



EDITORIAL

A CHINA-AFRICA DIALOGUE took place recently in China, organised by the Heinrich Böll Foundation, Beijing office in collaboration with the Institute of West Asian and African Studies under the Chinese Academy of Social Sciences and the Institute of African Studies, Zhejiang Normal University. The Dialogue offered a valuable opportunity for African and Chinese academics and civil society representatives to engage with each other, as well as participate in a visit to Yiwu, known for its small commodity market and an increasing presence of African traders. The first article of this edition, by Antony Otieno Ong'ayo, provides an overview of the implementation and the value of these Dialogues. The article also notes the need for Chinese and African stakeholders to take ownership of the debates surrounding China-Africa relations, and the challenges in fostering this ownership.

The second article, by Chris Alden and Dan Large, looks at the existence of 'exceptionalism' in China's relations towards Africa. They trace the development of this exceptionalism in China's foreign policy and the rhetorical manifestation of this in China's relations with Africa. This is followed by an article focused on an important domestic issue in China, the rising price of food and access to food amongst Chinese workers. Finally, a report

by ActionAid just released puts SABMiller in the spotlight. It reports that the company has avoided paying taxes in African countries, as well as India. The article gives an overview of the reports findings, as well as SABMiller's stance.

A number of important reports have recently become available, notably a series of Policy Briefs by the African Economic Research Consortium (AERC) collaborative research China-Africa Project. The Policy Briefs are based on commissioned studies conducted by African scholars/institutions and focus specifically on trade/aid/investment relations between China and a number of African countries including Sudan, Nigeria, Mauritius, Angola, Cameroon, Kenya and Uganda. These Policy Briefs are now available on the AERC website for downloading and we have provided the links below.

We hope you will enjoy this edition of the newsletter and wish our readers well over the festive season,

Hayley Herman

Programme Officer

Emerging Powers in Africa Programme

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EDITORIAL TEAM

Ms Sanusha Naidu - Research Director
Emerging Powers in Africa Programme
Fahamu- Cape Town
Email: sanusha@fahamu.org

Ms Hayley Herman - Programme Officer
Emerging Powers in Africa Programme
Fahamu-Cape Town
Email: hayley@fahamu.org

Mr Stuart Rothgiesser - Layout Editor
www.stuarthgiesser.com
Email: stuart@stuarthgiesser.com

Ms Shifrah Perkel - Graphic Designer
www.insideout.co.za
Email: design@insideout.co.za

For further information on the Emerging Powers in Africa Programme, or submission of commentaries for the newsletter please email Ms Sanusha Naidu or Ms Hayley Herman.



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COMMENTARY

China-Africa Relations

A review of the civil society - academic dialogue process 2007-2010

By Antony Otiengo Ong'ayo¹

Introduction

SINCE THE LATE 1990s when China began to intensify and broaden its engagement with Africa, developments have not been free of controversy, speculation and rhetoric that portray China's role in Africa in negative terms. It has also elicited mixed reactions within the African continent itself. To most people in Africa, China's recent intensification of relations with the continent presents new opportunities for generous and unconditional lending, faster infrastructural development as well as increased opportunities for trade and foreign direct investment in what has been described in policy and academic circles as a 'win-win' situation. These developments have not received much attention in terms of studies on the actual happenings in both contexts, but also on the policies, processes and outcomes of these initiatives in the broader framework of China's involvement in Africa.

However, since 2006, the China- Africa debate has intensified and elicited interest both in the West and in Africa, with various institutions, academics and civil society organisations beginning to take keen interest and undertaking studies on the subject in an attempt to unravel the factors behind this phenomenon and the paradigm shift in Africa's receptiveness and embracement of China. Earlier examples of such initiatives within the African context include the works undertaken at Stellenbosch University that provided a platform for research and dialogue. While from an African civil society perspective Fahamu has been the only organisation at Pan-African level, that is facilitating exchanges and publishing regular reports and articles on China-Africa.

Tracing the civil society- academic dialogue on China Africa relations

The first China-Africa civil society and academic dialogue meeting took place in Shanghai in 2007 alongside the African Development Bank's annual meeting which was hosted by China in Shanghai in May 2007. The meeting was organised by Fahamu in collaboration with a number of international civil society organisations and aimed

at highlighting China's new role in Africa and the South². A second meeting in Nairobi in April 2008 brought together African and Chinese scholars and civil society representatives. This second leg of the dialogue process was jointly organised by the Heinrich Böll Foundation³ East Africa Office and Fahamu. It brought together Chinese experts on Africa from several think tanks and institutions in China, representatives of African civil society organizations that work in areas with relevant Chinese engagement, from 15 different countries and a regional representation of African scholars from a number of institutions working on China-Africa and related issues. The outcomes culminated in a book⁴ that presented a condensed but empirically informed and insightful analyses of the ongoing debates, macroeconomic dimensions of China-Africa relations, empirical evidence from country case studies, China and the African Union quest for peace as well as critical reflections on the need for strategic civil society participation in the China-Africa dialogue and policy processes.

The third and most recent initiative on the China-Africa dialogue process was a conference in Beijing and Zhejiang Normal University, Jinhua in October 2010 organised by the Heinrich Böll Foundation, Beijing office in collaboration with the Institute of West Asian and African Studies under the Chinese Academy of Social Sciences and the Institute of African Studies, at Zhejiang Normal University. This conference brought together both academics and civil society organisations from Africa but also facilitated rare exchanges and fact finding missions that enabled participants to verify the presence of African investors, traders, students and families in China⁵. The conference also provided an opportunity for interaction with institutions and key actors within the Chinese establishment, in order to gain insights into the principles and dynamics behind the Chinese 'going out policy' from political and economic perspectives.

What lessons can we learn so far?

While it is too early to draw any substantial conclusions on this process, it can be safe to highlight the fact that some inroads are being made in terms of creating frameworks for engagement and exchanges outside the formal state- state relations. These informal exchanges provide

both Africans and their Chinese counterparts with opportunities to learn from each other's experiences and be able to come up with informed interpretations. Although the process is in its infancy, it has broken ground for future encounters, as China's engagement with Africa intensifies. This can be derived from observations of the recent initiatives and outcomes of the dialogue process in which a number of encounters and exchanges have taken place with several individual and joint publications being produced. These encounters and exchanges have been useful for the overall pursuit of a deeper understanding of the two contexts from a socio-economic and political perspective, and the factors that underpin the current policy priorities and agenda of governments in the state-state relationship between China and Africa.

Looking at the conception of the idea and implementation of the dialogue process, the level of ownership both from China and Africa is still low and domestic support to the process is lacking. While fingers have been pointed to the western approach of working with civil society and NGO groups in Africa as one that encourages dependency, and hence the lack of home-grown agenda, and initiative, the China-Africa civil society dialogue process might not escape the same tragedy. It is difficult to gauge how the two partners will be able to dialogue and shape the influence of the ideas agenda and issues being discussed about China-Africa if they do not put their money where their mouth is⁶.

Perspectives on Africa China relations

The level of engagement between China and Africa is not likely to decrease but will witness an increased intensification, while at the same time revealing its true impact and manifestation in different African countries, notwithstanding domestically in China. There is a growing level of

enthusiasm in China and eagerness to know more about Africa⁷. Whereas this increasing awareness about Africa compared to pre-revolution years is linked to the recognition of the value of the African continent vis-à-vis China's need for natural resources for its economic growth⁸, there is definitely a need to move beyond an understanding of commercial engagement. Other factors for this attention relates to the increasing migratory flows of Chinese in Africa⁹. This presence of Chinese migrants in Africa becomes a critical link for information exchange and feedback processes in which returning workers will share their views about Africa, or those who decide to stay after their period on construction sites relay information to family members left behind. The latter can have both a positive and negative impact depending on the experience.

Also linked to the increasing awareness of Africa within Chinese society is the role of global media, which largely portray China in a negative light. The current "China bashing" in the western media is something that many Chinese people especially in academic and policy circles are increasingly becoming aware of and as a consequence elicits more interest on Africa both in the Chinese media and to some extent within Chinese society. Knowledge of Africa within Chinese society may be confined to a small group of academics involved in various policy processes as well as in the numerous forums on China in Africa, but the contact between Chinese people and Africans are also beginning to increase. This is largely due to the increasing number of African students entering Chinese Universities in different parts of China but also the increasing number of African traders making inroads into the manufacturing cities in China such as Yiwu in Jinhua Province. The bad publicity of China in relation to Africa is something that is likely to have the unintended consequence of creating more awareness within Chinese society, especially when most Chinese people continue to access global information through modern technology such as the internet, twitter and others. Although there

Launch of the Change Online Platform

Fahamu in partnership with Society for International Development (SID) and the Swedish International Development and Cooperation Agency (SIDA) wishes to announce the launch of the Change website (www.fahamu.org/change).

The change site is an open platform for the Kenyan people and friends of Kenya to interact and share information.

The site is one of the outputs of the Change Conference held in October 2009 in Nairobi, and is aimed at increasing access to resources and encourage dialogue towards realizing change at the national level be it through

government institutions, NGOs or at the community level.

The site highlights activities taking place under the Change project of Fahamu including Citizens' Forums across Kenya and showcases documentaries including "Making Change" by Maina Kiai.

Everyone is invited to write articles to be posted on the blog as well as share your views on change in Kenya.

Please visit: <http://www.fahamu.org/change/>
Kindly forward your comments to patita@fahamu.org or paul@fahamu.org



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is no empirical evidence yet to prove that western reporting on China-Africa relations has led to an increased interest in Africa among the Chinese, the continued China bashing is likely to generate interest in Africa as the Chinese (both government and academia), become defensive or try to offer alternative views about Africa to their own population. Such a move is likely to result in the development of perspectives about Africa beyond the stereotypes about China in Africa. This is more likely to happen with the increased interaction between Chinese and Africans involving scholars, the business community, students, returning Chinese workers and intensification of state-state exchanges at government and political party levels.

Similarly, Africans have very little knowledge about China; hence their perceptions are largely shaped by the media in Africa, which is often influenced by western media. Take for instance the myth that many Chinese workers brought to work on construction sites in Africa are in fact prisoners placed on the continent as part of their prison sentence. Such prejudicial and stereotypical statements are floating about in many African countries, and are being presented as truth. Yet there are no facts to back such claims. Because many Africans have not and will not have the possibility to visit China in the near future, misinformation will influence their perceptions. However, Africans who have been able to study¹⁰ and start businesses in China have very different stories¹¹.

Perspectives on Africa's reaction to China's outreach to the continent are also replete with misinformed rhetoric and simplistic representations of the actual facts on the ground in Africa. A paradigm shift in Africa's relation with external actors is informed by much more than leadership that is escaping from western conditions for "good governance". Honest and truthful historical accounts of the relationship between Africa and the West can provide the real reasons behind this shift to what has been described as a "Look East Policy" among African governments. Alongside these analyses are simplistic representations of why China is intensifying its involvement in Africa. Economic and political reasons are given as the main reasons for engagement with Africa, which is acknowledged by the Chinese, but no state is exempt from economic and political motivations. These are two factors that are a major driving force behind all international relations. If the question is Africa's "development", then the motivations and behaviour of external actors in Africa might not be the answer, more so if the more than one hundred years of relationship with Africa is a measure to use in this context.

Challenges for the dialogue process

Although some progress has been made in terms of documenting the presence of China in Africa

from socio economic, political and environmental perspectives, enormous challenges still lie ahead as more efforts are made to explain the phenomenon and its impact on Africa, but also in the multipolar world with new economic powers emerging from the Global South. Numerous accounts in recent years have attempted to capture the various dimensions of China's presence in Africa¹²; however they fall short of providing context specific accounts that are reflective of the actual happenings on the ground in Africa and in China. The current literature and debates on China-Africa relations have been one sided, and often loaded with abstraction that is devoid of empirically informed analyses. Moreover the local African and Chinese voices are conspicuously absent from the current academic, civil society and policy debate on China-Africa, both in Africa and in China but also in the West. At the same time there is also a debate on China-Africa relations within China, which reflects Chinese (and sometimes western) views, but interestingly this debate also ignores African voices. These Chinese debates go unnoticed outside of China (because of language barriers), yet it does shape domestic public opinion in China, which is not always informed by the western debates. These omissions are more likely to deny the debate on China-Africa relations a significant, credible and nuanced perspective that could shed light on what happens in the two contexts.

In the area of CSO engagement in China-Africa relations, the absence of these critical voices are made worse by the difficulties linked to the lack of understanding of the nature of Chinese civil society, their way of organizing and the context in which they function. There is a big difference between the Chinese context and the African context, which is also diverse and complex in its political structures, and available spaces for non-state actors. Not much information and knowledge outside China about the Chinese experiences and their domestic development model is available or comprehensible in the case of the little information that is available for Africans¹³. The contextual information also relates to the need for Africans to have a deeper understanding of development aid as experienced and now undertaken by China in its relationship with Africa but also the Chinese culture, history and mindsets. Such knowledge is imperative in clarifying the Chinese conditions for aid and how China sets out its own national development priorities, criteria for project application as well as managerial processes and methodologies for receiving aid and foreign direct investment. This could be useful, but only if looked through case by case analysis (and according to sectors) given the diversity and complexity of African countries. These experiences can be discussed parallel to the questions about what kind of development Africa needs and what steps can be taken towards such a development path, in terms of how Africa manages the development aid.

Moreover there is lack of sufficient and broad-based initiatives to facilitate cooperation between

Chinese¹⁴, and African CSOs. The few cases that have been reported recently are still far from a broader coverage in scope and geographically in the case of China, but also in Africa. Difficulties also lay ahead in the coordination of African NGOs, and CSOs due to diversity, fragmentation, competition, and western donor agenda. In the absence of purely African led initiatives in China-Africa relations, agenda setting and critical voices in the China debate still remain elusive for the continent. Such omissions are likely to lead to a repeat of the kind of relationship that African civil society organizations have had with their traditional development partners, thereby maintaining an unequal relation that is heavily tilted towards dependency and lack of independence. Understanding the context in which Chinese civil society works is therefore critical for re-evaluation of the role of the state in China-Africa relations and how CSOs could strategically engage without being co-opted. This should be undertaken bearing in mind that contact between governments are more advanced than other encounters.

Equally important is the need to supplement bilateral relations with multilateral dialogue between China and the AU, but also with AU member states modelled along the lines of China's bilateral exchange with individual European countries as well as with the EU. This view pre-empted a scenario whereby China could in the future engage with the AU as well as with regional groupings on specific agendas involving academics and civil society organisations equally.

One promising area that is yet to be investigated is the presence and activities of Africans in China -businesses, students, African governments and political parties that receive training from the Chinese Communist Party. These experiences could pave the way for in-depth knowledge of how the Chinese system works and what motivations inform their actions towards Africa.

Another area that poses a huge challenge in China-Africa relations, especially for African actors, is the place of Africa in the discourse in which the people have to change their attitudes and become more pragmatic in stating their position on what they want in terms of development cooperation. The experience with traditional development partners has shown that these donors rarely accept African opinions, despite the existence of such notions as "participation" in the western development policy. The agenda setting even in cases where western donors facilitate platforms for alternative voices is often influenced by their own perspectives and how things ought to be. Moreover western donors and African CSOs share quite the same (or very similar) "discourses", often western dominated; hence the western organisations are likely to hear their own echo and not the envisaged alternative views.

However changing these dynamics within the African context requires some form of a revolution that entails efforts to decolonise the existing mindset in relations between donors and African CSOs- a

feat that needs to be addressed gradually and practically. Examples here include creating space for active participation of the African Diaspora and new forces to help in the transformation, through cooperation with emerging powers and by addressing their own needs through local knowledge production as a starting point. This will empower the local population and encourage them to move away from a dependency mentality towards searching for their own solutions from within before seeking external assistance.

Conclusion

Despite these positive steps in the long and often arduous journey in trying to find a more realistic, credible, valid and reliable way of framing China-Africa relations, much work still needs to be done in both contexts. Challenges for this process include access to accurate information, packaging of contextual knowledge and ability to grasp the complexities in Africa and China. For instance while China might be erroneously portrayed as a unitary entity, often represented by one voice and a political system whose long term goals transcend the Chinese landscape, reality on the ground points to the contrary. Its diversity, multi-level and decentralised administrative system, and complex cultural, political and economic dynamics requires more focus on knowing China beyond the superficial rhetoric informed by fear and phobia towards it that is currently exhibited in the international debate on China -Africa relations.

Despite the diversity and complexity of the African continent, the engagement and participation of civil society organisations in the China-Africa dialogue process needs to be broadened for balanced continental coverage and participation. Unintended consequences of a divided civil society community at Pan-African level will play into the hands of interests that have and continue to benefit from such gaps. This not only assumes the differences that exist in Africa in terms of needs and priorities, but also recognises the added value of an increased level of continental wide awareness, collaborative action and positioning in the discourse and critical decisions with socio political, economic and environmental consequences for the communities that experience the direct impact of China's presence in Africa.

Lastly, information sharing within the continent, between countries and amongst different local NGOs could play a significant role in enhancing the watchdog role of these groups, while at the same time providing them with tools necessary for effective intervention and mitigation. Some of these initiatives could be undertaken at the regional level within a country, but also regionally at the continental level, modelled along the lines of the EAC, ECOWAS, SADC and the AU. However these initiatives cannot be implemented in a vacuum and in isolation from other major actors.



Therefore effort towards engagement with the state (government) needs to be incorporated into the strategy of CSOs at the national level. Such an approach has enormous benefits even though it is well recognised that unfavourable conditions for the functioning of CSOs in most African countries continue to exist despite the ongoing continental wide shift and transition towards a democratic

dispensation. The state in this context still remains the most relevant and significant player in China-Africa relations, and therefore impossible to ignore or sideline. Furthermore, it is the African leadership that needs a change of attitude towards ownership and self-reliance through aid if relations between China and Africa are to produce tangible developmental outcomes for Africa.

¹ A Research Fellow, on Migration and Development, Land conflicts, diasporas and displacement in Africa at the International Development Studies, Utrecht University and has been part of the China-Africa civil society dialogue process since 2007

² *China's New Role in Africa and the South, A search for a new perspective* Edited by Dorothy Guerrero, Firoze Manji

³ Heinrich Böll Foundation's regional office in Nairobi, Kenya, works on gender equity, ecology and sustainable development, and the promotion of peace and dialogue

⁴ *Chinese and African Perspectives on China in Africa*, Edited by Axel Harneit-Sievers and Sanusha Naidu 2010 (eds) Oxford: Fahamu Books

⁵ Field visit to Yiwu market, Jinhua Province, 23, October 2010

⁶ I would add here their hearts, minds and stomachs

⁷ This can be observed in the curiosity shown on the Tian'anmen Square, when Chinese from outflanked rural areas/provinces of China seek to take pictures with Africans they encounter on the square. This curiosity could be informed by many factors including racism, ignorance or limited contact and interactions with people of African origin, but one can easily recognise in their faces a simplistic and innocent curiosity which is linked to the information they probably get in their provinces where Chinese companies and workers in Africa come from and return to. This view is based on the field observations and experiences by the author in Beijing and rural areas Tashan Mountains Shandong Province in October 2010

⁸ Kent Hughes Butts and Brent Bankus (2009) *China's Pursuit of Africa's Natural Resources*, (CSL Issue Paper, Volume 1-09, June 2009)

⁹ Malia Politzer (2008) *China and Africa: Stronger Economic Ties Mean More Migration*, Migration Policy Institute, Available at <http://www.migrationinformation.org/Feature/display.cfm?id=690>

¹⁰ Interviews in Zhejiang Normal University, 22 October 2010

¹¹ Interviews in Yiwu City, 23 October 2010

¹² Amosu, Akwe (2007) "China in Africa: It's (Still) the Governance, Stupid", *Foreign Policy in Focus*, March 9; Askouri, Ali (2007) "China's investment in Sudan: displacing villages and destroying communities" in *African perspectives on China in Africa*, Manji, Firoze and Marks, Stephen, Fahamu; Bosshard, Peter (2007) *China's Role in Financing African Infrastructure*, International Rivers Network, May; He, Wenping (2006) *Moving Forward with the Time: the Evolution of China's African Policy*, Paper Presented for Workshop on China-Africa Relations: Engaging the International Discourse, Hong Kong University of Science and Technology, Center on China's Transnational Relations, 11–12 November 2006; Naidu, Sanusha and Davies, Martin (2006) "China Fuels its Future with Africa's Riches", *South African Journal of International Affairs*, Volume 13, Issue 2, Winter/Spring

¹³ Efforts could be made to kick-start discussions on the "Chinese development model" using examples of those countries that tend to relate to it more explicitly, such as Ethiopia and Rwanda

¹⁴ Caution is necessary when talking of Chinese CSOs. A broader definition of Chinese civil society includes the real forces for change which are influential and more open to global perspectives (mainly individuals in these groups) but also journalists, lawyers and independent scholars. Inclusion of these diverse groups is not based on their affiliations, but on individual preferences, research interests, publications etc. There are also the Government NGOs (GONGOs) and Grassroots NGOs. This implies that the CSO terrain is highly contested in the Chinese context therefore interpretations and meaning given to CSOs varies from group to group and this also relates to the questions of legitimacy, legality, credibility and ability to function (for a more detailed discussion, see Ong'ayo A. O. (2010) *Sino-African Relations; Reflections on Civil Society Engagement*, in Axel Harneit-Sievers and Sanusha Naidu 2010 (eds) *Seeking Common Ground Chinese and Africans discuss China in Africa*, Oxford: Fahamu Books. Moreover it will take a long time before Chinese CSOs are prepared and able to address challenges outside their domestic concerns some of which are similar to situations in Africa e.g. labour conditions, worker representation, environment impact, poverty in rural areas among others.

COMMENTARY

China's exceptionalism in Africa: from rhetorical to substantive difference¹

By Chris Alden and Dan Large

THE EMERGENCE OF China as Africa's top trading partner and leading source of foreign direct investment in 2009, surpassing the United States and key European Union states still struggling in the aftermath of the global financial crisis, has sharpened the focus on Chinese aspiration and conduct in Africa.² African leaders increasingly recognise the necessity of closer ties with the rising economic giant, calling for a concerted effort to better utilise the opportunities presented by China. At the same time, a chorus of dissatisfaction amongst some elements in African society – concerned primarily with the socio-economic and environmental impact of Chinese involvement on the continent – points to the growing complexities that accompany the deepening of such ties. While much of the analysis of the relationship has emphasized the structure of trade in aggregate, the impact of new investment in moribund sectors and particulars of Chinese firms' behaviour, little effort has been made to unpack the normative sources of Chinese high profile involvement in Africa and the attendant implications for its trajectory. Understanding how the Chinese believe that their projection of economic and political power in Africa will ensure the development of a novel positive relationship that is distinctively different from that of traditional Western partners

is crucial to assessing the capacity of China to manage the forces and stresses that will shape the sustainability of the relationship in future years.

China's Exceptionalism in Africa

The moral basis of Chinese power in Africa is a form of what can be labelled 'exceptionalism' that is given expression and codified in the language, framing and actual conduct of official state relations.³ It is informed by a discourse of difference and similitude: China as a power that is categorically different than all previous external powers engaged in Africa and that this difference is based fundamentally on its seminal experience as a developing country. As such China's exceptionalism is a modality of engagement that will ensure 'mutual benefit' and 'win-win' outcomes at continental and bilateral levels: it will structure relations such that they may remain asymmetrical in economic content but equal in terms of recognition of economic gains and political standing (mutual respect and political equality). The Chinese government's distinctive mode of conducting its Africa relations is founded in a historically-informed framework defined by equality, mutual respect and benefit, sovereignty and non-interference, as well as the competitive

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practices that have contributed to its business expansion, and has been successful to date, even to the point where external reactions have suggested that China is immune to forces of political and economic gravity in Africa.

China's exceptionalism as foreign policy is rooted in the Chinese interpretation of the famous 1955 Bandung conference's principles which effectively laid out a framework for post-colonial states' responses to the challenges of nation building in the international system; and its own assessment of its unblemished record of application of these principles in its foreign policy towards Africa. Moreover, drawing from Bandung has the advantage that its principles have been influential in shaping the construction of Africa's regional sub-system and the foreign policy of most African states as well. It consists of three constitutive features: First, sovereignty equality and non-interference were seen to be a bulwark for weakly legitimated regimes coming to power in the wake of colonialism and the competing claims to recognition both within and without the territorial boundaries of newly formed states. Secondly, mutual benefit – a developmental principle of Bandung which allows conformity to a variety of practices from socialist-era barter trade to complex project financing – breaks decidedly with the donor-recipient model of development. The modality of negotiation, reinforced by China's own experience as a developing country which involved a doctrine of experimentation, ranging for the ideological extremes of the early revolutionary period to the market gradualism of the 'opening and reform' policy, puts a premium on achieving practical outcomes recognised as such by all parties. It is an interest-based approach that is designed to ensure 'ownership' of the development process. Finally, China's own interpretation of their experience in Africa, which casts its uneven record of engagement with revolutionary parties and regimes as one of seamless constancy, suggests that China's relationship with Africa has already demonstrated conformity to the continent's key aims, namely the political project of independence and the developmental project of economic welfare and nation-building.

These three constitutive features of exceptionalism underscore China's preference for order and stability in the international system, and its overriding desire to work with fellow developing countries on a basis of political equality and mutual economic gain. As articulated in its Africa Policy of January 2006 (and echoed in subsequent declarations), it claims to be a durable interested-based framework that will hold fast to the nation building needs of African states and, as such, will not indulge in activities that undermine these central goals. This position provides the moral basis of its expressions of power in Africa by asserting that Chinese foreign policy will, unlike the West, be guided by principles that insure that the relationship will not devolve into one of exploitation.

The Burden of Delivering Difference

Out of this compelling claim of a foreign policy of difference comes a distinctive set of challenges that are rooted in China's contemporary experience in Africa. These challenges by their very nature expose the complexities of implementing China's foreign policy precepts – however high-minded in conception or grounded in practicalities – in the context of the diverse socio-economic and political terrain of the continent.

First amongst these is the tension between the key principle of non-interference and the dilemma of maintaining Chinese established economic interests. Conventional approaches adopted by other external powers have historically focused unashamedly on pursuing their overriding political and commercial concerns at any cost, including propping up some rather odious African politicians and regimes. A conscious policy of non-interference may argue strenuously – and correctly – against adopting such an approach but it provides precious little guidance as to how a state is to ensure its interests, be they in the form of national companies, private firms or individuals, are to be preserved. How are the parameters of interference to be measured and do they allow for legitimate protection of interests? The gradual de-coupling of non-intervention from China's non-interference policy that has taken place over the last decade – and given concrete political expression through Chinese support for the joint UN-AU hybrid peacekeeping force in Darfur – has demonstrated that Chinese officialdom recognises the dilemma facing it and taken steps to redefine the boundaries of non-interference. However, as cases as different as the targeting of Chinese oil workers by dissident movements in Ethiopia and the reviewing of oil leases that accompany electoral change in Nigeria have shown, securing Chinese interests over the longer term is by no means guaranteed by formal reiterations of official statements of purpose.

A second challenge is the gap between the principle of sovereign equality and actual asymmetry of power evident in China's relations in Africa. Julius Nyerere, the former President of Tanzania, in describing his country's relations with the PRC, characterised it as a 'most unequal of equal relationships'. (Quoted in Yu, George 1970) Capturing the simultaneous combination of co-existent political equality and asymmetrical power relations, this description remains appropriate today when China's principle of political equality continues to serve as a normative commitment informing the practice of its diplomacy and relations with African states yet at the same time is hard to square with broader economic and political relations whether these be with the minority of resource-rich key Chinese trade partners – Angola, Nigeria, Sudan, South Africa – or other less strategic partners, from Namibia to Cape Verde, Ghana or Kenya.

A third area involves the proliferation of sub-state actors, ranging from provincially-backed firms to private businesses, and the fact that their behaviour seems increasingly to suggest their own autonomy from Beijing. Echoing unknowingly the principle-agent dilemma in international institutional theory, Chinese diplomats will often assert when confronted by evidence of malfeasance by a Chinese company, the lack of knowledge of the firm in question and the absence of means to control such conduct. This situation is a deliberate outgrowth of decisions taken as far back as the mid 1980s when the Chinese government began authorising provinces and the three largest municipalities to conduct trade policy through local offices. (Chen and Jian 2009) By the 1990s, the richer of these like Guangdong and Zhejiang were able to use their financial reserves to launch trade initiatives and fund delegations to explore the economic opportunities to be found in Africa. In a clear expression of the gap between the official declaratory policy towards Africa and the emerging reality on the ground, Beijing has turned to these same sub-state actors to help fulfil the ambitious targets announced at FOCAC III and IV. The package of incentives put forward by the Chinese government at FOCAC and administered by the China Development Bank, which included export credits and insurance for firms investing or relocating in Africa, has served as a spur for greater expansion of these commercially-oriented agents into the continent.

In responding to heightened grievances surrounding business practices, increased security threats, or demands for protection by Chinese nationals in Africa, the central Chinese government is attempting to direct a diverse array of Chinese actors, over which its ability to exercise control is not as great as widely assumed. This use of an ever-widening range of state, sub-state and non-

state (or putative non-state) actors as implementing agents of China's foreign policy may offer a means of tackling specific problems. But it is unlikely to be able to reconcile the drive to secure economic (and other) interests with the strictures of policy principles in a consistent and coherent way such that Beijing is not continually held accountable for every misstep taking place under the rubric of 'China'.

Conclusion

The Chinese government faces the challenge of meeting high expectations in Africa as one consequence of the optimism accompanying China's prominent ascendancy throughout the continent. These are in part produced by its official rhetoric that puts Beijing in the position of needing to demonstrate that it is different to other external powers not merely in its declared principles but also in the substantive nature of its relations with Africa, not just in the comparative short term of emergent relations but more importantly over the medium-long term. Whether China can practically translate its official political rhetoric of difference into the substance of its increasingly complex relations with Africa remains a key overriding challenge.

Dr. Chris Alden is a senior lecturer in International Relations at the London School of Economics and Co-Head of the Africa International Affairs Programme at LSE IDEAS. He is also head of the China in Africa Project based at the South African Institute of International Affairs in South Africa. Daniel Large is the Research Director of the Africa-Asia Centre based at the School of African and Oriental Studies in London. Currently he is completing his PhD at SOAS on China-Sudanese relations

¹ This essay is based on a longer forthcoming article, Chris Alden and Dan Large, 'Chinese Exceptionalism in Africa and the Challenges of Delivering Difference', *Journal of Contemporary China*, 20:68 2011. Queries can be addressed to Chris Alden at J.C.Alden@lse.ac.uk or Dan Large danlarge@soasa.c.uk.

² According to the US Commerce Department, US-Africa trade fell by \$55 bn in 2009 from a high of

\$141 bn in 2008 to a total of \$86 bn while Chinese Ministry of Commerce figures put China-Africa trade was \$106bn in 2008, it had only dropped to \$90bn in 2009.

³ This term here is used only in so far as it delineates a Chinese position characterised by its own proponents as unique to the point of being exceptional both in itself, and in comparison to other external actors in Africa.



COMMENTARY

China's Workers and the Right to Food

THE CHINESE GOVERNMENT last week announced a series of measures to stabilize rapidly increasing food prices <<http://www.latimes.com/business/la-fi-china-food-20101118,0,4695433.story>>. The new measures, which include boosting supplies of staples from government stockpiles, providing additional subsidies to needy families, and cracking down on speculators, clearly indicate the government's concern over rising inflation and the effect it might have on social stability. In some regions of China, the prices of rice, cooking oil and some vegetables have doubled this year, creating a serious burden for China's lowest paid workers and impoverished rural families. Local governments across China raised the minimum wage <<http://www.clb.org.hk/en/node/100918>> by an average of 24 percent this year, but already those gains are being eroded by increases in the cost of food and accommodation.

One of the main complaints of striking workers at Sanyo <<http://www.clb.org.hk/en/node/100927>> in Shenzhen this month, for example, was that the price of food at the company canteen had quadrupled immediately after their basic wage went up inline with the minimum wage. Next month, the United Nation's Special Rapporteur on the Right to Food <<http://www.srfood.org/>>, Olivier De Schutter, will lead an official mission to China. Professor De Schutter is a strong proponent of the idea that fair wages are essential to ensuring equal and adequate access to food, and he will be particularly interested to discover whether or not disadvantaged workers in China can negotiate and obtain a decent wage. CLB has already provided the Special Rapporteur's office with research material <http://www.clb.org.hk/en/files/File/research_reports/Labour%20Conflict%20Report%20final.pdf> that examines in detail how, why and when during the process of economic reform, the Chinese government effectively excluded workers from wage negotiations and allowed employers to unilaterally determine employees' pay and working conditions.

In addition, our research on the children of migrant workers <http://www.clb.org.hk/en/files/share/File/research_reports/Children_of_Migrant_Workers.pdf> shows how these children are much more at risk of malnutrition and disease than the children of urban residents. The children of migrants were in fact the main victims of the melamine milk scandal two years ago, simply

because their parents could only afford to buy cheap domestically produced milk powder. The health of migrant workers themselves is also at risk from poor quality food and water, as was shown last year when more than 50 construction workers in Beijing were hospitalized <<http://www.clb.org.hk/en/node/100512>> after drinking contaminated on-site well water. The appalling quality of the food at the factory canteen was one the main causes of the recent strike at Brother Industries in Shenzhen. Indeed, such complaints have been a regular component of workers' grievance lists during strikes and protests over the last few years. See CLB's research report Going it Alone: The Workers Movement in China 2007-08 <http://www.clb.org.hk/en/files/share/File/research_reports/workers_movement_07-08_print_final.pdf>.

A specific focus of the Special Rapporteur's upcoming visit will be the rights of agricultural and food processing workers. In China, most agricultural workers are part of a family unit but those employed on large-scale state farms in the northern regions have become vulnerable over the last few years as land is gradually sold off by profit-hungry farm managers, as CLB Director Han Dongfang discovered in an interview with a state farm worker from Inner Mongolia <<http://www.clb.org.hk/en/node/100922>> this June. Because of its seasonal nature, workers in the food processing industry are often hired on a short-term, causal basis with little or no legal protection from exploitative employers. A group of migrant workers at a kelp processing plant in Shandong <<http://www.clb.org.hk/en/node/100347>>, for example, were forced to work 15-hour days, routinely underpaid, beaten and threatened when they sought payment. Moreover, the agricultural and food processing industries have in the past used, and most likely still are using, school children as labour under the guise of school "work-study" programs <<http://www.clb.org.hk/en/node/48999>>. Unfortunately, the reason rural migrant workers and children have to endure such degrading work is because the situation in their home village is even worse, as this unique and personal insight <<http://www.clb.org.hk/en/node/100435>> into the problems faced by young people in the Chinese countryside reveals.

This article first appeared on the China Labour Bulletin website. It can be accessed at the following link: <http://www.clb.org.hk/en/node/100937>

COMMENTARY

Brewers accused of Depriving Countries of Revenue

Nov 29 2010

THE WORLD'S SECOND-LARGEST beer company, SABMiller, is avoiding millions of pounds of tax in India and the African countries where it makes and sells beer by routing profits through a web of tax-haven subsidiaries, according to a report published by ActionAid on Monday.

The company, whose brands include Grolsch, Peroni and Miller, and African beers Castle and Stone Lager, is accused by the development charity of siphoning profits out of developing countries and parking them offshore.

The SABMiller group is listed in London and makes profits of nearly £2-billion a year. ActionAid estimates it may have reduced its African corporation tax bill by as much as a fifth last year, depriving poorer countries of up to £20m in tax, or enough to send a quarter of a million children to school. However, SABMiller said it completely

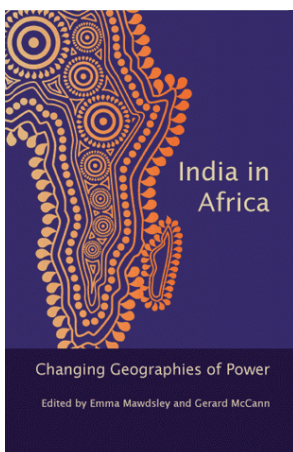
rejected ActionAid's interpretation of its business structures.

"SABMiller does not engage in aggressive tax planning in any part of its operations and the report includes a number of flawed assumptions," it said in a statement. "SABMiller companies pay a significant level of tax." It added that SABMiller was a major direct investor, employer and taxpayer in Africa and other developing countries, making a substantial economic contribution to the continent and elsewhere. The company said there were sound commercial reasons for the location of its subsidiaries and that those offshore were fully taxed in the UK as controlled foreign companies (CFCs).

SABMiller's head of media relations, Nigel Fairbrass, said corporate structures used by his company benefited its local businesses, since

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Published 2011

Paperback 978-1-906387-65-5

GB pounds 16.95

Ebook 978-1-906387-66-2

GB pounds 12.95

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centralised procurement, intra-group finance and management expertise gave them better prices and services than they could obtain individually. "We dispute that we have avoided paying any tax," he said.

But ActionAid argues the effect has been to deprive developing countries of tax for services. SABMiller's subsidiary in Ghana, Accra Brewery, for example, sells £29-million of beer a year, but in the past two years it has declared a loss, and it has paid corporation tax in only one of the four years from 2007-2010, the report, *Calling Time: Why SABMiller should stop dodging taxes in Africa*, finds.

Martin Hearson, ActionAid's tax specialist and co-author of the report, said: "Outrageously, SABMiller's subsidiaries in Ghana and India have been operating income tax-free because of the company's use of tax havens. Tax authorities in developing countries are fighting hard to stop tax dodging but the reality is they are locked in a David and Goliath-style battle with multinational companies. International standards governing the taxation of big business are stacked against them."

SABMiller said that the Accra subsidiary's losses were the result of intense competitive pressures and difficult trading conditions.

Techniques used to avoid corporation tax onshore have become normal business practice among multinationals in the last decade. They depend on the secrecy of tax havens and on employing highly paid accountants and lawyers to exploit loopholes in the law or to play one country's tax system off against another's. ActionAid acknowledges that these techniques are legal and commonplace, but is launching a campaign to condemn them as unethical. The Organisation for Economic Cooperation and Development estimates that tax havens cost Africa several times what it receives in aid in lost tax revenue.

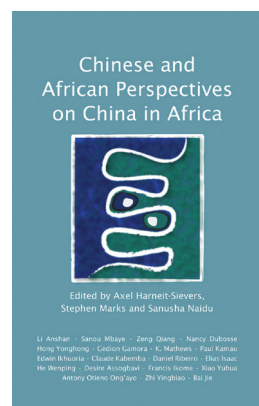
ActionAid looked at the accounts of a sample of eight SABMiller subsidiaries across five African countries -- Ghana, Mozambique, Tanzania, South Africa and Zambia -- and in India. It says it has identified four different types of tax planning used by the company that minimise its tax bills in those countries. These include:

Going Dutch

A tax-saving dodge in which ownership of brand names and trademarks is moved from the countries where the goods are produced and held instead in The Netherlands. Onshore subsidiaries are then

Chinese and African Perspectives on China in Africa

Edited by Axel Harneit-Sievers, Stephen Marks and Sanusha Naidu



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Published 30 September 2010
Paperback GB pounds 16.95

978-1-906387-33-4

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required to pay royalties to the separate brand-controlling subsidiary.

The Netherlands has generous tax rules allowing multinationals to pay almost no tax on royalties they earn by writing down the value of the trademark against them. SABMiller International BV in The Netherlands holds the rights to international sales of many African brands such as Castle, Stone and Chibuku.

Six SABMiller companies in Africa paid this one Dutch company £25-million in royalties last year, according to ActionAid's scrutiny of their accounts. If the other African subsidiaries that do not publish accounts also made payments at the same rate, the total paid to the Dutch company would be £43-million, which corresponds to an estimated tax loss of £10-million to African countries last year. SABMiller's rights to its Peroni brand are held in the British tax haven of the Isle of Man. SABMiller said there were historical reasons that had nothing to do with tax for brands being held in various subsidiary locations.

It said its Dutch company performed an important expert service and its profits were subject to full UK tax as a UK CFC. Peroni royalties were also subject to full UK tax.

Swiss role

ActionAid says SABMiller makes use of another tax avoidance strategy that has become commonplace among multinationals in recent years by locating management services in a subsidiary in the tax haven of Switzerland.

The African and Indian companies' accounts show that they pay huge "management service fees" to European sister companies, mostly in Switzerland. In Ghana, for example, according to the report, fees amounting to 4.6% of the company's net revenue every year were paid to Bevman Services AG in the canton of Zug; in India, the management fees are enough to wipe out taxable profits. The report estimates that management fees paid by SABMiller companies in Africa and India amount to £47-million each year, depriving these governments of £9.5-million of tax revenue.

SABMiller has said that management fees to its Swiss Bevman subsidiary reflected the fair value of the services provided to local companies and helped them by cutting their administrative costs. It denied that the structure had been set up for tax purposes.

The Mauritius connection

Until 2008, SABMiller's African purchasing was centralised through a regional hub company in South Africa. But in 2008 the group created a new company in Mauritius, where the maximum effective tax rate for global business companies is

3%. Goods are now procured by Ghana's Accra brewery on paper not from elsewhere in the continent, but from 7 000km away in this Indian ocean subsidiary. Tax haven secrecy makes it impossible to see how much profit the Mauritius subsidiary makes on these transactions, and the arrangements have only been put in place recently, but according to ActionAid, the new arrangements coincided with a dramatic fall in Accra Brewery's gross profit.

Thin capitalisation in another transaction identified by ActionAid as a tax dodge, Accra Brewery borrowed £8.5-million from the same Mauritius company in 2009-10. The loan was more than seven times Accra Brewery's total capitalisation. ActionAid's tax expert estimates that the interest costs on this loan charged to Ghana will wipe out £76 000 of Accra Brewery's tax liability each year. SABMiller responded that the loan had been made so that Accra Brewery could pay its creditors and the margins on it represented a fair rate based on the risk.

SABMiller has numerous subsidiaries offshore, including 11 in Mauritius, eight in the British Virgin Islands, six in Switzerland and six in British crown dependencies, but it said that it did not regard these as tax-haven companies. The company says it complies with all tax laws and is transparent with revenue authorities around the world.

"In 2009/10 we invested more than \$500m in Africa and further expanded our operations with new breweries or acquisitions. SABMiller companies pay a significant level of tax. In the year ended 31 March 2010, the group reported \$2,929-million in pre-tax profit and group revenue of \$26,350-million. During the same period our total tax contribution remitted to governments -- including corporate tax, excise tax, VAT and employee taxes -- was just under \$7-billion, seven times that paid to shareholders," the company said. "This amount is split between developed countries (23%) and developing countries (77%)."

Small time tax

Marta Luttgrodt sells beer from her small stall in the shadow of Accra Brewery, SABMiller's Ghanaian subsidiary in the capital city. Accra was the site of West Africa's first brewery when it opened in 1933, and SABMiller has a long history, going back to 1895, of making African beers to sell to Africans in Africa. Luttgrodt sells beer from the factory for 90p a bottle and manages to make £220 profit a month. She pays fixed fees of £11 per month to the Accra authorities and a further £9 per quarter to the Ghana Revenue Authority. Meanwhile, Accra Brewery has paid no corporate income tax in Ghana in the past two years.

"Wow, I don't believe it," she said when told this. "We small businesses are suffering from the authorities -- if we don't pay, they come back with



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a padlock." The Ghanaian authorities have been making more effort to bring businesses into the tax system and closing down traders who do not pay their bills.

SABMiller said its companies "pay a significant level of tax", adding that in the year ended March 31 2010, the group reported \$2,93-billion in pre-tax profit. "During the same period our total tax contribution remitted to governments -- including corporate tax, excise tax, VAT and employee taxes -- was just under \$7-billion, seven times that paid to shareholders," the company said. "This amount

is split between developed countries (23%) and developing countries (77%)."

This article appeared on the Mail & Guardian website. The article can be accessed at the following link: <http://www.mg.co.za/article/2010-11-29-sabmiller-accused-of-tax-evasion-in-india-and-africa>

The ActionAid report mentioned in the article above can be downloaded at the following link: http://www.actionaid.org.uk/doc_lib/calling_time_on_tax_avoidance.pdf

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