with the resources and trade capacity necessary to drive China's economic growth, such as Sudan with its oil reserves and South Africa with its strong trade relations and mineral wealth. Unlike assistance pro-

¹ J.-Y. Wang, A. Bio-Tchané, *Africa's Burgeoning ties with China*. „Finance and Development”, 45(1), 2008.

vided to Africa by the West, Chinese assistance comes with few strings attached (except for the non-recognition of Taiwan). There are no conditionalities regarding good governance, protection of human rights, or environmental standards. Given the de-linking of aid with promotion of human rights, one might expect to find a negative impact on human rights in the region connected to China's increased engagement.

Examining this issue through a quantitative study, looking for correlations between certain human rights and levels of Chinese investment or ODA, is problematic due to the lack of complete data, and the complexity of the relationship between investment, trade, aid, and human rights. Chinese economic involvement in the African region includes: trade relations (imports/exports), Foreign Direct Investment (FDI), Official Development Assistance (ODA), and loans provided by the China Export-Import (ExIm) Bank to African states. Unfortunately, the quality and availability of the data regarding these different aspects of Chinese involvement in Africa is not strong². A related challenge is that some of the same economic indicators have been used to represent different conceptual components of globalization when examining its impact on human rights. For example, some studies use the FDI indicators to capture the concept of state dependence on external actors, while in other studies FDI figures represent the degree of foreign penetration in the local economy. Therefore, „Our theories about which specific causal mechanisms to measure are often imprecisely linked to our economic data”³. Another challenge involves the concept of human rights, which is very broad. Determining which types of rights are most likely to be affected by increased economic interactions with China is important. Many recent studies of human rights use quantitative analyses of existing datasets such as the Political Terror Scale measuring physical integrity rights, and the CIRI dataset measuring empowerment rights. Although these datasets are quite useful and these rights are important, they are not be the only rights that are impacted by increasing Chinese engagement in Africa. There are a whole set of second generation rights (economic and social rights) more accurately represented by the Human Development Index (HDI) indicators (among others) that are influenced by international aid, trade and investment as well as other factors. Even when trends in the HDI indicators are seen, however, it is very difficult to determine how much of that change is directly attributable to the impact of China's economic engagement in the region. This study takes into account both civil/political rights and economic/social rights, recognizing that African relations with China potentially affect all of these rights. Chinese engagement with authoritarian regimes impacts the development of democratic practices assuring rights to vote, assemble, speak, and hold office, among others. Economic rights such as the right work to in safe conditions for fair wages, right to a healthy

² *Ibidem*.

³ E.M. Hafner-Burton, *Right or Robust? The Sensitive Nature of Repression to Globalization*. „Journal of Peace Research”, 42(6), 2005, p. 683.

environment, and the right to development are directly affected by the realities of trade relations.

Despite these methodological challenges, this article examines the impacts that increasing foreign investment and aid from, and trade relations with China have had on human rights in Africa. Rather than taking a broad focus looking at the entire continent, or a narrow focus on a particular human right within a single country, this study links the theoretical literature regarding potential economic impacts on human rights to the actual conditions found in a variety of country contexts. This article complements recent quantitative analyses that have examined the impact of certain globalization variables on human rights. Theories in several different contexts provide insights into how China's relations with African states might impact human rights. Not all of these theories agree about the potential impacts. I begin by exploring these theories and then seeing how well they apply to conditions on the ground in Africa. The first section has a global focus, looking at the literature that discusses the potential positive and negative impacts of globalization on human rights around the world. Next, I look at the domestic level, noting factors that are associated with changes in human rights conditions within states. I then examine the nature of China's recent relations in Africa, considering the motivations for China's recent engagement in the region. Finally, I explore the general benefits and disadvantages of Chinese engagement for African states, as well as the specific impacts on human rights in several states. I conclude that Chinese engagement has indeed had a negative impact on human rights in Africa, but that this has the potential to change in the future if China takes a long-term rather than a short-term view of its relations with African states.

GLOBALIZATION AND THE IMPACT ON HUMAN RIGHTS

The increased level of Chinese trade and investment in Africa is part of a larger phenomenon labeled as „globalization”. Before examining the specific conditions of Chinese involvement in Africa, it is important to consider what the literature says regarding the impact of globalization on human rights. Brysk⁴ notes that globalization will present new challenges for human rights in the future. There is little consensus, however, about whether greater economic integration associated with globalization will lead to greater human rights violations or greater protection of human rights⁵. There are three similar arguments regarding the ability of liberal economics and free trade to improve human rights conditions. First, free trade can lead to increasing economic development and the creation of a growing middle class that will demand greater civil and political rights.

⁴ A. Brysk, *Globalization and Human Rights*. Berkeley, CA University of California Press, 2002.

⁵ D.-H. Kim, P.F. Trumbore, *Transnational Mergers and Acquisitions: The Impact of FDI on Human Rights, 1980–2006*. „Journal of Peace Research”, 2010.

Second, liberalization promotes economic development that can lead to the improvement in social conditions for many, if not all, citizens over the long term⁶. Finally, increasing economic interdependence can result in a diffusion of norms, which will lead to improved human rights protections.

There are also arguments that the impact of a globalized economy has negative consequences for human rights. Multinational corporations (MNCs) can exploit vulnerable workers and damage the environment in cooperation with authoritarian governments. Hafner-Burton⁷ notes that some scholars argue that Foreign Direct Investment (FDI) empowers leaders to abuse weak and underprivileged individuals, and encourages a spiral of government repression, exploitation, and violence. The most important factor for businesses is political stability, so states have incentives to suppress labor rights and repress political opposition, and reduce corporate taxation. Trade policy serves the interests of MNCs and elites, but not average citizens. According to this argument, globalization threatens human rights because the most powerful actors are MNCs that focus on maximizing profits rather than the basic needs of citizens⁸.

There are also findings, however, that MNCs and FDI have less negative impacts than the stereotypes might suggest. Harrelson-Stephens and Callaway⁹ argue that „increases in trade translate into decreases in security right violations in developing states”. Mitchell and McCormick¹⁰ similarly note that government repression is reduced in a globalized market by the creation of wealth, improvements in the rule of law, and respect for basic rights of citizens. States wanting to attract FDI must create conditions that investors find favorable such as rule of law and improved infrastructure, and these result in improved social and political conditions for citizens. Milner¹¹ finds that trade openness has a positive effect on subsistence rights and security rights. According to Apodoca¹², FDI has a positive relationship with reducing violations of physical integrity rights and reducing infant mortality rates.

⁶ C. Apodaca, *Global Economic Patterns and Personal Integrity Rights After the Cold War*. „International Studies Quarterly”, 45(4), 2001, 587–602; S.C. Poe, C.N. Tate, *Repression of Human Rights to Personal Integrity in the 1980s: A global analysis*. „American Political Science Review”, 88(4), 1994, 853–872.

⁷ E.M. Hafner-Burton, *Right or Robust?...* op. cit., 2005.

⁸ J. Donnelly, *International Human Rights* (3rd ed.). Boulder, CO, Westview Press, 2007. D.P. Forsythe, *Human Rights in International Relations*. Cambridge University Press, 2000.

⁹ J. Harrelson-Stephens, R.L. Callaway, *Does Trade Openness Promote Security Rights in Developing Countries? Examining the Liberal Perspective*. „International Interactions”, 29(2), 2003, p. 152.

¹⁰ N.J. Mitchell, J.T. McCormick, *Economic and Political Explanations of Human Rights Violations*. „World Politics”, 40(4), 1988, 476–498.

¹¹ W.T. Milner, *Economic Globalization and Rights: An Empirical Analysis*, in: A. Brysk (ed.), *Globalization and Human Rights*. Berkeley, CA, University of California Press, 2002, pp. 77–97.

¹² C. Apodaca, *The Globalization of Capital in East and Southeast Asia: Measuring the Impact on Human Rights Standards*. „Asian Survey”, 42(6), 2002, p. 900.

These arguments concerning the impact of globalization on human rights are largely focused on MNCs as key influential actors. Globalization is not just a force composed of MNCs, however, states are also directly involved in the greater interconnectedness of the system. Globalization allows (and almost requires) states to be engaged abroad to protect and promote their economic (and political) interests. While Western powers have been engaged in African affairs for well over one hundred years through the colonialization process and beyond, China's deeper engagement is relatively recent and has grown considerably in the past fifteen years. It is part of the larger globalization process. With China's growing need for new markets and more resources, it has become an influential player in the globalized economy.

Much of the literature exploring the impact of trade and investment (FDI) on human rights is almost exclusively focused on MNCs. The assumption is often that all MNCs are similar because they are profit driven, thus there is no need to ask what *type* of MNC is potentially affecting human rights¹³. If, however, one looks at the source of aid (ODA), bi-lateral assistance from other states, the differences between donor states becomes much more notable. The political agendas of states vary considerably from the profit maximizing behaviors of MNCs. This is most closely linked to the argument about the improvement of human rights through the diffusion of norms. What norms does the donor state embrace and does it try to export these human rights norms to states that receive ODA? There are a number of examples by which ODA is tied to upholding certain Western standards, both bi-laterally and multilaterally (through Western dominated institutions such as the IMF). In the case of China, it is a little more difficult to separate the profit driven trade and investment, and the politically driven ODA since the Chinese government controls many of the companies that are investing in and trading with African states. Thus one might expect that the impact of Chinese investment and trade might be more politically driven than FDI from OECD countries. The underlying question here is whether the nature of the external force that is part of the globalization phenomenon has an impact on human rights, or whether the nature of that source matters at all. This question is rarely addressed in the current literature and is an important consideration in order to identify the impact that China's increasing economic involvement has had in Africa.

¹³ Some recent work, however, does argue that the way in which MNCs invest matters significantly in terms of the impact on a country's human rights conditions, D.-H. Kim, P.F. Trumbore, *Bane or Blessing? The Impact of Transnational Mergers and Acquisitions on Human Rights, 1981–2006*. Paper presented at the Midwest International Studies Association Conference, 2008.

DOMESTIC FACTORS AND HUMAN RIGHTS CONDITIONS

Before looking more closely at the nature of Sino-African relations, it is important to briefly consider some of the domestic circumstances that are associated with human rights conditions. The focus of much of this literature is on explaining human rights violations. While there is some overlap with the studies noted above regarding levels of trade and levels of economic development, there is also discussion of the impact of democracy on human rights conditions. The application of these studies for human rights in Africa is linked to the degree that Chinese engagement in Africa affects factors such as democratization, inter-state conflict, and civil wars.

Cingranelli and Richards¹⁴ examine the indirect effects of the end of the cold war on human rights violations (physical integrity rights). They look at four different potential factors: Democratization, increasing inter-state conflict, increasing domestic conflict, and globalization. Democracy is associated with enhanced civil society and protection of civil liberties. The theory suggests that democracy provides individuals with a greater voice in policy making, and it allows for greater participation through democratic channels, which reduces the risk of public unrest. In addition, elected leaders are held accountable and cannot exercise coercion and repression in the same manner that authoritarian leaders can. Skeptics note, however, the „illiberal democracies” or „demonstration democracies” do not fully empower the people, and set too few constitutional constraints on the power of leaders, thus failing to ensure greater human rights protections¹⁵. Wright-Smith¹⁶ explores the potential impact of the maturity of the democratic regime on protecting human rights and concludes that countries with more institutionalized democracy, as determined by quality and durability of democracy, are more likely to respect fundamental human rights.

Regarding the factor of inter-state conflict, Cingranelli and Richards¹⁷ conclude that decreased inter-state conflict unexpectedly did not result in improvements in respect for the right against political imprisonment. Poe and Tate¹⁸, however, find firm support for linking international and civil wars to an increased tendency to abuse personal integrity rights. There is currently no clear consensus on the specific impact of conflict and human rights, particularly when taking into account other domestic influences.

The arguments concerning the potential benefits and drawbacks of globalization on human rights have largely been addressed in the previous section.

¹⁴ D.L. Cingranelli, D.L. Richards, *Respect for Human Rights after the end of the Cold War*. „Journal of Peace Research”, 36(5), 1999, 511–534.

¹⁵ F. Zakaria, *The Rise of Illiberal Democracy*. „Foreign Affairs”, 76(6), 1997, 22–43.

¹⁶ K. Wright-Smith, *The Depth of Human Rights Protections in Democracies*. Paper presented at the Midwest International Studies Association, 2008.

¹⁷ D.L. Cingranelli, D.L. Richards, *Respect for Human Rights...*, *op. cit.*, 1999.

¹⁸ S.C. Poe, C.N. Tate, *Repression of Human Rights...*, *op. cit.*

Advocates of the positive impact of globalization note that states that are more economically interdependent will be more vulnerable to external pressure to uphold human rights. They care about their reputations and want to attract investors. Lower levels of economic development (often measured by per capita GDP) may produce popular dissatisfaction and unrest, challenging government capacity to maintain order without repression¹⁹. Higher levels of economic growth can potentially produce more economic equality, reduce discontent, and increase respect for human rights²⁰. On the other hand, others argue that capitalism is exploitative by nature and violence will be required to protect foreign investors and the ruling elite.

These studies address, in part, the way that Chinese engagement influences such factors as democratization, inter-state conflict, and civil wars that impact African human rights conditions. How does trade/aid from China affect each of these factors? To what extent do economic relations with China help or hinder the promotion of democracy in African states? These questions are addressed in the next section.

SINO-AFRICAN RELATIONS

This section specifically explores Sino-African relations, seeking to address some of the questions raised above regarding the impact of these relations on human rights conditions in Africa. One question to be addressed is whether the nature of the external force that is part of the globalization phenomenon has an impact on human rights. In other words, does it matter that Chinese companies, in contrast to Western companies, are investing in Africa? I argue that it *does* make a difference that Chinese MNCs are investing in Africa. According to the literature (CITE), there are several assumptions regarding the behavior of MNCs (in general) that can have a negative impact on human rights. Their profit-driven motives can potentially lead to the exploitation of workers, environmental degradation, and elite corruption and repressive behavior. Similarly there are assumptions regarding the necessary conditions for the effects of globalization and economic liberalization to have a positive impact on human rights: there must be advances in economic development that occur to transform the lives of everyday people, leading to a growing middle class that demands more rights, and/or improved social conditions that expand economic rights. The second key question raised in the literature above, is to what extent do economic relations with China help or hinder the promotion of democracy and subsequently the protection of

¹⁹ C. Davenport, *Multi-Dimensional Threat Perception and State Repression: An Inquiry into Why States Apply Negative Sanctions*, „American Journal of Political Science”, 39(3), 1995, 683–713.

²⁰ C. Apodaca, *Global Economic Patterns...*, *op. cit.* S.C. Poe, C.N. Tate, *Repression of Human Rights...*, *op. cit.*

human rights in African states? These questions are connected and cannot be fully addressed separately.

Before exploring the specific behaviors of Chinese companies to see which set of conditions apply in the African context, it is important to identify the countries where China is most deeply engaged with the assumption that any impacts stemming from economic engagement with China will be particularly evident within these countries. I then examine the motivations behind and impacts of Chinese economic engagement. The top African trading partners with China are: Angola, South Africa, Sudan, and Nigeria (see Table 1). South Africa and Nigeria receive the greatest amount of Chinese FDI in the region (see Table 2), and

Table 1. Total imports and exports with African states (2008), in millions of US \$

Country	Imports + Exports	Imports to Africa	Exports to China
Angola	2,292.595	232.513	2,060.082
South Africa	1,519.993	727.343	792.651
Sudan	710.840	155.941	554.899
Nigeria	608.115	560.281	47.834

Ministry of Commerce of the PRC. Import/Export Value. Retrieved June 21, 2010, from <http://english.mofcom.gov.cn/article/statistic/ie/200901/20090105995088.html>

Table 2. Chinese FDI to Select African States (2008), in millions of US \$

Country	2003	2004	2005	2006	2007	2008
South Africa	8.86	17.81	47.47	40.74	454.41 28% of total	4807.86 87% of African total
Nigeria	24.4	45.52	53.30	67.79	390.35	162.56
Sudan	—	146.70	91.13	50.79	65.40	-63.14*
Angola	.19	.18	.47	22.39	41.19	-9.57*

*Although the Ministry of Commerce does not offer an explanation for these negative numbers, they likely reflect that Africans are on balance repaying debt back to China for this year from investments that took the form of debt (bonds and loans) rather than equity (stock ownership).

Ministry of Commerce of the PRC. 2008 Statistical Bulletin of China's Outward Foreign Direct Investment Retrieved June 21, 2010, from <http://hzs2.mofcom.gov.cn/article/statistic/200909/20090906535723.html>

80% of Export Import (ExIm) Bank loans go to five countries in the region, including Nigeria, Sudan, and Angola. Angola is the largest source of Chinese oil imports, followed by Sudan²¹. These countries are illustrative of many of the points

²¹ J. Kurlantzick, *China's Soft Power in Africa*, in: M. Li (ed.), *Soft Power: China's Emerging Strategy in International Politics*. New York, Rowman & Littlefield Publishers, Inc. 2009; D.M.

noted in the following sections regarding the advantages and disadvantages of economic engagement with China.

Chinese motivations – economic and political

Although different authors place an emphasis on different factors, there is general consensus about the motives for Chinese engagement in Africa. Both aid and trade are designed to secure commodity assets and mineral resources²². The Chinese government is creating a favorable environment for Chinese investment by providing a mix of economic assistance and prestige diplomacy. It also provides trade information, coordination mechanisms, and financial assistance to Chinese firms that seek to invest in Africa. Chinese corporations are securing long term access to key strategic resources²³. Aid projects are also designed to promote long-term Chinese economic interests. Projects include construction of infrastructure (the Benguela railway in Angola, the Nigerian railway system, and the Merowe Dam in Sudan), sports stadiums (in Mali, Djibouti and the Central African Republic), presidential palaces and government buildings (Parliament buildings in Mozambique and Gabon), and hospitals and schools²⁴. Good infrastructure facilitates efficient trade in many instances, and some of the projects are designed to build good will with government ministers and the local people. The projects enhance the legitimacy of African regimes even if they do not increase outright support from the population. Over the long term, China is also seeking new export markets. China has been quite successful in Nigeria, where imports from China grew by a factor of ten between 1994 and 2002²⁵.

In addition to the economic incentives driving Chinese economic engagement in Africa, there are also some political motivations. Unlike aid from the West, Chinese aid is only conditioned on the non-recognition of Taiwan. China hopes to see diplomatic payoffs as fewer countries recognize Taiwan²⁶. China's goal is close to being achieved, with only four African countries recognizing Taiwan by 2008 (Burkina Faso, the Gambia, Sao Tomé and Príncipe, and Swaziland)²⁷. Chinese engagement in Africa also helps build cooperative partnerships in multilateral venues such as the United Nations. Most African governments are not troubled by China's human rights record like the US is. China and African

Tull, *China's engagement in Africa: scope, significance, and consequences*. „Journal of Modern African Studies”, 44(3), 2006, 459–479.

²² C. Alden, *China in Africa*. „Survival” 47(3), 2005, 147–164; D.M. Tull, *China's engagement in Africa*, *op. cit.*; L. White, P. Alves, *China in Africa: A Relationship of (Un)equals in the Developing World*. „The South African Journal of International Affairs”, 13(1), 2006, 55–62.

²³ B. Gill, J. Reilly, *The Tenuous Hold of China Inc. in Africa*. „The Washington Quarterly”, 30(3), 2007, 37–52.

²⁴ O. Ajakaiye, *China and Africa – Opportunities and Challenges*. Paper presented at the African Union Task on Strategic Partnership between Africa and the Emerging Countries of the South, 2006.

²⁵ D.M. Tull, *China's engagement in Africa*, *op. cit.*, p. 464.

²⁶ B. Gill, J. Reilly, *The Tenuous Hold of China Inc.*, *op. cit.*

²⁷ I. Taylor, *China's New Role in Africa*. Boulder, CO, Lynne Rienner Publishers, 2009, p. 28.

governments regularly support each other in the UN Human Rights Council to resist too much intervention into their own sovereign affairs. They are reluctant to criticize each other's human rights records. They state that the Council should respect historical, cultural and religious backgrounds of all regions and should place equal emphasis on civil/political rights and economic/social rights, with a priority given to the right to development²⁸.

The cooperation between China and many African states within the Human Rights Council is not necessarily because China does not value human rights at all, but because it values different rights. Shinn²⁹ argues that Westerners misunderstand China's approach to human rights. The Chinese do not want to remove all references to human rights in their foreign policy position, but they do want to emphasize collective interests over individual interests. China's political and human rights goals are to achieve a society that is free from want and that achieves moderate prosperity. In the Chinese view, it is the duty of the citizen to help construct a prosperous nation. Economic development is a central task of the Chinese Communist Party. Governments must promote reform, development, and stability to maintain a stable political environment and maintain public order. Individual rights are achieved through the realization of collective rights. Thus survival and improving standards of living are more important than voting. From China's view, it is a leader in promoting human rights because it has made great strides in promoting the prosperity of the Chinese people, and is also engaged in activities that have the potential to promote prosperity in Africa³⁰. China's perspective is that sovereignty is a pre-condition for enjoying human rights. China would argue that liberal democracy is a source of Africa's problems, rather than the solution as Western nations argue. Thus, according to this logic, China's economic engagement in Africa is not simply self-serving. It is a partnership, advancing human rights by upholding state sovereignty and promoting economic development. Ambassador Liu Guijin [has argued] that China's motives in Africa are directed primarily at helping countries „improve their own development ability“³¹. The Chinese perspective on this partnership is evident in some of the speeches that are delivered every three years in the Forum on China-Africa Cooperation (FOCAC) conferences. In 2009, Premier Wen

²⁸ C. Alden, *China in Africa, op. cit.*, p. 158, suggests that a discourse on human right and democracy is taking root and undermining the cherished principle of non-intervention, with troubling implications for Beijing. Although Beijing might want to emphasize economic rights over political rights, international norms may develop to a point where these rights cannot be discussed separately.

²⁹ D.H. Shinn, *The China Factor in African Ethics and Human Rights*. Paper presented at the 2006 Oxford-Uehiro-Carnegie Council Conference, 2006.

³⁰ I. Taylor, *Sino-African Relations and the Problem of Human Rights*. „African Affairs“, 107(426), 2008, 63–88.

³¹ P. Utomi, *China and Nigeria*. Retrieved August 24, 2009, from http://csis.org/files/media/isis/pubs/080603_utomi_nigeriachina.pdf.

Jiabao stated „The Chinese people cherish sincere friendship towards the African people, and China's support to Africa's development is concrete and real”³².

Economic advantages for African states

The benefits to China in terms of access to natural resources, new markets, and support within multilateral fora are obvious, but it is not always as clear what economic benefits African states obtain from engagement with China, despite China's claims regarding partnership. There are opportunities and potential, but not all of these have translated into positive realities within Africa. Some of the opportunities of trade include: a low price on goods that can improve the standard of living for those in poverty, and an improvement in the macroeconomic environment that may result in less need to incur budget deficits for social programs³³. These improvements depend on a growing international economy with increased demand for mineral and agricultural resources. They are also dependent on African states transforming potential gains into reality through investment in sustainable development projects.

Brautigam³⁴ explores how Chinese business networks have the potential to provide an important catalyst for local industrialization through the „flying geese” model. In this model, ethnic Chinese living abroad connect with Chinese business networks within China, bringing in capital to fund local manufacturing development. Local business interests eventually replace these foreign investors. In Mauritius, business investment successfully shifted from 90% Chinese (Hong Kong), to 60% local over a 50 year period³⁵. The assumption in the literature is that this kind of economic transformation will have a positive impact on human rights. It takes decades, however, for this kind of transformation to occur, and the model has been less successful in other countries where there is not an entrenched Chinese diaspora nor a strong democratic tradition. These realities provide limited optimism for protecting human rights on the continent in the near future.

A final advantage to African states is that Chinese development assistance is faster and more available than that from the West. They are often willing to launch businesses in countries considered too risky by Western entrepreneurs³⁶. There are fewer impact studies and other hurdles that create delays. Business is

³² Chinese Premier announces eight new measures to enhance cooperation with Africa (2009, November 8). Xinhua News Agency. Retrieved August 27, 2010, from http://news.xinhuanet.com/english/2009-11/08/content_12411421.htm

³³ O. Ajakaiye, *China and Africa – Opportunities and Challenges...*, *op. cit.*

³⁴ D. Brautigam, *Close Encounters: Chinese Business Networks as Industrial Catalysts in Sub-Saharan Africa*. „African Affairs”, 102(408), 2003, 447–467.

³⁵ *Ibidem*, p. 459.

³⁶ J. Kurlantzick, *China's Soft Power in Africa*, *op. cit.*, D.M. Tull. *China's engagement in Africa... op. cit.*

business. Chinese developers just come in and build³⁷. While the speed in this situation is appealing, the sacrifice of neglecting to do impact studies for such projects is costly to the people. Environmental degradation, forced relocation, etc. all threaten the social and economic rights of the people.

Economic disadvantages for African states

Although there are some potential gains to be made for African states, there are also some risks from increased trade with China. These risks include: neo-colonial investment practices that discourage diversification of the economy and weaken nascent industries, destructive hiring practices, and failure to meet quality and safety standards. White and Alves³⁸ warn that China should not be „simplistically interpreted as an alternative to imperialist or colonial powers” and that it does not always have the interests of African countries at heart. African states risk becoming captive to Chinese neocolonial practices. The head of the Chamber of Commerce in Zambia states „sending raw materials out, bringing cheap manufactured goods in. This isn't progress. It is colonialism”³⁹. With 90% of South African exports to China consisting of raw materials (ore, platinum, diamonds), this point is well taken⁴⁰. While this may not be of immediate concern to African elites who often benefit from the construction of presidential residences, and siphoning off aid for their own personal use, it has a strong negative impact on the local populations. White and Alves⁴¹ note that African states are negotiating unwise agreements with China that include cash, technology and political protection from international pressures, and that these do not necessarily translate into economic growth.

There are concerns that Chinese investment patterns more closely resemble North-South patterns, than South-South patterns, with limited development benefits for African economies⁴². Trade can occur, but the large capital flows do not necessarily go to African businesses. Chinese investors prefer to invest in Chinese businesses in Africa. In Brautigam's study of Mauritius and Nigeria, the trading ties to Nnewi, Nigeria were significant, but ethnic networks did not play a large part in stimulating industrial development because there was little Chinese investment (2003). The Chinese provided information about production, but did not extend credit in the same way they did to Sino-Mauritians. The Chinese were less willing to provide seed capital to African entrepreneurs than to

³⁷ D.H. Shinn, *The China Factor in African Ethics and Human Rights*. Paper presented at the 2006 Oxford-Uehiro-Carnegie Council Conference.

³⁸ L. White, P. Alves, *China in Africa*: op. cit., p. 56.

³⁹ J. Kurlantzick, *China's Soft Power in Africa*, op. cit., 174.

⁴⁰ D.M. Tull, *China's engagement in Africa*, op. cit., p. 472.

⁴¹ L. White, P. Alves, *China in Africa*, op. cit., p. 60.

⁴² D.M. Tull, *China's engagement in Africa*, op. cit., p. 459.

Chinese-diaspora entrepreneurs. As Brautigam⁴³ notes „trust and confidence [have] limits”.

In addition, African businesses have been hurt by Chinese competition. China's growing competitiveness in global markets has had a harmful impact on African exports. Traditional products and retailers have been forced out of business by Chinese entrepreneurs⁴⁴. A flood of cheap Chinese imports has hard hit local industries, especially manufacturing and textiles. Shinn⁴⁵ notes that Chinese violation of WTO's Multifiber Agreement (MFA 1974) resulted in the loss of 250,000 jobs and 37% of Africa's textile capacity in recent years. Kaplinsky *et al.*⁴⁶ report that Lesotho, Swaziland, Madagascar, and Kenya were all hard hit in 2006. South Africa also faced damaging effects with high unemployment and severe distributional and poverty impacts. Botswana and Mozambique have expressed concern over managing an influx of Chinese businesses and their impact on local retailers and producers⁴⁷. Chinese migrants in some Nigerian markets have been expelled because locals complained Chinese goods were undercutting local products⁴⁸. Local manufacturers have also been hurt by negotiated tariff reductions⁴⁹.

Another disadvantage of Chinese economic engagement is the practice of hiring Chinese workers instead of local residents for Chinese-sponsored projects. In countries with an abundance of labor and high unemployment levels, this is not a beneficial practice for the local economy. It results in low technology transfers and little job creation. It is estimated that 750,000 Chinese residents live in Africa, with 40,000 in Namibia, 74,000 in Sudan, over 100,000 in South Africa⁵⁰. Furthermore, labor standards of Chinese businesses do not meet African (or global) standards and have been described as „slave labor” conditions⁵¹. Zambian copper miners protested in 2005 demanding better safety conditions and wages. They had been paid below the national minimum wage. There have been similar protests in South Africa and Namibia⁵². Chinese contract labor has been criticized in projects in Ethiopia, Sudan and Namibia⁵³.

⁴³ D. Brautigam, *Close Encounters*, *op. cit.*

⁴⁴ C. Alden, *China in Africa*, *op. cit.*, p. 156.

⁴⁵ D.H. Shinn, *The China Factor in African Ethics...*, *op. cit.*

⁴⁶ R. Kaplinsky, D. McCormick, M. Morris, *The Impact of China on Sub-Saharan Africa*. Institute of Development Studies, University of Sussex, UK, 2006.

⁴⁷ C. Alden, *China in Africa*, *op. cit.*, p. 160.

⁴⁸ J. Kurlantzick, *China's Soft Power in Africa*, *op. cit.*, p. 178.

⁴⁹ P. Utomi, *China and Nigeria*, *op. cit.*

⁵⁰ C. Alden, *China in Africa*, *op. cit.*; J. Kurlantzick, *China's Soft Power in Africa*, *op. cit.*; L. White, P. Alves, *China in Africa*, *op. cit.*

⁵¹ P. Utomi, *China and Nigeria*, *op. cit.*

⁵² J. Kurlantzick, *China's Soft Power in Africa*, *op. cit.*

⁵³ C. Alden, *China in Africa*, *op. cit.*, p. 157.

A final disadvantage of Chinese engagement is the risk of products that do not meet environmental and safety standards. Taylor⁵⁴ claims that China's banks are breaking the „Equator principles” – a voluntary code of conduct that calls on lenders to ensure that projects meet environmental and social standards, including human rights. In 2006, the Nigerian government had to threaten WTO action against China for a number of inferior quality products that were imported, although China's producers blamed Nigerian businessmen for ordering these products⁵⁵. Unfortunately there is often a tradeoff between availability of cheaper consumer goods that many Africans have not had access to in the past and tougher safety standards.

Despite some positive potential and realities, the negative economic impacts of Chinese engagement with Africa are quite evident. The economic growth that is considered to be a pre-condition for improved human rights is not strong because of investment and hiring practices. Weak safety standards also harm the well-being of the people. Chinese aid is not successfully creating growth conditions and, as we see below, local *political* conditions are further hindering economic growth and the benefits that could come to more people with less corruption. The wealth from trade does *not* promote general prosperity within African states because of corrupt political elites⁵⁶.

Political advantages and disadvantages

It is ironic that China has such a strong political impact in Africa even though it avows a policy of non-interference. Its economic practices have clear political impacts, intended and unintended, and appear to do little to help the promotion of democracy associated with the protection of human rights⁵⁷. It is the African elite who benefit the most from engaging with China, while the general public sees few advantages and a number of disadvantages⁵⁸. African leaders are looking for models of success that do not threaten established regime interests⁵⁹. The most notable appeal of Chinese aid and trade for African elites is that it provides an alternative to conditional Western aid and political pressure⁶⁰. A Chinese loan of \$9 billion to the Angolan government in 2006 allowed that government to avoid taking a loan with the International Monetary Fund (IMF) with specific conditions to improve the lives of the underprivileged⁶¹. Without the conditionalities that come with much Western investment and assistance,

⁵⁴ I. Taylor, *Sino-African relations...*, *op. cit.*

⁵⁵ P. Utomi, *China and Nigeria*, *op. cit.*

⁵⁶ I. Taylor, *Sino-African relations...*, *op. cit.*, I. Taylor, *China's New Role in Africa*, *op. cit.*

⁵⁷ As noted above, the Chinese government is not interested in promoting democracy as it relates to human rights because economic rights are far more important.

⁵⁸ D.M. Tull, *China's engagement in Africa...*, *op. cit.*, p. 466.

⁵⁹ C. Alden, *China in Africa*, *op. cit.*, p. 156.

⁶⁰ D.H. Shinn, *The China Factor in African Ethics...*, *op. cit.*

⁶¹ J. Kurlantzick, *China's Soft Power in Africa*, *op. cit.*, p. 178.

African leaders can use the revenues they receive from China in a number of ways that do not benefit the African people and threaten human rights⁶². While China insists on upholding the principles of non-interference and state sovereignty, this is being exploited by African leaders for self-protection. They use their power to employ violence and gain a favorable distribution of wealth from trade and aid. China „needs to recognize that unqualified respect for sovereignty will not ensure that engagement is going to benefit the majority of Africans”⁶³. Such engagement could even threaten China’s own interests in the region. For example, China’s relations with Mugabe in Zimbabwe will seriously undermine any relations it will have with a post-Mugabe regime in Zimbabwe. When revenues from trade with China are used to maintain and enrich authoritarian regimes, several detrimental consequences should be considered.

One detrimental consequence is that the promotion of democracy in African states will be hindered. China is an alternative to Western assistance, in part, because it cares very little about the nature of the African regimes in which it is investing. Taylor⁶⁴ argues that China’s investments have not only propped up some of the worse human rights abusers, they have also weakened the leverage of others who are trying to promote greater respect for human rights in Africa. They are providing sanctioned regimes resources to which they would not otherwise have access. Brookes and Shin use similarly strong language, arguing that China „aids and abets oppressive and destitute African dictatorships by legitimizing their misguided policies and praising their development models as suited to individual national conditions”⁶⁵. White and Alves⁶⁶ note that the combination of China’s commercial activities and policy of non-interference in domestic affairs has compounded governance problems, particularly in Sudan, Chad, Liberia, Zimbabwe, and Angola. Kaplinsky *et al.*⁶⁷ argue that China’s engagement in some fragile states is undermining efforts to foster better corporate and environmental governance. This is not only a political problem, but also presents an economic challenge, because African leaders will not adopt market principles when it undermines their own power.

A second related consequence is that trade revenues and Chinese aid are spent on militarization, which can fuel conflict and/or repression, instead of supporting sustainable development projects. China has disregarded international sanctions, purchasing significant amounts of illegally harvested timber from

⁶² I. Taylor, *China’s New Role in Africa*, *op. cit.*, notes that the interests of the government elite are not the same as the masses and suggests that in the future, local African populations will turn against Chinese firms in Africa, even in countries where the government has close relations with China.

⁶³ L. White, P. Alves, *China in Africa*, *op. cit.*, p. 61.

⁶⁴ I. Taylor, *China’s New Role in Africa*, *op. cit.*

⁶⁵ P. Brookes, J.H. Shin, *China’s Influence in Africa: Implications for the United States*. The Heritage Foundation No. 1916, 2006, p. 1.

⁶⁶ L. White, P. Alves, *China in Africa*, *op. cit.*

⁶⁷ R. Kaplinsky, D. McCormick, M. Morris, *The Impact of China... op. cit.*

Equatorial Guinea, Cameroon and Mozambique, and at one time also purchasing „conflict timber” from the Congo and Liberia⁶⁸. These purchases helped fund ongoing conflicts in these regions. In addition, China sells military hardware to corrupt regimes increasing their capacity for repression. For example, China sold Zimbabwe fighter aircraft and military vehicles for \$200 million despite a US and EU arms embargo. Furthermore, a Chinese radio-jamming device was used by the Zimbabwean government to block broadcasts of anti-government reports from independent media outlets during the 2005 parliamentary elections⁶⁹. Weapons sold to the Nigerian government have been used to put down violence in the Niger river delta directed against economic exploitation by multinational oil companies, including Chinese corporations⁷⁰. China clearly has a direct stake in helping Nigeria (and other partner states) control such violence.

Aircraft, helicopters, and small arms have been sold to Sudan and used in the war against the southern Sudanese⁷¹. Additional recipients of military supplies include: Mozambique, Angola, Mali, Congo, Namibia, Sierra Leone, and *both* Eritrea and Ethiopia while they were at war with each other. Not only does militarization and increased conflict put the people at risk, but it also threatens the country's capital assets and future economic development. It also creates an unfavorable investment climate and drains away FDI. The impact of all of these issues on both economic/social and civil/political human rights is negative.

These negative impacts of relations with China are exacerbated by existing economic and political conditions in many African countries. In many countries, the political conditions are not adequate to convert Chinese investments into projects that promote long-term economic growth. The political elites have a lock on the national economy, and the economy is not structured in a way that the benefits trickle down to the larger population. Both Ajakaiye and Gill & Riley⁷² argue that foreign companies should be encouraged to subscribe to the Extractive Industries Transparency Initiative (EITI) in order to reduce government corruption and promote economic growth for those countries that have mineral wealth to extract. There appears to be only limited support for such a move by Chinese companies. In addition, China advocates a Chinese-style economic development model based on a restricted market system with a single political party in power⁷³. This not only impedes democratic development, but also provides only limited market access to other global trading partners, leaving the US at a disad-

⁶⁸ D.H. Shinn, *The China Factor in African Ethics...* op. cit.; D.M. Tull, *China's engagement in Africa...*, op. cit.

⁶⁹ A. McLaughlin, *A Rising China Counters U.S. Clout in Africa*. „The Christian Science Monitor”, March 30, 2005, from www.csmonitor.com/2005/0330/p01s01-woaf.html.

⁷⁰ I. Taylor, *China's New Role in Africa*, op. cit.

⁷¹ C. Alden, *China in Africa*, op. cit., p. 151.

⁷² O. Ajakaiye, *China and Africa*, op. cit.; B. Gill, I. Reilly, *The Tenuous Hold of China Inc.*, op. cit.

⁷³ P. Brookes, J.H. Shin, *China's Influence in Africa*, op. cit.

vantage to other preferred Chinese firms, and may put African exporters at a disadvantage in the future.

Brautigam⁷⁴ agrees with others who note the key role that the state plays in encouraging or discouraging development, by providing an environment where capitalist networks can flourish (or not). She identifies government economic policies as one of the reasons that the „flying geese” model of development through business networks has not taken hold in Africa. Policies have made industrialization difficult for private capital. Governments may perceive businesses as a rival source of power and a political threat. Business networks cannot substitute for a weak state, but they can make markets work better by providing information, lowering risks, and easing transaction costs in transitioning from trade to industry and export⁷⁵. This assistance, however, can only occur if the political environment allows these business networks to perform these functions.

CONCLUSIONS

This article has explored the impact of Chinese aid and trade on human rights conditions in Africa, linking the theoretical literature regarding potential economic impacts on human rights to the actual conditions found in a variety of country contexts. This mid-level study examines conditions in several countries and provides some interesting insights into how Chinese economic engagement has the potential to positively and negatively affect the promotion of human rights. Despite a number of benefits to China in pursuing its current policies, the long-term sustainability of its foreign economic policy in Africa is questionable.

In the literature regarding globalization and human rights, there are three different arguments for how economic integration can influence human rights. A negative impact is that the profit-driven motives of MNCs can lead to exploitation, degradation, elite corruption and popular repression. Positive impacts on human rights stem from advances in economic development eventually leading to demands for more rights, and from the promotion of democracy and subsequently the protection of human rights linked to democratic practices. In applying these arguments to the case of Chinese engagement in Africa, it does not appear that China's involvement has a positive impact on human rights. It *does* make a difference that *Chinese* MNCs are investing in Africa. Although Chinese companies seek profits just as Western companies do, they operate under different conditions. Corporate behavior, in general, is affected by restrictions/regulations that home and host governments place on MNCs. Western companies operate in a more normative environment with restrictions in place regarding responsible corporate behavior. The West is also more restrictive

⁷⁴ D. Brautigam, *Close Encounters: Chinese Business Networks*, *op. cit.*

⁷⁵ *Ibidem.*

about which countries that MNCs can do business with, preventing Western MNCs from operating freely in countries with high levels of government abuse and repression, and thus reducing the opportunities for those elites to further enhance their power⁷⁶. The West has a higher commitment to corporate social responsibility (CSR) in local communities. Although the Chinese can be generous, but are not automatically socially responsible-behaving ethically and contributing to economic development while improving the quality of life of their workforce and their families as well as the local community at large. There does not appear to be a diffusion of norms, as the literature would predict, stemming from Chinese engagement that leads to greater human rights protections. The norms posited by China are to advance economic rights, but these are not truly adhered to by those Chinese firms operating in Africa. Rather than being a restrictive force, the Chinese government is an unrestrictive force – it encourages its MNCs to invest throughout Africa, and even when it appears that that investment is unwise, it has little control over the actions of its companies in the field. The difference between Chinese and Western companies is not based on what the Chinese government tells the companies to do, but because of what it *does not prevent* them from doing. It tells them to seek resource security at all costs and does not effectively limit their behaviors. Chinese companies are engaging authoritarian regimes and this undermines the potentially positive impacts of economic development, and compounds the negative effects of corruption and militarization. Trade revenues and even aid packages do not trickle down to the masses, but are siphoned off by corrupt government elites. There is little evidence of a growing middle class that can become more engaged politically, demanding more political accountability. Even by the Chinese definition of human rights, providing for the well being of all of the people in society, most African states are failing to achieve these rights, and engagement with China is not offering much of a change.

Despite the current negative impacts on human rights stemming from Chinese economic engagement in Africa, its impact in the future is uncertain. China's policies in Africa continue to evolve. The government is aware that the practices of its State Owned Enterprises (SOEs) are damaging its political capital on the continent. Gill and Reilly⁷⁷ note that China may face an increasing principal-agent problem, where the Chinese economic agents on the ground in Africa will be acting in their own interest, not necessarily in the political interest of

⁷⁶ Although Western practices are by no means perfect, there is at least an effort to tie aid to human rights practices even if the application and results have been inconsistent over the years, P.M. Regan, *U.S. Economic Aid and Political Repression: An Empirical Evaluation of U.S. Foreign Policy*, „Political Research Quarterly”, 48(3), 1995, 613–628. Western policies in Africa have become more normative and reform-oriented in recent years, despite pervasive ambiguities. Western governments are seeking to promote democracy, human rights and conflict prevention, D.M. Tull, *China's engagement in Africa*, *op. cit.*, p. 476.

⁷⁷ B. Gill, J. Reilly, *The Tenuous Hold of China Inc.*, *op. cit.*

the Chinese government (principals). Shinn⁷⁸ also supports this argument, recognizing that current practices are alienating the African public and undermining China's larger foreign policy goals.

Chinese companies not only face increasing antagonism from local populations, but some African political elites are even questioning Chinese policies in the region⁷⁹. Although though some African governments have embraced closer relations with China and the advantages and disadvantages that relationship brings, others are speaking out critically of China. It may become more difficult for China to act without regard to human rights conditions in Africa in the future. In 2001, the New Partnership for African Development (NEPAD) launched a plan for African renewal, which included language about democracy and good governance. „African leaders have learned from their own experiences that peace, security, democracy, good governance, human rights and sound economic management are conditions for sustainable development” (NEPAD paragraph 71). China's behavior in the region threatens these conditions. The key question in the future will be whether China will recognize that it needs good governance as much as any other investor, and change its foreign policy and corporate practices, accordingly. It seems unlikely that the Chinese government will be able to justify its current strategies in this changing African environment in the long run. Even by China's own human rights standards that emphasize economic development over civil and political rights, China is failing to promote human rights in the region. As local populations and democratic African elites focus on these shortcomings, tensions are likely to increase.

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⁷⁸ D.H. Shinn, *The China Factor in African Ethics*, *op. cit.*

⁷⁹ J. Kurlantzick, *China's Soft Power in Africa*, *op. cit.*, p. 179.