

Ideational Divergences between European Union and China: Cases of International Interventions

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List of Abbreviations

AMIS	African Union Monitoring Mission
APSA	African Peace and Security Architecture
ASEAN	Association of South-East Asian Nations
AU	African Union
BRICS	Brazil, Russia, India, China, South Africa
CCP	Chinese Communist Party
CFC	Ceasefire Commission
CFSP	Common Foreign and Security Policy (EU)
CNPC	China National Petroleum Corporation
CSCE	Conference on Security and Cooperation in Europe
CSCEC	China State Construction Engineering Corporation
CSDP	Common Security and Defence Policy (EU)
EC	European Community (subsequently EU)
ECHR	European Convention on Human Rights
ECOWAS	Economic Community of West African States
EDA	European Defence Agency
EDC	European Defence Community
EEAS	European External Action Service
ENP	European Neighbourhood Policy
EMP	Euro-Mediterranean Partnership
EP	European Parliament
EPC	European Political Cooperation
EPZ	Export-Processing Zone
ESDP	European Security and Defence Policy
ESS	European Security Strategy
EU	European Union
EUFOR	European Union Force
FALSG	Foreign Affairs Leading Small Group of the Communist Party of China
FAO	Foreign Affairs Office of CCP Central Committee
FOCAC	Forum on China-Africa Cooperation
FPA	Foreign Policy Analysis
G8	Group of Seven most wealthy countries (United States, United Kingdom, France, Germany, Italy, Japan and Canada) plus Russia
GNI	Gross National Income
HI	Historical Institutionalism
HR	High Representative of the Union for Foreign Affairs and Security Policy
ICC	International Criminal Court
ICG	International Court of Justice
ICID	International Commission of Inquiry on Darfur
ICISS	International Commission on Intervention and State Sovereignty
IMF	International Monetary Fund
JEM	Justice and Equality Movement

LAS	League of Arab States
LSGs	Leading Small Groups (China)
LVMH	Louis Vuitton Moët Hennessy
MENA	Middle East and North Africa
MFA	Ministry of Foreign Affairs (China)
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
NSLSG	National Security Leading Small Group of China
NTC	National Transitional Council
OAS	Organization of American States
OAU	Organization of African Unity
OCHA	Office for the Coordination of Humanitarian Affairs (UN)
OSCE	Organization for Security and Cooperation in Europe
PBSC	Politburo Standing Committee (China)
PLA	People's Liberation Army
PRC	People's Republic of China
PSC	Political and Security Committee (EU)
QMV	Qualified Majority Vote
R2P	Responsibility to Protect
RI	Rational Choice Institutionalism
SCO	Shanghai Cooperation Organization
SLM	Sudan Liberation Movement
SPLM/A	Sudan People's Liberation Movement/Army
TEC	Treaty of European Community
TEU	Treaty of European Union
UN	United Nations
UNAMID	United Nations Missions in Darfur
UNPKO	United Nations Peacekeeping Operation
UNSC	United Nations Security Council
USSR	Union of Soviet Socialist Republics
VIPs	Values, Images and Principles
WMD	Weapon of Mass Destruction
WTO	World Trade Organization

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Chapter 1 Introduction and Research Proposal

International intervention has emerged as an important aspect of global politics. The dissertation focuses on the interventions in the humanitarian crisis of third countries, in which great powers often hold different and even contrasting positions. The EU is more inclined to intervene when a crisis occurs, while China often refrains from coercive interventions and occasionally opposes the proposal of intervention in the UN. For instance, regarding the crisis of Syria, China, together with Russia, has vetoed three times against European and American-backed UN Security Council resolutions that threatened sanctions against the Assad regime if it did not immediately halt its military crackdown against rebels. At the same time we can observe the obvious correlation with their alleged principles: Countries adhered to the principle of sovereignty are usually reluctant to intervene in a domestic crisis, whereas countries often attempts to intervene are more emphasizing the ideas of human rights. The principal purpose of this dissertation is to identify the roles of these principles in the policy-making for multilateral intervention. Here I will only examine the two important international actors, the EU and China.

The principle of sovereignty is a defining pillar of the UN system and international law. We can trace the principle back to the Treaty of Westphalia in 1648. The principle of sovereignty emphasizes a state's freedom and independence from external interference regardless of their size, material power and domestic political system, thereby could restrain most powerful states from imposing their own interests or values on less powerful states in the name of altruistic concerns.¹ Hence,

¹ See Article 2(4) of UN Charter: *"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."*

sovereignty and the concomitant principle of non-interference in states' domestic affairs, is especially championed by developing countries which had been vulnerable to intervention. In the Post-Cold War era, however, the conventional interpretation of sovereignty has been challenged by the increasing interventionist practices in fragile states. For instance, the intervention powers could reinterpret the sovereignty of target states by deciding who can represent the people, as the American invasion in Iraq showed (Delcourt 2006). Nevertheless, China remains the stubborn defender of state sovereignty for two reasons. First, it has an unpleasant 'humiliating century' of being intervened by foreign powers in the past. Second, nowadays Beijing still perceives the potential threat of regime change since some powerful liberal-democracies advocate democracy as the sole legal form of governance.

The idea of human rights has played a salient, but still contested role in world politics since the end of World War II. As an important international norm, human rights practice has developed in multilateral framework such as the UNHRC and the ICC. On the other, human rights challenge the traditional sovereignty as the core principle of multilateralism by issuing the potential license to humanitarian interventions, which aim to protect human rights where states may fail to protect their own people. Perceived as a normative power, the EU actively supports both multilateralism and human rights, on which the political integration of Europe has been based. However, the EU faces a dilemma that certain human rights standard it claims to promote in other countries have limited legal support in a multilateral system which is on the basis of sovereign states, unless human rights become a universalistic principle applied to all countries in practice. The shift of focus from state sovereignty to human rights in international law would be extremely difficult, considering the resistance from non-Western states that are wary of the foreign intervention.

Nevertheless, the EU's discourses of 'Human Security' and 'R2P', as well as the practices of external interventions have posed alterations to the traditional principles of international law.

The dissertation starts with these principles and concepts. The first section of the introductory chapter will conceptualize the multilateralism, the intervention and in particular the multilateral intervention. This conceptual framework aims to operationalize these interrelated concepts in the research. The subsequent section proceeds to outline historical practices and current debates on multilateral intervention in the international forum. In the final section, we will briefly review the EU-China ideational divergences concerning intervention and introduce my research proposal on the issue.

(I) Defining Multilateral Intervention

1.1 Multilateralism

Plenty of attempts have been made to define the nature of multilateralism. Among them John Ruggie may be the most prominent interpreter of the elusive conception. Beyond Robert Keohane's literal definition of multilateralism as 'the practice of coordinating national policies in groups of three or more states, through ad hoc arrangements or by means of institutions' (Keohane 1990: 731), Ruggie emphasizes that multilateralism is built on 'generalized' principles of conduct, which specify 'appropriate conduct for a class of actions, without regard to particularistic interests of the parties or the strategic exigencies' (Ruggie 1992:571). Therefore, multilateralism could involve justice, obligation, and international law, which makes it matters more than the number of parties or degree of institutionalization. Combining Keohane's 'nominal' definition as a contrast to strictly unilateral or bilateral initiatives

and Ruggie's emphasis on normative principles, I agree with a modern definition of multilateralism as: "Three or more actors engaging in voluntary and (essentially) institutionalized international cooperation governed by norms and principles, with rules that apply (by and large) equally to all states." (Bouchard & Peterson 2011: 10)

Multilateralism could find its application in the international disarmament and security, international trade, the monetary system, and the environment issues. In these fields challenges are too vast and complex for any single state, no matter how powerful, to effectively manage on its own, thus international cooperation seems desirable in the pursuit of clear common interests. However, the practical role of multilateralism varies between issue-areas: it has played more crucial role in so-called 'low politics' areas such as trade cooperation, while in 'high politics' concerning national security multilateralism have often proved less effective and regulative. Correspondingly, we can find different forms of multilateral institutions at the global level. On the one side of the spectrum, WTO and IMF represent a more rule-based institution where certain principles receive comparable wide recognition and effective enforcement; on the other side, UN General Assembly is typical cases of 'soft' multilateralism where contrasting principles display and empty talks often happen. Another type of multilateralism is the case of the International Criminal Court (ICC) which represents a series of strong principles such as judicial intervention. However, its enforcement is limited since several great powers are still out of the legal framework of the ICC.

Today, although most of countries agree with, at least not oppose multilateralism in principle, their attachments to multilateralism in practice vary significantly. At least two factors account for this result—the material powers disparities and the

ideational divergences. Taking account of power distribution, multilateralism is usually regarded by realists as the tactic of the weak, at least the militarily weak. The best illustration may be the European Union, which supports the UN and the international law because of its limited capacity for coercive unilateral action. For the EU, supporting multilateralism has strategic payoffs with little cost, whereas the more powerful U.S has much less motives in pursuing multilateralism which may constrain its freedom of actions (Kagan, 2002).² Considering ideational factors, the successful experience of integration and multilateral governance represents a conscious rejection of the European realpolitik in the past, while this is not the case for U.S, as well as the emerging powers. Nevertheless, the EU seeks to build partnership with BRICS countries in the pursuit of 'effective multilateralism' (Grevi and de Vasconcelos 2008), while they may differ considerably with one another on the principles underpinning the multilateralism. The 'contested multilateralism' with competing coalitions and shifting institutional arrangements is identified in a wide variety of multilateral institutions (Morse & Keohane 2014).

1.2 Intervention: Unilateral and Multilateral

With regard to international interventions, multilateralism is often perceived as failed and unilateral actions prevail. In the dissertation, I define international intervention as an external action exercised by one state, group of states, or international organizations, which aims at the domestic affair of another state. Besides, according to the judgment of the International Court of Justice (ICJ) in 1986 (Nicaragua vs. U.S), these domestic affairs must be "*matters in which each state is permitted, by the principle of State sovereignty, to decide freely*" (Jamnejad and Wood, 2009:347). It is

² As suggested by Robert Kagan, Europeans and Americans hold very different strategic cultures at present: U.S. is more willing to resort force and more inclined to unilateral actions than the EU and its member states. Surely, the Obama administration shows more respects and demands to multilateralism than his predecessor.

not feasible here to discuss all the issues surrounding the international intervention. Therefore, this dissertation will confine the intervened 'domestic affairs' to internal security crises, namely the intrastate conflicts.

It should be noted that, when discussing the 'non-interference' in domestic affairs, we need to be clear on whether we are talking about relative or absolute non-interference. The absolute non-interference refers to the complete non-involvement in the domestic affairs of another country, which has become increasingly unrealistic between countries of interdependence. Since one country by unilateral action in its internal policy-areas could cause harm on or provide benefits to other countries, governments concerned would find it difficult to stay aloof from these domestic affairs particular a crisis. In this light, certain bilateral agreements and regional organisations were designated to legitimate the unavoidable mutual involvement in the domestic affairs. In contrast, relative non-interference emphasizes the non-coercion and the respect for sovereign government. This dissertation uses the terms of 'non-interference' (as a principle and practice) in their relative meaning. Otherwise, an absolute non-intervener is hardly the research target if it literally did nothing in a crisis.

An international intervention can be made by various measures (Table 1). The entire gamut of intervention tools includes (1) diplomatic interferences, namely declaratory policies including the rising international judicial involvement, are non-coercive (2) economic interventions, either providing assistances to conflict parties or imposing sanctions or embargoes against them, which are coercive, but non-forcible and (3) military intervention actions such as air raid, occupation and forcible peacekeeping, which are most coercive and aggressive. As empirical studies illustrate, crisis

interventions conducted by regional or international organizations usually involved elements of all three means. (Wolff & Dursun-Özkanca 2012: 301)

Table 1 The toolbox of the international intervention in domestic crisis

Diplomatic	<ul style="list-style-type: none"> • Prevention, Investigation, Mediation, Condemnation, Judicial Intervention, Recognition, etc.
Economic	<ul style="list-style-type: none"> • Sanctions on a target's economy or trade, Arms Embargo • Humanitarian and Economic Assistance
Military	<ul style="list-style-type: none"> • Traditional Peacekeeping • Air Strike/Occupation/Naval Patrol, etc.

In addition, there exists the fourth category of intervention: (4) political, which is non-coercive but different from formal diplomatic measures. Its indirect interventionary activities include patronage, propaganda, advertising and so on, which aim to gain political support for a political reform or regime change in another state. For example, the National Endowment for Democracy (NED) in U.S, whose funding mostly comes from the American governmental appropriation by the Congress, only supports democratization programs in foreign countries, thus belonging to the fourth kind of international intervention. In fact, the fourth kind of intervention was identified by the UN *Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States* in 1981. The law-making UN declaration confirmed “the duty of a State to refrain from the promotion, encouragement or support, direct or indirect, of rebellious or secessionist activities within other States, under any pretext whatsoever, or any action which seeks to

disrupt the unity or to undermine or subvert the political order of other States”.³

There is a significant difference between the narrow definition of intervention in international law and the broad use of this concept in state practices. In the light of international law the essence of the intervention is coercion (Jamnejad and Wood, 2009), thus only the military action can constitute an undisputed intervention while whether diplomatic, economic or political action counts as non-forcible interventions was highly contingent on the degree of coerciveness and varied from case to case. However, considering the wide range of actions and cases that the EU and China concerned and involved, I adopt a broader definition of intervention to start with. First, it does not reduce the measure of intervention to the use of armed force. This point is not only for the EU, which lacks military capabilities and relies on civilian means, but also considering China’s political rhetoric that non-coercive means such as meeting Dalai Lama also could present interferences in China’s domestic affairs. Secondly, it does not necessitate an explicit ‘non-consent’ of target state as some legal definition emphasizes, because in practice it is difficult to measure the degree of consent which could be ambiguous or forced. Third, the definition does not rely on the humanitarian purpose of preventing widespread human rights violations, which is sometimes suspected to conceal other motives for interests.

Meanwhile, a distinction needs to be drawn between unilateral and multilateral interventions. On the one side, an action through the UN Security Council, often for peacekeeping initiatives, is definitely a multilateral intervention which survives from

³ *“The duty of a State to refrain from the promotion, encouragement or support, direct or indirect, of rebellious or secessionist activities within other States, under any pretext whatsoever, or any action which seeks to disrupt the unity or to undermine or subvert the political order of other States” A/RES/36/103, 9 December 1981*

the check of veto-wielding powers. On the other, the Bush doctrine and United States realpolitik are the quintessence of pursuing unilateral foreign intervention, which even triggered a transatlantic quarrel during the Iraqi war in 2003. On this view, this criterion distinguishes unilateral and multilateral intervention seems whether the intervention secures the UN authorization. However, according to the definition of multilateralism, a multilateral cooperation among three or more states could also take place in regional organization or other groups of states, not only within the UN framework. For instance, NATO's intervention in Kosovo in 1999 comes to mind. NATO's air bombing of the former Federal Republic of Yugoslavia is a multinational military action among 13 NATO member states, but without advance authorization from the UN Security Council.

Here I argue that NATO's intervention in Kosovo is not a multilateral intervention by adding the threshold of jurisdiction: the target state should be the member of the organization which undertakes the intervention. Only if so, the norms and principles governing this multilateral intervention could be naturally applied to the intervened state, which is assumed to comply with these principles and mechanism which may result the forward-looking intervention since it became a member voluntarily. This is because multilateral intervention is different from ordinary multilateral cooperation among 'three or more states' in other fields since its policy target is also a sovereign state, which must be taken into account. Concerning this precondition, UN intervention in Gulf War during 1990-91 was multilateral since both Kuwait and Iraq are UN member states; ECOWAS intervention in Liberia was multilateral since Liberia was its member state;⁴ while NATO's intervention in Kosovo cannot meet the criterion because neither the former Yugoslavia nor Kosovo was a member of NATO.

⁴ UN also authorized ECOWAS intervention in 1992, S/RES/788 (1992), 19 November 1992

Instead, we may grant NATO's intervention another title: collective intervention, which refers to activities that require the coordination of efforts by two or more individual states. Furthermore, we can find another realist reason to refute the intervention in Kosovo as multilateral if we believe that the validity of multilateralism is predicated on the multiple centres of power ('multi-polarity'), in which we count NATO or the West as one polarity, and thus unilateralism only. In short, NATO was regarded as one actor rather than 'three or more' in cases like Kosovo.

(II) Multilateral Intervention on Domestic Crisis: Practices and Debates

A rigid definition usually raises more questions than it answers. Here I do not claim to provide the definite solution to the long-standing debate in the literature on intervention. Nevertheless, now we get an operational definition of multilateral intervention, as a fragile alliance of two different conceptions: multilateralism and intervention, as follows:

'Three or more actors engaging in a policy aims at the domestic affairs of another state through institutionalized international cooperation governed by norms and principles. In addition, the target state should be a member of this international institution or organization'.

According to this definition, the most frequent multilateral interventions are through the United Nations, which includes almost all the countries of the world, whereas interventions undertaken by regional organization could be the exception if they can meet the additional precondition of jurisdiction. However, different international organization held different principles in respect of intervention, or even the same organization could have different principles.

The practice of multilateral intervention is not as recent as is often thought. The early case of multilateral intervention can be traced back to the Concert of Europe in the 19th century. Its founding powers were Austria, Prussia, Russia and the Britain, later France joined as a fifth member of the concert. Largely as a reaction to the radicalism of the French Revolution, they share an important principle: suppressing liberalism and nationalism, and revert to the *Status quo* of Europe prior to 1789. Among the five the Prussia, Austria and Russia formed the Holy Alliance with the expressed intent of preserving Christian values and traditional monarchism. Based on their shared principles and obligations, the Concert of Europe intervened or attempted to intervene in domestic revolutions of third countries. For example, in 1822, the Congress of Verona met to decide the issue if France could intervene on the side of the Spanish royalists in the *Trienio Liberal*. After receiving permission, Louis XV III dispatched five army corps to restore Ferdinand VII of Spain.⁵ After its 40 year's success in preserving peace, the shared principle of the Concert of Europe was eroded by the surge of nationalism and liberalism after the European Revolutions of 1848, followed by a series of war and the First World War eventually.

In the mid-20th century, the United Nations lent the strength of multilateralism from the Concert of Europe and the League of Nations, by establishing an institution that managing issues of security and intervention in a multilateral fashion, and requiring the coordination of great powers: in 1945 were the United States, Soviet Union, United Kingdom, France and China who possess privileged permanent membership with veto power until now. As suggested in the UN chapter, shared principles such as

⁵ Strictly, Spain is not a member of Concert of Europe. But this intervention at least reached a fair consensus of multi-polarities in Europe except Britain, which prevented the allies from interfering with the revolts occurring in Spanish America and created enough discord among the allies to cause a breakdown in the congress system.

preventing aggressive war, promoting human rights and social/economic progress, which are far away from that of the Concert of Europe, should be the cornerstones of multilateralism in the UN. However, the problems arise as these various principles increasingly intertwined particularly in the aftermath of the bipolar world. The question of how to intervene is regularly debated in the UN and the consensus is more difficult to reach: When different principles and rules are in conflict in a case, which one is more suitable? A typical example is the high-profile debate about humanitarian interventions: Should we lift the general prohibition on the use of force (E.g. The Article 2(4) of the UN Charter) to intervene in a sovereign UN member states for the exception of protecting their people from wholesale human rights violations such as genocide (E.g. The 1948 Genocide Convention)?

Before the 1990s the principle of non-intervention was prevalent and the concept of humanitarian intervention was not accepted in the international society from the West to the East (Wheeler 2000). There are two main reasons: (1) during the Cold War any intervention or proposal for intervention from either the Soviet bloc or the Western camp was easily suspected and objected by the other side; (2) in the era of decolonization a large number of post-colonial countries who cherished the self-determination were strongly opposing any international intervention (Roberts 2004:78-80). Moreover, after the defeat of Saddam Hussein in 1991, there is no more war of aggregation, which can trigger the conventional multilateral intervention of the UN according to the Article 39 of the UN Charter.⁶

⁶ *“The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.”*

From the 1990s onward, however, the scope of Article 39 has been extended. A less clear turning point also occurred in 1991 and in Iraq, when the UN Security Council Resolution 688 first time concerned the refugee crisis caused by repression of the Iraqi Kurdish as a “threat to International Peace and Security”,⁷ which was used by France, the UK and the US to intervene in Iraq with no-fly zones. Until 2004, the UN Security Council explicitly referred 8 cases involving domestic humanitarian crisis in 1990s to the Chapter VII: Bosnia and Herzegovina, Somalia, Rwanda, Haiti, Albania, Sierra Leone, Kosovo and East Timor (Roberts 2004: 82). The strengthened cooperation of great powers in the UN throughout the 1990s was partly attributable to the less antagonistic structure of the international system.

Since then, the intervention aiming at humanitarian crisis becomes frequent but also controversial. It is frequently because intrastate conflicts between regimes, ethnical and social groups have mushroomed in the third world (notably Africa) since the end of the Cold War. Sometimes they are labelled as ‘wars of the third kind’ (Holsti 1996), which often resulted horrendous human rights violations such as pillage, rape, deportation and even massacres in Rwanda, Srebrenica and Darfur. It gives rise to the attempt to correct the situation from the international community, in particular countries which are more sensitive to the intensification of refugee flows and media effects. Meanwhile, it is controversial because various standards or legal definitions of humanitarian intervention, including divergences on (1) whether humanitarian intervention is limited to cases where there has been explicit UN Security Council authorization for action; and (2) whether humanitarian interventions is limited to instances where the principle of sovereignty is respected, say, there is a consent of the host state.

⁷ S/RES/688 (1991), 5 April 1991

As regards the first debate about who should intervene, the rule-based multilateralism usually achieves legitimacy. For the convenience of the analysis, I have made a pragmatic definition of multilateral intervention which emphasizes the fundamental role of the UN in multilateral intervention while leave the room for regional organizations in occasional situations. Two reasons further support the exception for regional organization: (1) to limit the monopoly of the UN in multilateral intervention. Such an absolute monopoly may encourage the overuse of veto in the Security Council, thus any objection from the permanent five, possibly only for the purpose of supporting their allies, could thwart the proposal for a legitimate intervention; (2) to recognize the active role of regional or sub regional organizations. Due to their geographical proximity, states in the same region are usually more affected by the domestic situation of their neighbours, thus may have stronger political willingness and need less preparation time for a rapid deployment if there is a need.⁸

Nowadays multilateral intervention is regarded as legitimate by 'signalling broad support for the actor's goals' (Finnemore 2004:82), whereas unilateralism is often associated with illegitimacy in the global policy areas. Nevertheless, here we do not exclude the ethical validity of an intervention that cannot meet the criteria of multilateralism. For example, NATO's unilateral intervention was regarded as "illegal, but legitimate" by the Independent International Commission on Kosovo (2000: 4), because the intervention served as the last resort after the exhaustion of all diplomatic means and had the positive effect of liberating the majority population of Kosovo from a long period of oppression. However, there is no *opinion Juris* in favour

¹⁸ This point is also recognized by ICISS report on responsibility to protect. (ICISS 2001: 53)

of this kind of unilateral humanitarian Intervention because the practice has been so haphazard, parochial, and controversial that it cannot create a customary norm (Tyagi 1995:893). Generally, unilateralism should be avoided as much as possible in international intervention since it pays inadequate respect to both the will of target state and the consensus of international society thus may damage the stability of the international order.

What the dissertation explicitly concerned is the second debate of what principles and rules could underpin the multilateral intervention. This debate directly affects the effectiveness of a multilateral intervention and the credibility of UN institutional framework, and thus could cause significant consequence in international relations in a long term. For example, considering the humanitarian crisis and proposed multilateral interventions in Darfur, arguably, China emphasized the need to respect Sudan's sovereignty that signifies the requirement of Sudan's consent to any international intervention, while the EU demonstrated its commitment to human rights and the emerging norm of the responsibility to protect in Darfur. In the subsequent section, the article will demonstrate the EU-China ideational divergences and further inquire whether their ideas matter.

(III) A Puzzle between Europe and China: 'Conceptual Gaps' on intervention

In March 2008, the Tibetan unrest highlighted the political divergence between Europe⁹ and China, which marked the nadir of EU-China relations since the Tiananmen incident in 1989. European reaction to the unrest was to concern the Tibetan human rights condition by blaming Beijing's policy, announcing critical

⁹ Here 'Europe', or the magic word 'EUrope' (Wood 2011), is an umbrella term for European Union as well as its (powerful) Member States which could act collectively or individually. The dissertation will further elaborate the actorhood of Europe in Chapter 3.

parliamentary resolutions and even threatening to boycott the Beijing Olympics. In response to Europe, China made a diplomatic protest against the 'interference on China's internal affairs', cancelled the EU-China summit in Lyon, together with a popular campaign of boycotting Carrefour, because the former French president Nicolas Sarkozy planned to meet the Dalai Lama (He did it in November 2008), and a story said the LVMH Group, the largest shareholder of Carrefour, has donated much money to the Dalai Lama. It is conceivable that EU-China relations once suffered from the quarrel over Tibet in 2008, and even now Europeans and Chinese probably are not better comprehending each other's standpoints on it.

Tibet is not the only case. On the one side, normative concerns which range from democracy to human rights, from sustainable peace to rule of law, have long played a driving role in the EU's engagement policy toward China. On the other, Beijing's foreign and domestic policy has developed in a way which has paid little attention to these European advocated ideas and norms, and China even constantly runs counter to them in several cases, from Tibet to Darfur, from nuclear proliferation to climate change (Fox and Godement 2009). Despite European unremitting efforts in promoting their cherished values and norms in bilateral relations and multilateral institutions, why China still does not fully share these 'good ideas' with Europe, but often disputes happened? Does the fact indicate that these shifts of norms are confined to the West, rather than a global diffusion? This could be a big puzzle in EU-China relations as well as world politics.

Is it just due to the geopolitical and economic competitions? We are familiar with this kind of realist account in media reports. For example, China has substantial economic interests in Sudan and vital security concerns in Tibet. Therefore, Beijing tends to

object any potential intervention in these areas in order to keep the *status quo*, whereas the EU seeks to increase its economic and geopolitical influence in these areas thus approved of interventions. From this view, both China and the EU are just doing the material cost-benefit calculation. However, we can find some anomalies in which economic or geopolitical motivations are less convincing. For instance, the EU still keeps the arms embargo against China and insists a critical human rights dialogue with China, which actually costs in economic terms and not without sacrifices in bilateral relations. Nevertheless, the EU sometimes adopted these 'interventionist' policies on China, although it is difficult to maintain them continuously owing to the attendant high material costs. For China, its traditional non-intervention policy is sometimes inadequate to protect the huge Chinese investments in several trouble spots. But why does Beijing still keep the policy?

The study associated the EU-China puzzle with ideational factors has gained significance over the last few years. In January 2011, a Europe-China symposium on 'Conceptual Gaps in China-EU Relations' was held at Fudan University, Shanghai. Scholars' discussions revolved around six core conceptions: sovereignty, human rights, normative power/soft power, multilateralism/multipolarity, global governance and strategic partnership, in which they think European and Chinese have 'conceptual gaps' rather than 'shared Ideas'. Experts from Europe and China generally believed that these 'conceptual gaps' have a conspicuous negative impact on EU-China relations, especially in cases of Tibet, Taiwan, arms embargo, Africa and Iran nuclear issue (Pan and Zhu 2011:92).

Conceptions of sovereignty and human rights were considered as the widest conceptual gaps between Europe and China. From a Chinese perspective,

sovereignty was a concept invented by Europeans and imposed on Chinese in the 19th century, today it is the one that the Europeans try to bury and the Chinese make every effort to defend. For example, China perceives a Tibet issue as a concern of sovereignty which may endanger China's territorial integrity, while Europe tends to perceive a Tibet issue as an issue of human rights. As a result, China blamed the EU and its member states' interference in China's internal affairs, while Europe criticized China for using sovereignty as an excuse to violate Tibetan human rights (Pan & Gao 2011: 68). Several other cases, including issues of Taiwan and Africa, which display the similar divergence on the concept of sovereignty between Europe and China.

The issue of human rights is one of the most controversial topics in the EU-China relationship. Freeman and Geeraerts find that the notable difference in perception of human rights between China and the EU is not confined to their official positions, which may be accused of propaganda for deception, but is also reflected in how the ordinary Europeans and Chinese regard their human rights (Freeman and Geeraerts 2011). In Europe, a widespread view which argues that as economic development takes place in China there will be increasing demands for human rights and democracy. But the data from the *World Values Survey* indicates a strong possibility that this expectation is misplaced. Instead, there may be a growing gap between the views on human rights held by the Europeans and Chinese.

Men Jing, a Chinese professor in the College of Europe, asserts that the concerns of state sovereignty and of human rights are often in conflict. The EU's approach to promote democracy and human rights is regarded as 'new interventionism', which actually challenges the principle of sovereignty. Then she elaborates China's preference on sovereignty and collective rights. The concept of sovereignty was only

introduced to China after Western powers established their concession areas in Chinese territory. As a result of this humiliated historical experience, Chinese always prioritizes sovereign rights over human rights. She concludes that the different understandings of sovereignty and human rights help to explain the difficulties in EU–China political relations, and the EU should not intervene in China’s human rights issues which are perceived by Beijing as China’s domestic affairs.

The common theme in the articles is that these conceptual gaps, in particular on human rights and sovereignty, may have a notable impact on EU-China relations and their approaches to international interventions. It seems commonsensical that ideational factors could be the reason of the EU and China’s foreign policy if not the cause of them. It is also true that these conceptual gaps between China and Europe have deep-rooted origins: We have to recognize that conceptions of human rights and sovereignty do vary with cultures, and that this something has to be taken into account in the making of policy, for example, to ‘manage the gaps’ on sovereignty by ‘mutual avoidance, mutual assurance and mutual accommodation’ (Pan 2010).

Before we congratulate for finding a plausible factor to disentangle the puzzle, however, the very nature of the subject requires our attention on two aspects. First, it is obvious that more than one factor could be responsible for the occurrence of the EU and China’s foreign policies, so it is difficult to assert that ideas or other single factor can determine their (non-)intervention policies alone. Instead, the dissertation suggests that ideas, as well as material interests have causal weights in a general explanation, but only taking ideas into account, we can resolve empirical anomalies in some specific cases where economic and geopolitical motivations are inadequate. Second, the larger issue in IR is not whether ideas matter, but how they

matter—under what conditions, to what extent, in what respects, through what process? Just describe some particular ideas existing in a specific society, is not enough to establish the causation in the making of foreign policy. Correlation is not equal to causation. Even the EU and China often interpret their policies with their principles and norms, it does not necessitate that they really act in accordance with these ideas. Previous researches were inclined to focus on the content of their ideational divergences rather than the actual effects of these ideas. Instead, this dissertation examines whether these ideational claims fit with the empirical records in cases of international intervention. For this purpose, the dissertation selects the Darfur Crisis (2003-2009) and Libyan Civil War (2011) as the two key case studies, mainly for explanatory analysis of ideational factors, rather than a comparative study between the EU and China's foreign policies.

(IV) Research Questions and Hypotheses

The key research question of the dissertation is: Why did China and the EU make such intervention or non-intervention policies in Darfur and Libyan crises, and to what extent their policy-makings were influenced by ideational factors such as principles, values, cultures and public opinions, vis-à-vis the material factors like economic interests and security concerns. The following sub questions will form the framework and basic contents of the dissertation:

1. In theory, why the ideas could matter in international relations and the foreign policy making process? (Chapter 2)
2. Why have human rights and democracy ideas been embedded in Europe? How ideational factors could shape the foreign policy makings of the EU and key

member states? (Chapter 3)

3. Why the principle of non-interference emerged and evolved in China? How ideational factors could influence the Chinese foreign policy makings? (Chapter 4)
4. To what extent the above ideas and principles affect the EU and China's policy-makings on the interventions in Darfur and Libya crisis, comparing to economic and geopolitical factors? (Chapter 5 & 6)

The dissertation has two explanatory hypotheses: First, China and the EU acquire and maintain their contrasting principles and norms through pre-existing but persistent political and social interactions at the domestic and international level. Secondly, I surmise that once certain ideas and principles were embedded in institutions, they often exert a major lasting impact on the formulation of foreign policies and general stances on interventions. To demonstrate this argument, we will mainly lend strength from constructivism and institutionalism: the former accounts for the first hypothesis, while the latter serves for my second one. The second hypothesis is the focus of the dissertation, and the institutionalization serves as the mechanism linking the ideas and the policies.

My main rival hypothesis in this dissertation is a realist account, which claims that the (non-)intervention in a foreign crisis can be explained solely on the basis of material factors, such as security concerns and economic self-interests. A Neo-Realist argument usually maintains that ideas, principles and norms are simply a function of power and interests and thus produce no independent analytical leverage. Regarding the actor's motivation for crisis intervention, realists tend to repudiate the existence

or the discernible effect of ideational concerns. I will show, in contrast, the ideational factor has an autonomous effect and that an explanation combining the normative component could better account for the policies of intervention and non-intervention. A detailed discussion of the theories will be given in the Chapter 2.

(V) Methodology

Methodological Holism but...: Methods of research are not discrete, but inevitably related to certain theoretical position. On the basis of constructive theoretical framework briefly mentioned above, the dissertation will mainly concern collective social ideas more than individual ideas.¹⁰ However, we will not go so far to the extent of negating institutional agencies, which serve as the entrepreneurs and carriers of social ideas, and thus are essential units of analysis. It is possible that “One can continue to study ‘beliefs’ in terms of what is inside people’s minds and simultaneously insist that these beliefs are representations and enactments of social and intersubjective culture” (Risse 2000:5). In addition, the holist approach of ideas may also lend the strength of individualistic methods, notably psychology. For example, the psychological concept of ‘identification’ and ‘categorization’ may be respectively useful in explaining the convergence within the EU and the divergence between the EU and China.

Process Tracing in Case Study: An intensive within-case analysis of the Darfur and Libyan crisis will be used in Chapters 5 and 6. The main advantages of case study methods in this research project include identifying and examining ideational factors in individual cases, developing historical explanations of particular events, and

¹⁰ Two basic tenets of ‘constructivism’ in IR: (1) the ‘Idealist’ approach, believes that the structures of human association are determined primarily by shared ideas rather than material forces, and (2) the ‘holist’ approach asserts that identities and interests of purposive actors are constructed by these shared ideas rather than given by nature (Wendt 1999:1).

investigating the trace of preconditions. During the process tracing, we must continually ask “if this explanation is accurate in this case, what else must be true about the processes through which the hypothesized causal mechanisms unfolded in this case” (Bennett and Elman 2008: 503). To fulfil the goal, my case study will combine the techniques of investigation with the approach of counterfactual reasoning. Investigations require getting inside the hearts of political institutions even the heads of decision-makers, which is the key challenge to any case study. Nevertheless, the interpretation of meaning through empathetic understanding is possible, by searching for their justifications in archives and asking them questions in interviews. A common problem for archival researches and interviews is to what extent we can trust what they said and wrote. Therefore, a counterfactual reasoning is a beneficial complement to the case study. We should explore what might have happened had the ideational factors not occurred or changed, and considering the possibility of alternative hypotheses, for instance, of commercial or security factors.

Descriptive and Discursive analysis: Ideas are conveyed through discourse. With theoretically informed narrative and discourse analysis, our research focus could shift from ‘what actually happened between Europe and China?’ to ‘how do the EU and China make sense of what happened’ and ‘why the EU and China make sense of a same international intervention in different ways’, in which international actors interpreted events in terms of their own ideas. The dissertation will provide a descriptive detailed account of what goes in the EU and China’s calculations on international interventions, so as to emphasize a contextual understanding of their foreign policy. In this way, a foreign policy that may appear irrational at first glance may make sense when understood in the particular domestic or global context within which that foreign policy takes place. The application of the approach to any given

country or political system requires a great deal of knowledge about them. For example, to investigate the ideas of the EU and China, the dissertation will utilize key texts on the EU and China's external relations, and relevant sources from the EU/China's official policy statements, speeches of the leaders, records of meetings, research papers. Besides, pertinent quantitative data on public opinions and economic statistics is helpful.

Interviews with scholars and officials in relevant fields will be necessary for the research, because actors or observers who experienced a case often observed unrecorded evidences. Besides, the dissertation will draw on insights from academic works, policy analyses by leading think tanks, official documents, press coverage and interviews. Like other case studies, due to my resource constraints in terms of time and access to informants, to some extent my analysis of cases would never be completed. Instead, any new information or evidence founded in the future could further confirm or correct my explanations.

Chapter 2 Theories: Why Ideas Matter in International Relations and Foreign Policy Makings

The literature associated with ideas is burgeoning in International Relations Studies since the Third Great Debate, namely Reflectivism versus Rationalism in this discipline (Lapid 1989). Nevertheless, the fact that ideas or ideology is an important factor in foreign policy makings is still sometimes overlooked. There are diverse theoretical opinions as to whether ideas have a valid place in Foreign Policy Analysis (FPA). The principal goal of the chapter is to explain why we need to take ideas into account in analysing the phenomenon of international intervention, by lending these theoretical insights.

The chapter is divided into two primary sections. The first part gives a critical review of theoretical approaches, namely Realism, Marxism, Liberalism, Constructivism and Institutionalism that represent distinct approaches to the study of ideas in international relations. In the second part, I focus on the foreign policy makings and develop my eclectic theoretical framework, which grapples with the significant influence of ideas. The two parts are somehow inextricably linked. On the one hand, the debates canvassed in the grand theories have benefited and structured the Foreign Policy Analysis. On the other, the complex and emerging particular foreign policy issues do inspire theorists to rethink and improve their theories, by generating new questions to answer.

(I) Different theoretical approaches to ideas in IR

In numerous textbooks and classrooms, international relations theories are taken as a deep-seated paradigmatic contest consists of three or four Great Debates, in which

each such paradigms stick to contrasting ontology or epistemology positions, and thus emphasize on mutual exclusive explanatory determinants. For example, ideas should be the domain of constructivism, as power is for realism and domestic factors are for liberalism. If so, researches on ideational factors would be inevitably opposed by realists. However, this is not the case. No single grand IR theory can fully seize the empirical and conceptual connections due to the complexity of specific international affairs. Focusing on the given problem—the role of ideas in foreign policy makings of international actors, there exist relatively superfluous debates, but also productive interactions amid this welter of competing theoretical traditions. The following theoretical literature serves more than provide the ‘state of the art’, but also attempts to reinforce my theoretical framework stand up to the criticism from hard-core realists and materialists, by synthesizing what might be considered conflicting approaches to the study of International relations.

i. Realism

The traditionally dominant elaboration of foreign policy is the realism, which apparently contests the assumption that substantive contents of peoples’ idea could essentially influence the policies. Instead, on the basis of the premise of egoism, rationality and power politics, realists assume that self-interested unitary international groups (primary including but not limited to nation-states) always aim to maximize their given utility like material power, security or social influence, and can correctly anticipate the results of their actions in most cases. During this rational action process, ideas may serve no more than masks: political elites and policy-makers utilize some popular ideas to cover and legitimize their real material interests, as Edward Carr suggested, “Supposedly absolute and universal principles are not principles at all, but the unconscious reflections of national policy based on a

particular interpretation of national interest at a particular time” (Carr 1946:87), in which ideas only play a minor constraint role rather than a causal role.

We should recognize the diversity within the intellectual tradition of realism. Neorealist Kenneth Waltz establishes an elegant universal theory of international politics, which “bears on the foreign policies of nations while claiming to explain only certain aspects of them” (Waltz 1979: 72), and further himself states that “international politics is not foreign policy” because foreign policy is driven by both internal and external factors rather than coherent logic of ‘autonomous realms’, thus we should not strive for a truly theoretical explanations of it (Waltz 1996). By contrast, neoclassical realism attempts to narrow the gaps between general theories and particular foreign policy problems. For neoclassical realists, foreign policy is driven first and foremost by a state’s position in the international system and specifically by its relative material power capabilities, but the impact of systemic pressures and material power is indirect and problematic since they must be filtered through domestic-level intervening variables, such as perceptions of policy-makers and domestic political structure, through which states interpret, assess and respond to their external environment. (Rose 1998: 146-152)

Here ideas have a place as domestic intervening variables, but only a subordinate place. Relative power is still in the foremost place, since foreign policy cannot beyond the limits and opportunities defined by international environment over a long term. Nevertheless, the translation from capabilities into external behaviour is often inaccurate and inconstant over a short and medium term, because ideational factors have an impact on this process. It is for this reason that neoclassical realists appreciate the theoretical development in “explicating how various psychological,

ideational, and cultural factors may affect how political actors perceive their own and others' capabilities and how such perceptions are translated into foreign policy" (Rose 1998: 168). William Wohlforth (2008: 146), a self-identified realist, echoes Rose's argument and admits that they indeed "increasingly incorporate theory and findings from other disciplines, notably psychology" (See Wohlforth 1993). For instance, prospect theory (Kahneman and Tversky 1979) finds its application in realist researches (See Tailiaferro 2004).

Realism has one more point that I would like to touch on briefly. Considering the principled beliefs, early realists like Hans Morgenthau and Edward Carr once made famous claims of moral relativism like "Universal moral principles cannot be applied to the actions of states" (Morgenthau 1954:9), "no ethical standards are applicable to relations between states" (Carr 1946:153). However, their meritorious counterviews against an excessive embrace to the universality of one's own ideas may be misread as an unshaken amoral declaration more than a half century later. Contemporary international issues, range from the a just/unjust war to humanitarian interventions, from international aids to the climate negotiation, indeed concern the ethics and moral standards which distinguish right and wrong. Even the strongest realist argument against moral consideration in international relations, such as *raison d'état* (reason of state), should be itself considered as a particular ethical argument upholding this school of thought (Donnelly 2008: 154).

In sum, realism is not invariably resist the analysis of ideational factors, but reminds us the relative power still matters in the shaping of foreign policy, although in fact few states are prepared to spend their entire military hardware or economy strengths in pursuing any single policy goal. Hence, we should never ignore the

significance of international environment, otherwise, the other determinants we long search for may be just epiphenomenal. Meanwhile, as Gideon Rose put it (Rose 1998: 168), “future work in this vein should therefore focus on continuing to specify the ways intervening unit-level variables can deflect foreign policy from what pure structural theories might predict”. For example, realists should explain why China still keeps a status quo foreign policy and thus be reluctant to intervene abroad, even if its power and overseas interests grow remarkably in the past two decades. Following this way, (neoclassical) Realists will encounter Marxists, who are always inclined to domestic explanations of foreign policy.

ii. Marxism

Marxism is not a theory of international relations *per se*, but it studies the actions and motivations of the state including its external behaviours. According to the premise of historical materialism that history is determined by the material basis of society, Marxism would agree with realism that the international relation and foreign policy have more to do with material aspects than ideational factors. Despite the common materialist assumption, as a theory of capitalism, Marxism centres on economic interests of particular countries, instead of the unitary concerns of the state security as realists emphasize. In fact, as a radical approach, Marxists and Neo-Marxists in IR bash both realism and idealism as self-serving theories which are used by the upper socioeconomic class to justify their foreign policies. Rejecting the pure foreign policy analysis based on the coherent national interests, Marxism insists that domestic and foreign political spheres are fundamentally intertwined in which the class relations matter.

Through the worldview of Marxism, the world is dominated by the capitalist class,

who is not only controlling the means of production, but also the instruments of statecraft in their respective societies, because the former is the base of the latter (superstructure). Among the instruments the most prominent one is the government and all its agencies, including defence and international relations agencies. Therefore, the state's foreign policy usually reflects the preferences of the capitalist class, notably the further accumulation of capital. According to the Marxist theory of imperialism, this dynamic led to the stage of imperialism in which individual capitalist states were struggling to seize the markets and resources by war (Lenin 1916). While the capitalist world wars proved too destructive in the first half of the 20th century, the new strategy of domination was developed in the post-colonial world. The Western countries, the core, defend a world system where surplus materials are distributed from the periphery countries to the core countries (Wallerstein, 1974), and control this dependency with military force and economic regulations. (Cardoso & Faletto, 1979)

No Marxist in IR can claim to represent all strands under the single label. Instead, there existed different schools of Marxism regarding the role of ideas. The strong deterministic school subscribes to economic reductionism and the base–superstructure theory, in which ideas are only the automatic reflections of material circumstances, while Neo-Gramscianism acknowledges the relative autonomy of the superstructure and embraces human ideas, culture and identity as a part of reality. It is relevant to the concept of hegemony, which was defined by Antonio Gramsci as the ‘combination of force and consent’ in *his Prison Notebooks*. The ruling ideas in every epoch come from the ideas of the ruling class, who have their own ‘organic intellectuals’ to establish the ‘intellectual and moral leadership’. Therefore, the above hegemonic world order is also partly based on the consent to

certain ideas. Robert Cox distinguishes two types of ideas: shared notions of the nature of social relations such as Westphalian system, and collective images of social order held by different groups of people, like the several and even opposed meanings of public good and justice (Cox 1981:136). Interacting with material capabilities and institutions, the factor of ideas is an essential sphere to analyse the historical structure and framework for action.

To sum up, although largely left discredited by the collapse of the Soviet Union and Communism in Europe after 1989, Marxism remains a valid perspective for analysing contemporary phenomena of international relations for two reasons. First, Marxism is still influential in certain countries like China in practice. Though embracing capitalism through its economic reform since 1978, China continues to proclaim Marxism as the official doctrine of its politic system. Beijing's perceptions of the American and European foreign policies have been long shaped by the Marxism. For example, Beijing criticized the Western for inventing the concept of humanitarian intervention as a part of hegemony aims at legitimating the behaviours of pursuing material resources. Secondly, in theory, Marxism provides the insight that the foreign policy decision-makings are relevant to the domestic bargain particularly on economic issues. It is less radical to recognize that powerful interest groups can influence the external behaviours of a state to some extent. This point is shared by other IR theories but elaborated in different ways.

iii. Liberalism

One of the major progresses in international relations study is the growing recognition of the interplay between the domestic and international politics. The central insight of liberal international relations theory is to search for domestic roots

of international relation and domestic consequences of globalization.¹¹ Andrew Moravcsik, the principle exponent of liberalism in IR, argues that the behaviour of states (or other actors¹²) in world politics is fundamentally caused by their preference, which is defined by demands of individuals and groups in their domestic societies, while the globalization has dramatically changed the condition to realize their demands. Therefore, a central theoretical task of liberal theory is to focus on state-society relations and trace the state preference from social preference, during which “socially differentiated individuals define their material and ideational interests independently of politics and then advance those interests through political exchange and collective action”. (Moravcsik 1997: 517)

Ideational factor matters as one source of state preference,¹³ “Contradictory or irreconcilable differences in core beliefs about national, political, and social identities promote conflict, whereas complementary beliefs promote harmony and cooperation” (Moravcsik 2008: 237). Three types of “social identities” are taken into consideration by liberals (Moravcsik 2008: 240-242). The first regards the identity concerns the scope of political community like ‘nation’. Moravcsik argues that the potential of conflict increases in some area where inconsistent competing claims of identity as borders of community exists. For example, the Tibet issue has provoked a diplomatic quarrel between China and European Union while the Taiwan issue has

¹¹ Moravcsik distinguishes the liberal IR theory from the “neoliberal institutionalism” (E.g. Keohane). The former concerns about the social sources of state preferences while the latter focuses on international regimes and take state preferences as fixed or exogenous. (Moravcsik 1997: 536)

¹² In some cases, the primary interests and allegiances of individuals and private groups are partly transferred to supranational institutions empowered to represent them effectively, for example, European Union.

¹³ Moravcsik identifies three specific variants of liberal theory: *Ideational*, *Commercial* and *Republican* liberal theories, which share above liberal assumptions but stresses on particular type of state preferences. Anomalies within one variant of liberal theory may be resolved by considering other variants.

the biggest potential to trigger a military conflict between China and United States. The second one concerns the political ideology. The Cold War is a quintessential case where the irreconcilable ideological divergence between the Soviet Union and United States played a critical role in the international confrontation. On the contrary, democratic peace theory asserts that the democracies which share the similar democratic ideology do not go to war with each other. The third type of social identity concerns socioeconomic public goods provision embedded in local societal compromises. Such compromises underlie varying regulations on religious freedom, environmental protection, cultural promotion, and many other public goods increasingly discussed in international negotiations, ranging from the Conferences on climate change to human rights dialogue.

Moravcsik reminds us, furthermore, a recent trend of social movements. Some activists within modern societies have adopted a more cosmopolitan view of political identity and rights which beyond the nation state, thus mobilized increasing social campaigns to defend the human rights of remote peoples, by pressuring their governments to act (Carpenter 2007). We should realize that some intervention became possible only because of this changed normative context at the domestic level in Western states (Wheeler 2004: 30). However, such cosmopolitan view may be in conflict with other states which hold a more communitarian view of political identity and rights, for instance, China.

The form of representation is a key determinant of state preferences in liberal IR theory. As we have seen, no government is based on an ideal egalitarian political representation, but always lies somewhere between an extreme democracy in which representation empowers everybody equally, and an extreme dictatorial system in

which only one dictator has the supreme power. Therefore, Liberalism is not only applicable for the analysis of liberal state, whose representative institution serves as a “transmission belt” by which the preferences and social power of individuals and groups are translated and filtered into foreign policy,¹⁴ but also applies equally to states where “large inequalities in domestic social or political influence may permit certain groups to evade cost of costly conflict or rent-seeking behaviour, even if the result is inefficient for society as a whole”. (Moravcsik 2008: 237)

In brief, the liberal theory confirms that complex foreign policies are rarely determinate by a single factor, but varying patterns of state preferences, which is not purely domestic but also reflect patterns of transnational societal interaction. Instead, a multicausal synthesis of a two-stage process is recommended by Moravcsik who claims that the investigation of state preference must receive analytical priority in such a synthesis (Moravcsik 1997: 544-545). Following this way, we need to explain the formation of the state preference in the first stage, then introducing other exogenous systematic or environmental variables like relative capabilities in the second stage, rather than a reverse process as realists or neoliberal institutionalists maintain. Moreover, the liberal analysis of preferences is not only suitable to a single actor’s external behaviour, but also to international relations when the configuration of preferences is investigated—whether their preferences are conflicted or harmonized in an interdependent world?

iv. Constructivism

The contemporary theoretical debate about ideas in IR is not on *whether* ideas

¹⁴ Even a formally fair and open representative government also represents some individuals and groups more fully than others, due to the relatively inegalitarian distribution of wealth, power and talent.

matter, but primarily on *how* they matter. Based on the presupposition of *Homo economicus*, Realists assume that states pursue individual advantages by calculating costs and benefits, but also acknowledge that the rationality is usually bounded by the information, the time and the ideas as cognitive limitations of individual minds. Comparing to realists, liberals like Moravcsik grounded on a milder rational baseline, are more generous to recognize the role of ideas as one of determinants of state preferences. However, liberal theories lack a further discussion of how rational actors come to possess preferences in the first place (Simpson 2008:257). In other word, if ideas matter in the formation of preferences, where are the particular ideas from? Is it possible that these influential ideas are also political and socially constitutive? If not, we must assume that the ideas are 'pre-political' as Moravcsik appears to do (Reus-Smit 2001:584). Besides, is there a possibility that the preferences are not only shaped by the interactions of individuals and groups on domestic level but also by that at international level? If not, we must assume a very separation between domestic and international politics, which Moravcsik attempts to close.

It was not until the rise of constructivism since 1990s that the above questions receive a great deal of attention. For constructivists, the ideas shaping international politics are first 'inter-subjective' as shared among people rather than individual beliefs. In addition, the ideas are institutionalized as expressed practices and identities (Hurd 2008:301). Regarding the emergence of ideas, Jeffrey Legro (2005: 4-6) states that new foreign policy ideas are shaped by dominant Ideas embedded not only in human brains but also in the 'collective memories', government procedures, educational systems, and the rhetoric of statecraft. These instruments are all constructed by social interactions rather than taken as given.

With regard to the international influence on the state preferences, constructivism stresses the role of international norm and identity. In respect of norms, Ian Hurd summaries that “the action of states contributes to making the institutions and norms of international life, and these institutions and norms contribute to defining, socializing and influencing states”. He gives an example that when states claim they using force only in self-defence, they inevitably reconfirm the UN Charters which forbid aggressive war, while redefine the norms by specifying how they wish the concepts of ‘sovereignty’ and ‘self-defence’ to be understood (Hurd 2008:304). With regard to identities, Alexander Wendt says actors acquire relational identities by participating in collective meanings. A state may have multiple identities as ‘sovereign’, ‘leader of the free world’ and so on, and “each identities is an inherently social definition of the actor grounded in the theories which actors collectively hold about themselves and one another and which constitute the structure of the social world” (Wendt 1992:397-398). Though using different terms, both the two constructivists recognize the mutual constitution of states and international structures.

Although constructivism focusing on ideational factors, it does not imply that thus it is inapplicable to the analysis of rational strategic foreign policy. Like realism and liberalism, constructivism admits that states usually behave rationally to pursue their interests. What distinguishes these theoretical approaches are their different opinions about the source and the content of interests. Constructivism says “identities are the basis of interests” (Wendt 1992:398), which require interpreting how states perceive their needs and interests through their constructed identities. By contrast, realism usually claims states usually are motivated by non-differentiated material incentives, while liberalism underscores preferences which mix ideational,

commercial and institutional motivations. In other words, constructivism may be not incompatible, but complementary to rationalistic theories such as realism and liberalism, since they aim to answer different questions (Hurd 2008:304): constructivism specializes in explaining how actors acquire their identities and interests through social interactions; liberalism is suited to answer how these identities transform into state preferences through representative institutions; and realism is strong in exploring how actors utilizing and constrained by power politics in pursuit of their already constructed interests.¹⁵

v. Institutionalism

The study of political institutions is indispensable to this dissertation, in particular the part of policy analysis. Institutions can be defined as “formal and informal procedures, routines, norms and conventions, embedded in the organizational structures of the polity or political economy” (Hall and Taylor 1996: 938). What are the consequences of institutions for external behaviours? Within an institutional perspective, any political behaviour is not just a pursuit of self-interest, but also follows the *logic of appropriateness* and a sense of rights and obligations provided by their belonged institutions, which are carriers of identities and norms and makers of a polity’s character, history and vision. In brief, if social ideas can play a role in policy-makings, they must play through institutions. Hence, the basic units of analysis should be the rules, routines, norms, identities of an ‘institution’, rather than micro-rational individuals or macro-social forces (March & Olsen 2006). Take the example of the EU, whose member states’ foreign policies may need to be in

¹⁵ Samuel Barkin identifies two kinds of constructivist: liberal-constructivists believe that anarchy has few effects independent of the norms and identities of actors, thus good norms and ideas can transform world politics by overcoming powers. Realist-constructivists agree with liberal-constructivists about anarchy being a social construction, but not about the degree to which power can be transcended in world politics. (Barkin 2003:334)

accordance with their membership and the ethos, practices and expectations of the Union, although the causal relation between institutional arrangements and particular policy is indirect and contingent.

Similar to the debate among theories of international relations, there exist multiple conceptions of political institutions which also differ greatly about the role of ideas. Inspired by economics and mathematics, Rational-Choice Institutionalism (RI) focuses on the micro-level game between preference-given individuals within institutional environment, and usually treats ideas as a constraining factor on actors' calculus logic. By contrast, Normative Institutionalism considers institutions as static norms and cultures. Institutions embed rules and routines, which can affect actors' preferences, perceptions, and identities, for example, by defining what constitutes an appropriate action. Focusing on the '*path dependence*', Historical Institutionalism (HI) does not deny the calculus logics while draw more attention to ideas which are perceived as relational and often normative. "For institutional actors themselves, ideas serve as the glue that holds an administration, party, or agency together in its tasks, help to garner public support, and provide a standard to evaluate the institution's policy outcomes (Sanders 2006: 42).

Furthermore, the latest Constructivist institutionalism grants a crucial place for ideas. They claim that institutions are built on ideational foundations which exert an independent path dependent effect on the subsequent development of institutions. A main task of constructivist institutionalists is to identify, detail, and interrogate the extent to which—through processes of normalization and institutional embedding—established ideas become codified, serving as cognitive filters through which actors come to interpret environmental signals and conceptualize and assess

their strategic conducts (Hay 2006:65). Along with constructivist institutionalism, Vivian Schmidt uses the term of 'Discursive institutionalism' to emphasize the role of ideas but also discourses. According to her definition, discourse encompasses not only the substantive content of ideas but also the interactive processes by which ideas are conveyed. (Schmidt 2008: 305) Discourse comes in two forms: the coordinative discourse among policy actors and the communicative discourse between political actors and the public. The discursive interaction either appear to go from top to bottom, in which political elites shape mass public opinion by establishing the terms of the discourse and by framing the issues in the mass media; or go from bottom to top in which we count on the advocacy networks of social activists. Therefore, "tracing discursive processes of coordination and communication is a way of showing why ideas may succeed or fail". (Schmidt 2008: 311)

To conclude, no shortage of literature that discuss the role of ideas in international relations, although so far no consensus about the way of ideational influence is reached. Metatheoretical disputes among different research traditions might be endless. As Kratochwil puts it, "The desire to win, to stand one's ground, perhaps not surprisingly, is most of the time stronger than the genuine search for an acceptable solution to a problem." (Kratochwil 2003: 125). At the same time, there is also growing efforts to promote a theoretical dialogue and synthesis between realism and constructivism (Sterling-Folker 2002, Barkin 2003, Jackson 2004). This dissertation argues that no individual theory is able to explain every aspect of international relations, while certain theories may offer convincing explanations to certain parts of the puzzle. For example, the emergences and the effects of certain ideas have different kinds of causality. By combining different theoretical approaches such as Constructivism and liberalism/Institutionalism in concrete conditions, the study in

this dissertation will more relevant to the complex foreign policy makings in the real world. In the following session, we will discuss the process of foreign policy makings in which the ideational factor is a necessary variable to evaluate.

(II) Ideas and the foreign policy making

There is a long-standing debate in the study of history and social science that whether and to what extent we can explain agent's actions from their professed principle. Quentin Skinner (2002) gives a solution by emphasizing that even these principles are not genuine motives of agents and causes of their behaviour, but agents possess a strong motive for attempting to legitimate their (in particular questionable) behaviours. For example, they may utilize existing favourable terms established in their societies, or invent new norms to alter existing terms. In the end, "They will find themselves committed to behaving in such a way that their actions remain compatible with the claim that their professed principles genuinely motivated them". Skinner's argument is probably suitable for the actions and principles of international intervention. Because of the continuing controversy over the intervention, both the EU's intervention policy and China's non-intervention policy are questionable behaviour in the eyes of others, no matter what motives behind and whether their motives are ethical. Hence, both sides have the burden of proof, and use their favourable terms, either human rights or sovereignty established in international society, or promote emerging norms like R2P to legitimate their policies. Once they did that, their policy options will be restricted to a corresponding range of actions, even the actions are not always beneficial to them.

There are various definitions and categorizations of ideas. Vivian Schmidt categorizes two types of ideas: cognitive ideas or called causal ideas elucidate "what is and what

to do”, and normative ideas indicate “what is good or bad about what is” in light of “what one ought to do” (Schmidt 2008: 306-309). Goldstein and Keohane (1993) classify ideas into world views, principled beliefs and causal beliefs. The world view is the fundamental cognitive orientation of an individual or society encompassing the entirety of the individual or society's knowledge and point-of-view, which refers to the framework of ideas and beliefs through which an individual, group or culture interprets the world and interacts with it. Principled beliefs specify ethical criteria for distinguish right from wrong and just from unjust in international relations. For example, ‘Human rights takes precedence over Sovereignty’, and ‘Sovereignty ranks above Human rights’ are two sharply opposing principle beliefs. Causal beliefs serve as guides for agents on how to achieve their goals. For example, the efficacy of EU’s promotion of norms depends on the existence of a set of shared causal beliefs by other actors, who believe EU’s actions could benefit them, rather than threat them. In this dissertation, I mainly investigate the ideas taken the form of principle beliefs, or called normative ideas, which certainly related to broader world views.¹⁶

What, then, is ‘foreign policy’ used in this dissertation? Let we separate out the term into its constituent parts. The term ‘policy’ has been defined as ‘A deliberate course of (in-)action selected among available alternatives to achieve a certain outcome’, which is ‘often initiated in response to high-profile incidents’ (Versluis, van Keulen & Stephenson 2011:11-12). And the term ‘foreign’ is generally used to describe such

¹⁶ For instance, Christianity and Confucianism are different world views. To understand their influence on European and Chinese foreign policy would require a broader comparative study of cultures, religions and civilizations. Nevertheless, some modern conceptions such as sovereignty and human rights have played the similar role as world views. They originate from the West, but gradually approved by societies across cultures in their particular ways. Therefore, it is possible to explicitly focus on variations of these ideas that have been affected by the intellectual and political movements occurred in European and Chinese modern histories.

action or inaction of the governments employed to their relations with other countries. This definition of foreign policy is very suitable for the topic of this dissertation: International Intervention, which is defined in Chapter 1. As regards the intervention, foreign policy is initiated in response to the high-profile domestic crisis of a foreign country, and can either refer to intervention (actively change the status-quo) or non-intervention (neutrally follow the status-quo). Comparing to other foreign policies, it is worth noting that the decisions on crisis intervention was usually pressured to make in a shorter time.

Now, the question is how ideas can affect foreign policies. Goldstein and Keohane give initiative answers: by providing roadmaps, focal point and coalitional glue, and through the institutionalization of these ideas. (Goldstein and Keohane 1993:11-13) In the early stage of policy making, ideas serve as roadmaps because individuals need to determine their own preferences, and to understand the causal relationship between their goals and alternative actions by which to reach those goals. Thus selected ideas become important when actors believe in the causal links they identify or the normative principles that they reflect. Then in the formation of policies, shared ideas help participants to attain joint action by providing focal points that define cooperative solutions, and coalition glue to facilitate cohesion of particular groups. Alternatively, divergences of ideas may hamper their cooperation because the lack of coalition glue and the focal point. Finally, once embedded in institutions, ideas can affect the incentives of decision makers long even after the interests of international actors they represent have changed, because the creation of organizational and normative structures may limit the alternative policy choices.

Yet if Goldstein and Keohane's institutional approach has typically served as an initial

inspiration, it has increasingly become a point of departure. For one thing, while insisting the rationalist assumption that people behave in a self-interested and broadly rational way, in which their behaviours 'depend on the substantive quality of available ideas' (Goldstein and Keohane 1993:5), Goldstein and Keohane reject a far-reaching 'reflectivist' argument which claims ideas not only affect actors' behaviours but also may constitute their identities and interests, since they think reflectivists lack of the articulation and testing of hypotheses in empirical analyses. Besides, they do not seek to explain the 'source of ideas', which they believe is the job of psychological approaches, whose work on foreign policy 'has emphasized how collective myths that affect conceptions of self-interest can be created and then perpetuated through propaganda and socialization of children in schools'. (Goldstein and Keohane 1993:6)

This dissertation departs from Goldstein and Keohane, since it does not only focus on the effect of ideas, but also attempts to briefly probe why the EU and China emphasize certain ideas while less respect others in Chapter 3 and 4. Goldstein and Keohane also realized the magnitude of the question. In regard to powerful institutionalized ideas, they proposed to "undertake an archaeology study of ideas in order to understand how one set of ideas rather than another came to be institutionalized" (Goldstein and Keohane 1993:21). We will amplify the answer by understanding the ideas as socially embedded, and thus become *norms*, rather than only existed in individual brains. Such different ideas adopted by the EU and China are not simply determined by different cultures or historical experiences, but may result from different interpretations of norms in EU and China. A series of principles and norms become important and institutionalized in their polities as their particular identities, attributes, proprieties and commitments, to dominate the political reality,

sometimes even through the enforcement of their powerful advocates, either through top-down or bottom-up approach.¹⁷ Therefore, it requires applying social constructivist tools to analyse the emergence of these influential social ideas as a process of both internal interaction within Europe and within China, as well as the external interaction between Europe and China.

Grounded on an intergovernmental approach, member states still play a fundamental role in the formation of the EU's foreign policy,¹⁸ thus it is necessary to investigate the interaction among member states within European institutions, where their national identities and domestic interests should be recognized. As a result, the Union appeared to be 'disunited' in some cases, when the governments of member states, European Commission bureaucracies and ruling parties conducting semiautonomous foreign policies in the service of disparate societal preferences. Nevertheless, preferences of member states are also distinctly defined and shaped through the process of internalization and socialization, namely the Europeanization. Decentralized European institutions (the Commission, European Council, European Parliament, Council of Ministers, etc.) could and would like to establish norms in foreign policy and require convergence via communicative processes. For example, the Commission activities in EC's external relations and networks of representatives in CFSP (Smith 2004). These norms produced by the EU are founded upon the ideas

¹⁷ How can a constructivist approach be compatible with the analysis of power in politics? An answer is the post-structural and a critical understanding of power, which takes different forms rather than only material form under different socio-political circumstances, is always present and implicated in any social formation, and that the (re)production of stable social relations is always a result of strategic (but not always rational) social action. (Jackson and Nexon 2004: 340)

¹⁸ This is not only true for the intergovernmental CFSP level, and naturally for the member states' foreign policies, but also for the Commission level, where the sharing of competences and member states' supervision of the Commission do not rule out the application of intergovernmentalist approaches to study it (Balducci 2008:7).

which underpinned European integration: the abandonment of Westphalian norms and human rights beyond national borders. However, it does not equal to take these ideas enshrined in European treaties and documents for granted. Instead, the interaction among the EU's ideas and those of member states need to be revealed. The Chapter 3 will further inquire the principles embedded in the European institutions, as well as its influence on the foreign policy making process.

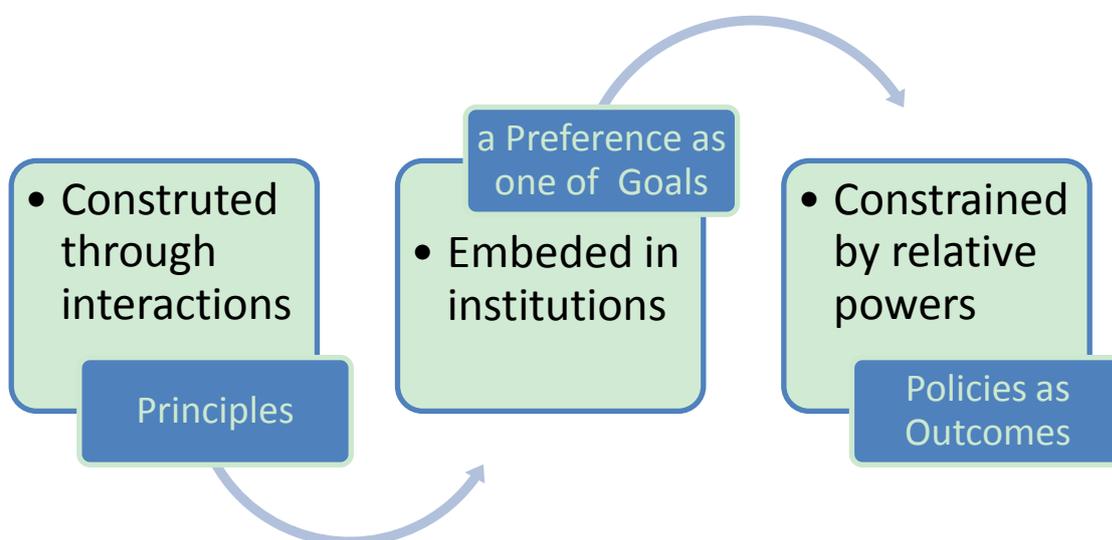
In contrast to a common view asserting China, as an authoritarian state, whose foreign policy making is out of the domestic restraints, in fact, domestic factor is crucial in shaping China's foreign policy. Thus, it is valid to inquire China's interests and motives in foreign policy through its identity, which is also the result of social construction principally produced by China's domestic politics and social process. A series of national collective goals such as defending sovereignty and territorial integrity, stabilizing the domestic situation to avoid upheaval, modernizing China through economic prosperity, and finally realizing the rejuvenation of the Chinese nation, are embedded in Chinese institutions. However, a single actor is not necessarily equal to a unitary actor. For example, China's economic prosperity has powered nationalistic sentiments and demands; while Beijing's *status-quo* foreign policy still frustrates Chinese nationalists (Wang 2005:19-20). Therefore, Foreign policy making in China could be increasingly a 'two-level game', with Chinese diplomats keeping one eye on domestic nationalists, even as they negotiate with their foreign counterparts (Gries 2005: 104). The Chapter 4 will further elaborate China's principles in its foreign policy making process, in particular regarding the domestic crisis in another country.

In addition to their independent domestic processes, the external interaction

between them could serve a catalyst to shape each other's principles, preferences and policies. According to a social psychological perspective, this interaction is a way in which one's self-identity emerges through an appreciation of the perception of others. In other words, interaction takes place in such a way that China is constantly interpreting the symbolic meaning of actions of Europe, and *vice versa*, as well as the global environment they live. For example, both China and the EU may tend to seek the role of 'self' through the interaction with the 'otherness', for instance, via the confrontation of 'West versus East', 'Liberalism versus Communism'. Besides, China and the EU also have strategic motives to construct and strengthen their identities in their interaction, in order to regain social status in the global arena, re-establish the power relation between them, and restore their own collective self-esteem.

(III) Conclusion: An Eclectic Theoretical Framework

Figure 1 A possible Mechanism in which principles may transform into policies



Now, we can generally perceive the foreign policy makings involved with principles as a three-stage process (Figure 1); each stage could be respectively better explained by

Constructivism, liberalism/Institutionalism and Realism.¹⁹ In the first stage, as constructivism suggests, the EU and China have acquired specific principles according to their social identities, which are constructed through earlier social/political domestic and international interactions. In the second stage, as liberalism claims, their dominant ideas serve as a determinant of policy preference. They affect the goal setting in the form of roadmaps, focal points or coalition glue as institutionalism stresses. In the third stage, within a realist perspective, what states want to do is essentially constrained by their relative powers in the international system. This will require an assessment of the actor's capabilities at its disposal to implement policy options, and an assessment of the consequences of each policy option.

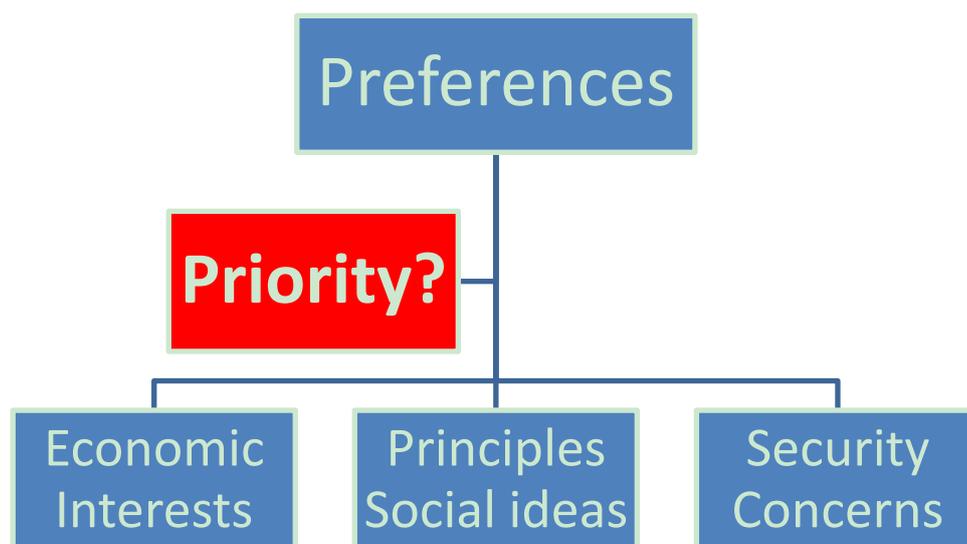
This is not a circular argument. It seems that principles is not only the *explanans* to foreign policy and but also the *explanandum* of social interactions at the same time. However, there is a linear timeline in the dissertation. The principles of the EU and China were constructed by their pre-existing social interactions, such as European integration, Chinese nation-building and early Sino-European relations. We can take them largely steady during the period the dissertation studies; Then the established principles, together with other factors such as security and economic concerns, determinate the policy preferences of the EU and China. Surely, their policy outcomes as a new round of interaction could maintain, enhance or modify their principles in the future.

However, the principle is rarely the sole source of policy preferences. In the stage of goal setting, multiple concerns usually jointly shape the preferences of international actors through separate mechanisms (Figure 2). For instance, social ideas influence

¹⁹ This framework expands and refines the approach proposed by Moravcsik (1997), by adding the Constructivist analysis of emergences of certain principles.

policy makers through media and social movement, while economic concerns could convey through the lobby of big companies. Hence, questions endure concerning the priority for policy-makers in particular when their multiple goals conflicting with each other or their policy resources are too limited to accomplish all goals. For example, an assertive policy of defending principles and promoting values might affect the national pursuit of trade interests and even risk the life of soldiers. How should the decision makers assess the various goals and deal with such a policy dilemma? We need to adopt the institutionalist approach to analyse these complicated situations of policy-choice.

Figure 2 Multiple Sources of Policy Preferences



On the one hand, a main consideration in external intervention policy is the international and domestic legitimacy. Political actors need to hold accountable for the 'logic of appropriateness' (March and Olsen 2009) established in their domestic institutions, as well in international institutions, in which certain principles can decide what range of policies constitutes as proper and legitimate behaviour. In other word, once the principles were institutionalized, they will have the power of legality.

On the other, decision-makers also need to consider the logic of consequence, which involves with the calculation of cost and benefits, the risk they can bear, and the capabilities and resources at their disposal. It is difficult to deny that usually two logics come into the mind of political actors together, thus either of them may provide the reason for action.

If one was to accept that policy-makers need to consider both the logic of appropriateness and the logic of consequences, the next question would be how to distinguish them in different conditions. Inspired by March and Olsen, here we have three hypotheses regarding their relations. (1) Assume that two logics have different functions. The logic of appropriateness is used for the formation of general positions—whether they should intervene or not; the logic of consequence is for the choice of concrete policy tools—by what means they can intervene, or to what extent they can block an intervention; Or conversely, the logic of consequence first determines their positions, but then their specific behaviours will be limited to what can be justified by the logic of appropriateness. (2) The clearer logic will dominate the less clear one. For example, during the Cold War the confrontation between camps is more significant than the norms of human right thus states were inclined to support their allies during a crisis. However, after the cold war the conditions have been changed since the distinction between friend and foe become vague in many cases while the human rights idea has been rising. (3) The logic of appropriateness could be incorporated into the logic of consequences. For example, policy-makers decide to defend principles because they have calculated the reward of pleasing public opinion and the cost of breaking the promise. In the following chapter 3 and 4, we will analyse the structures and institutions of the European and Chinese foreign policy makings, and explore the possible linkages between the two logics.

Chapter 3: The European Common Foreign Policy on Interventions: Positions, Principles and Processes

Is the European Foreign Policy (EFP) a valid research field today, as the American or Chinese Foreign Policy study? The answer, in my view, is clearly 'yes'. In the internal aspect, the EU's Common Foreign & Security Policy (CFSP) and Common Security & Defence Policy (CSDP)²⁰ have become widely discussed policy areas within the EU. From the external perspective, major international actors generally recognize the EU's meaningful role in global foreign and security affairs. Nonetheless, the 'European Foreign Policy' remains an elusive concept, because it is difficult to conceptualize EFP accurately as a classic national foreign policy.

The first difficulty regards the *actorness*. States have the foreign policy, while international organizations coordinate national foreign policies. As a growing accepted, but still problematic international actor, however, the EU "poses major challenges by virtue of its status as something more than an intergovernmental organization, but less than a fully-fledged European 'state'" (Hill and Smith 2005:4). From the outset, an analysis of European Foreign policy (EFP) should better include 'the sum of what the EU and its member states do in international relations' (Hill 1998:18). According to Hill, only by taking an overview of all elements of what we call 'European' that we can identify a general pattern of behaviour and assess the effects of different parts-namely the member states and the Union. Consequently, two pictures of European foreign policy come into view: the trend of policy convergence in a closer Union that makes more effective common foreign policies, together with the persistence of policy divergences due to heterogeneous national interests which

²⁰ CSDP was formerly known as European Security and Defence Policy (ESDP). This dissertation uses the two terms interchangeably.

blocks a single European foreign policy.

The *Actorness* cannot exist without the actual capability, which constitutes the second difficulty with analysing EFP. Supranational institutions in Brussels have external capacities in areas of trade, aid and energy, while national capitals still control the hard power in military and defence issues. That is why 30 years ago, Hedley Bull put a famous remark that “Europe is not an actor in international affairs, and does not seem likely to become one” (Bull 1982: 151), because there can be no power without military power. In the recent decade, the situation has been gradually changed since the launch of CFSP and later ESDP, which introduced the EU Battlegroups. As suggested by Mario Telò, the concept of the EU foreign policy should go beyond a traditional understanding of a political-military power, and “include the various external relations, both the ends and the means, economics, efficacy and democratic legitimization, direct accountability and multilateral commitment” (Telò 2007: 227). It is doubtless that since 1999 the EU has gradually and purposefully developed a full range of capabilities to act in different dimensions: diplomatically, economically and militarily, which correspond to my categorization of intervention measures.

The main purpose of the chapter is to elaborate the EU’s external policies of crisis intervention on three levels: general positions, committed principles and policymaking processes. The discussion is divided into four parts: The first part briefly discusses different conceptualizations of the European foreign policy, and raise the further question about to what extent the Union could coordinate the foreign policies of member states. Secondly, I review the EU and key member states’ interventionist positions on the domestic crisis of third countries, in particular after

the establishment of Common Foreign and Security Policy (CFSP) in 1993. In the third section, I outline the EU's principles and norms in respect of the issue of intervention. The final section inquires the European foreign policy making process regarding different forms of crisis intervention, which could be influenced by committing principles, political values and public opinions.

(I) **Conceptualizing the EU's external policies: Civilian/Normative/Ethical Power Europe?**

The unusual characteristics of the EU have inspired the academic debate on its external relations and global role. The experience of destructive World Wars in the 20th century has helped to drive Europe away from the *Realpolitik* and militarism, at least within the continent. After 1945, the West Europe relied on the U.S troops and security guarantees to defend the peace, while most small and medium-sized European countries were unwilling to increase their defence budget. In a realist perspective, this leads to the fact that liberal-idealist views have shaped too much of the discourse of European foreign policy studies and IR since the end of the Cold War (Hyde-Price 2006: 217). From such a liberal-idealist perspective, military weakness and its consequent reliance on non-coercive means, is no longer the Achilles' heel of the EU, but become its unique advantage: great powers are usually 'bad guys', whereas the EU is 'doing good' in the international arena.

The prevalence of the normative approach in analysing the EFP is mainly because it provides something outside the view of realists who usually claim the EU as an unqualified actor. This 'liberal-idealist' approach to European foreign policy can be traced back to the 1970s. François Duchêne claims that traditional military had given way to progressive civilian power as the means to exert influence on international

affairs while Europe can only represent a 'civilian power' which was long on economic power and relatively short on armed force. Furthermore, he is also interested in the normative power of the EC as an 'idea force' (Duchêne 1972). 30 years later, Ian Manners conceptualizes the EU as a 'normative power' (Manners 2002), which has raised the level of already booming debate about the EU's external norms promotion (See Youngs 2001). Manners assumed that the specificity of the EU is based on post-Westphalian norms, which give the EU an ability to define what passes for 'normal' in world politics. He considers this preference for norms with respect to the principles on which the political integration of Europe has been based since 1950s: peace, freedom, defence of human rights, to which he adds, on a more minor note, social solidarity, the rejection of discrimination and sustainable development. According to Manners, the EU's normative power has been weakened by its militarization since 2003, when the symbolic European Security Strategy (ESS) was launched, as well as the subsequent military missions (Manners 2006).

Emanuel Adler adopts a civilizational perspective and assumes that the "normative power" Europe may be reinventing itself as a civilizational security community of practice, which is now attempting to alter the practice of international politics, not by force but through the magnetic attraction of its progressive and active practice (Adler 2010). Taking Europe as a civilization is helpful to study Europe as a transnational polity, and could distinguish Europe's community of practice from other civilizational communities of practice, for example, U.S and China. Therefore, there is a 'clash of civilization' between post-modern Europe and the modern international system, which is approved by other great powers. According to Adler, normative power is different from 'soft power' (Nye 1990), a concept favoured by U.S and China. Soft power serves as a cultural tool to fulfil national interests by persuasion instead of

force, whereas normative power is not only a way of conduct, but also the goal: the adoption of a set of norms, practices and institutions, even if they are not in their (material) interests.

The question of whether the theory of Normative Power Europe could explain the EU's foreign and external policies is regularly debated. First, realists tend to assume that the normative character of the EU's external action is mainly the reflection of its military weakness, thus the norms are strategically utilized as the comparative leverages of the EU to counterbalance the disadvantage (Kagan 2003). Nevertheless, the EU is still a secondary power, since it has difficulty in projecting its normative power, which is built upon economic and military capabilities, on full-scale great powers such as China and Russia (Hyde-Price 2006: 223, on Russia see Haukkala 2008, on China see Balducci 2008). Secondly, regarding the EU's motivation for advocating norms beyond its border, the norms-driven rationale of EU's external actions is not uncontested. For example, several analysts pointed out that the EU's norm promotion in the trade area is mainly for its self-interests, by minimizing trade disadvantages (Lightfoot & Burchell 2005, Langan 2012) or maximizing the EU's wealth relative to other powers (Zimmermann 2007). In the field of crisis intervention (on which there is more below), the EU's selected interventions in Africa and MENA region are sometimes regarded as the pursuit of material and prestige interests of the Union and powerful Member States, rather than normative objectives (on Africa see Gegout 2009, on MENA see Hollis 2012).

To transcend the endless debate on whether the EU foreign policy is driven by norms or interests, Lisbeth Aggestam (2008) introduces the concept of 'Ethical power'. In contrast to civilian and normative power, 'Ethical power' encompasses both civilian

and military power, as well as social and material power. Even though European normative goals are driven by an honest concern for the well-being of others in an altruistic sense, the EU also seeks to combine ethical considerations with strategic and instrumental interests. In a similar vein, Thomas Diez (2013) also adopts this approach of combining norms and interests in his reconceptualization of normative power as 'hegemony'. For analytical purposes, it's useful to examine the different ways in which ethics, power and interests are interconnected. For instance, we can analyse the interconnection of different contributing factors through the EU's Grand Strategy (Vennesson 2007, Smith 2011). According to Vennesson's definition, the grand strategy includes a justification of the polity's approach to international affairs and the ways it is supposed to work. Foreign policy preferences are identified, formalized and revised through the formation of grand strategy.

Therefore, the concept of 'normative power' or 'ethical power' is better being posed as a theoretical and empirical question to be explored than a political statement of reality. For example, 'How does the EU deal with the ethical imperative to uphold a critical human rights dialogue, while at the same time trying to draw China into multilateral structures to ensure a more effective rule-based international order?' (Aggestam 2008: 10). Giuseppe Balducci (2008) gives a primary answer to this question. His analysis of the three levels of European foreign policy governance has shown that member states and the EU institutions had and still have diverse interests when it comes to the promotion of human rights in China. The interaction of such interests within the European foreign policy-making system did not lead to a normative convergence. This was largely due to the internal dynamics at play in each level of governance in the European foreign policy system, which influenced the selection of the most appropriate policies and instruments for the promotion of

human rights in China.

Although scholars compete to devise new terms to conceptualize the EU's foreign policy, we still face the risk of mistaking the EU's rhetoric for reality. It is true that the EU is partly rooted on common norms and values and its foreign policies are usually framed in idealist terms. However, the key touchstone is: Whether member states have genuine internalized policy coordination through the EU institutions within which national foreign policies could evolve in a normative orientation because national actors' identities/interests transformed? If so, what we should observe is more often the case that many member states have to generate and defend stances that even a decade ago they would not be expected to have held (Tonra 2006: 124). For certain, this question depends crucially on the specific policy-area. In certain policy-areas where vital national interests are not touched we can expect a higher level of the European common positions, while in the field of foreign intervention in particular regarding the use of force, the question becomes tricky.

(II) The development of EU's interventionist policies since the 1990s

The attempt to incorporate the foreign and defence policy into the European integration could be traced back to the year of 1950. The French Pleven Plan proposed to establish the European Defence Community (EDC) included France, Italy, West Germany, and the Benelux countries. The treaty of the EDC was signed in 1952 but never went into effect because French National Assembly refused to ratify it in 1954. The Gaullists were afraid that French sovereignty and national interests would be undermined by the military integration of EDC. From that time the national worries about the supranational control of foreign and defence policies has long shaped the development of the European foreign policy. Even today the

intergovernmental nature is still predominant in the European foreign policy coordination.

From 1970 to 1992, the European Union foreign policy coordination had been implemented under the loose framework European Political Cooperation (EPC). The EPC was not based on Treaties established the European Communities, but essentially an informal intergovernmental consultation mechanism where 12 member states could achieve a single voice on international issues predicated on their overlapped interests. On one aspect, the Twelve endeavoured to secure common positions and voting in international fora such as the United Nations and CSCE framework (Commission on Security and Cooperation in Europe). On the other, through the EPC the Twelve achieved common stances and joint actions, as the civilian means to intervene in third countries. During the 1970s, the Twelve was actively involved in the resolution of the Middle-East conflicts through diplomatic means. In the 1980s, the Twelve adopted economic sanctions against South Africa for apartheid, Libya and Syria for terrorist indictments, and China for the Tiananmen crackdown. In spite of these achievements, however, the weakness of EPC totally exposed when the collective military action was required, for example, in handling of the Yugoslav Wars in the early 1990s.

As the successor to the EPC, the EU's common foreign and security policy (CFSP) was created in 1992 by the Maastricht Treaty as the second pillar of the European Union. In addition to anchoring the unified Germany with West European partners, the CFSP was largely designed for enhancing member states' collaboration and coordination in crisis management, including the short-term intervention and the conflict prevention in the medium-to-long term. The fiasco in the former Yugoslavia taught the EU a

lesson: without the military troops of U.S, Europeans was unable to handle their internal crisis, not to mention that beyond its own borders. Moreover, after the Cold war the EU and U.S have increasing divergent security interests and debates on the doctrines of the use of force such as the controversial unilateral preventive action (Thomas 2000, Kagan 2003). Therefore, European policy-makers realize that it is necessary to develop its own common foreign and security policy, which could be more capable of preventing and intervening similar humanitarian disasters on its doorstep. This pursuit of the common security project, as a traditional attribute of a state, is also important for the EU's identity-forming or 'nation-building' by furthering the European integration process (Anderson & Seitz 2006).

Since the groundbreaking Franco-British summit in Saint Malo in December 1998, the EU has accelerated on the way of becoming a more capable international actor beyond the 'civilian power'. Under the framework of the European Security and Defence Policy (ESDP) established in 1999, the EU created its own military force (EU Battlegroup) to implement the Petersburg Tasks including peacekeeping and humanitarian operations. Meanwhile, the requirement of ESDP, as highlighted in the Headline Goals, serves as a catalyst to improve the member states' military capabilities, particularly the capability of rapid deployment and operation outside of Europe.

It seems that ESDP provides Europe an alternative to NATO in particular from a French or pro-European perspective, considering the institutional overlaps between them on membership, mandate and resources (Hoffman 2009). But there should a coordinated division of labour, usually emphasized by U.K and other pro-Atlantic/NATO countries. While the task of territorial defence and high-intensity

operation is considered the domain of NATO, the ESDP could focus on the small-scale military intervention involved with civilian aspects, which is largely omitted by the mandate of NATO. Not to mention in practice deploying U.S-led NATO forces as a peacemaker or peacekeeper is very controversial in many regions where existing overt Anti-Americanism. Besides, European states like Austria, Finland and Denmark find the ESDP provides them with a framework for security cooperation without requiring them to sign a mutual defence pact as NATO does. (Peterson and Lavenex 2012:193)

Parallel to the capability and institutional developments, the EU elaborated its strategic objectives, perceived threats (E.g. Terrorism, nuclear proliferation, and failed states) and global ambitions in the European Security Strategy (ESS). Javier Solana, the EU's first High Representative for CFSP, played a central role in this part. The ESS highlighted that "Spreading good governance, supporting social and political reform, dealing with corruption and abuse of power, establishing the rule of law and protecting human rights are the best means of strengthening the international order." To fulfil the goal, the EU needs to 'develop a strategic culture that fosters early, rapid, and when necessary, robust intervention' (Solana 2003: 10, 11). The EU's concept of crisis intervention goes beyond the use of military forces, and mixes with civilian areas such as policing, the administration of justice; and civil protection (Menon 2012: 589).

Under the ESDP banner, the EU have completed 15 civilian and military missions across the world since the late 1990s, and is undertaking 16 ongoing missions by the April of 2014.²¹ Among them, several military peacekeeping missions deployed in

²¹ An updated list of missions, along with links to information about each one, is available via http://www.eeas.europa.eu/csdp/missions-and-operations/index_en.htm

Macedonia in 2003, Bosnia since 2004, Eastern Congo in 2003/2006, Chad and Central African Republic in 2008, have demonstrated that the EU could autonomously deploy thousands of troops alongside the NATO or UN.²² It is noteworthy that the EU' choice of military presence has usually been linked to the geopolitical considerations. ESDP sent considerable troops, mainly to areas of European concerns, such as the Western Balkan (within Europe), Middle East (immediate neighbourhood) and Africa (former colonies), while avoiding to trespass the interest spheres of Russia (Eastern Europe and Caucasus), U.S (the Western Hemisphere) or China (East Asia).

Overall, the EU's crisis intervention turned out a 'mixed success'. On the one hand, ESDP missions generally had positive effects on the local situation, by helping to avert civil conflict and made a safer environment for civilians. On the other, the limited scale of missions in terms of personnel, budget, time and space were insufficient to solve the long-term problem on the ground (Menon 2009: 229-230). In contrast to the age of colonialism, nowadays European governments do not seek to stay longer in the target countries. Instead, the exit strategy and departure deadlines are central to the planning of intervention owing to the risk-averse (Dobbins 2008: 84). Nevertheless, from a critical point of view, the launch of ESDP missions was mainly driven by the rationales of the EU and member states, the self-centred motivations, rather than the consideration of their consequence on the target states.

²² We have to acknowledge that in practice it is not always easy to distinguish NATO, UN and the EU-led missions, since most international intervention involve the participation of all three at some level. The EU mission could be followed or accompanied by missions led by other institutions. For instance, the first ESDP mission in western Balkan was taken over from NATO, and the first mission deployed outside Europe, the Operation Artemis in Congo, was closely cooperated with UN.

A decade has passed since the launch of ESS and that ESDP was declared fully operational, numerous papers have discussed the (in-)effectiveness of European foreign policy, in particular the EU's capacity to produce collective decisions on cases of international interventions. Most notoriously when the EU failed to prevent, and later to stop a humanitarian crisis, the EU is depicted as repeating its timidity and weakness in the 1990s' Balkan time and again. For example in Darfur, EU's intervention was criticized as inadequate since it preferred to provide financial aid to support African Union peacekeeping force rather than dispatch European troops to Darfur, and insisted working through the UN institution to secure a multilateral mandate for stronger actions which was at best slow to act (Kubicek and Parke 2011). This policy outcome was caused by various reasons, not only including the long disturbing 'Capabilities-Expectation Gap': a gap between what the EU had been talked up to do and what it was able to deliver in terms of foreign policies (Hill 1993), but also the rising 'Consensus-Expectation Gap': a gap between what the EU member-states are expected to do in the world and what they are actually able to concur (Toje 2008a).

In the case of Darfur, the Union, at least some senior officials once regarded it was a perfect opportunity to undertake 'a low risk, but comparable high reward military intervention' (quoted in Toje 2008a: 136). The proposal of a CSDP mission was discussed in 2004 but eventually rejected, due to the lack of political willingness and capabilities among member states in particular France, U.K and Germany, combining China and Russia's opposition to forcible military intervention in UN Security Council. Instead, the EU adopted a soft kind of crisis management, such as declarations to concern, financial support to African Union Monitoring Mission (AMIS) and economic

sanctions against the Sudanese government.²³ Among them the sanction policy is a common measure of international intervention and long existed in European foreign policy (Kreutz 2005). Although it is fair to criticize that the EU's non-coercive intervention did not stop the deterioration of Darfur situation and thus was too little, the EU's preference to intervene was quite clear.

In response to the Libyan crisis in 2011, the EU showed its consistent position on intervention. On diplomacy, the High Representative for CFSP (HR) Catherine Ashton on behalf of the EU declared the extreme concern for the situation;²⁴ then, the Council declared that Gaddafi had lost all legitimacy and recognized the Libyan rebel TNC in Benghazi as a legitimate interlocutor.²⁵ On financial aid, the EU and its member states provided over €158 million for humanitarian aid and civil protection.²⁶ On economic sanctions, as fighting went on in Libya, the EU imposed an arms embargo against the Libyan leadership.²⁷ This sanction was first adopted by UN Security Council resolution 1973, but extended by the EU with a non-fly zone a *de facto* oil and gas embargo. Besides, an EU military operation in support of humanitarian assistance operations (EUFOR Libya) was launched, waiting for the request from the UN Office for the Coordination of Humanitarian Affairs (OCHA).²⁸ Although the EU adopted various measures for the intervention in Libya, the problem

²³ European Commission, *European Union response to the Darfur crisis*, Factsheet, Brussels, July 2006

²⁴ Council of the European Union, *Declaration by the High Representative, Catherine Ashton, on behalf of the European Union on events in Libya*, Brussels, 20 February 2011, 6795/1/11 PRESSE

²⁵ Council of the European Union, *Declaration of the Extraordinary European Council*, D/11/2, Brussels, 11 March, 2011

²⁶ European Commission, *Libyan Crisis*, Factsheet, 11 January 2012

²⁷ Council of the European Union, *Council Decision 2011/137/CFSP of 28 February 2011 concerning restrictive measures in view of the situation in Libya*, Brussels, 28 February 2011

²⁸ Council of the European Union: *Council Decision 2011/210/CFSP*, Brussels, 1 April, 2011

of coherence existed because of unilateral actions or inactions of the member states (Koenig 2011). For instance, while France and UK were actively preparing for the military intervention in Libya, Germany abstained on resolution 1973 together with China, Russia, India and Brazil.

Facing the crisis in Syria, the EU poses a consistent position and adopts similar measures of intervention like in Darfur and Libya. The EU's measures include political condemnation, arms embargo, and economic sanctions on oil importing, suspending the cooperation and association agreements with Syria, and supporting the regional organization: League of Arab States (LAS) to intervene, and giving 228 million in humanitarian assistance.²⁹ In addition, following multilateral fashion, the EU attempted to push for Chinese and Russian cooperation in Syria. During the EU-China summit in Beijing in February 2012, Van Rompuy, President of the European Council, said the EU supported efforts of the Arab League to end violence in Syria and appealed to "all members of the UN Security Council"—a group that includes China—to "act responsibly."³⁰ The EU leaders also press Russia during a summit in St. Petersburg in June 2012, to put pressure on its ally to withdraw heavy weapons from cities and comply fully with UN envoy Kofi Annan's peace plan.³¹

To conclude, the EU demonstrated that it is increasingly capable of independently intervening in a foreign crisis by various policy tools, and continues to adopt a general interventionist position in recent crises of third countries. Although the EU's relative power is supposed to be further declined in the aftermath of the Euro crisis,

²⁹ European Commission, *European Union and Syria*, Factsheet, Luxemburg, 15 October 2012

³⁰ Joe McDonald, 'EU leader pushes for Chinese help on Iran, Syria', *Associate Press*, 14 February 2012

³¹ 'Syria crisis tops EU-Russia summit agenda', *EurActiv*, 4 June 2012

in recent years the EU has frequently imposed economic sanctions and does not reduce its ESDP missions. However, foreign policy outcomes are different from, and not only determined by foreign policy preferences. When we discuss the EU's policy of intervention in this chapter, it is more like to demonstrate EU's policy preference, the common stance, and the 'expectation' as the wishes that the Union and members themselves have raised. Rather, the outcome of the EU's foreign policy which needs to take account of various extrinsic factors like geopolitical policy games with other international actors, which go beyond the scope of this chapter. In this light, even the CFSP diplomacy and CSDP operations obtaining the unanimous support of member states, they would not necessarily be successful and effective in the field, because the EU's power resources might lag behind the goals it seeks to accomplish.

(III) The norms of human rights and democracy in European foreign policy

Notwithstanding its general interventionist position on foreign humanitarian crises, the EU usually declares its altruistic concerns of peace, human rights, democracy and the rule of law in that country. In practice, the EU interprets above universal values in a particular way, or emphasises the causal-link between different values, and attempts to promote its specific interpretation of the global operating principles. Accordingly, a growing literature on European Foreign Policy highlights the values, images and principles (VIPs) of the EU. They argue that the self-representation of the EU cannot be dismissed as simply 'rhetorical' or 'symbolic'. Instead, the VIPs do not only constrain the policy options of the EU, but also constitute its international identity and defined-interests (Lucarelli & Manners, 2006).

The EU's commitment to human rights in international intervention is rooted in its

history and identity. The international order of post-war Europe has been largely shaped by human rights universal claims, which undermine the classical conception of state sovereignty. Several milestones marked this transformation in Europe. First, the historic Nuremberg trials confirmed the rule of law in international relations, by giving a precise and technical formulation to certain crimes such as war crimes and crimes against humanity. Then, the 1950 European Convention on Human Rights (ECHR), together with the 1948 Universal Declaration of Human Rights, limited the sovereignty of European states on their domestic affairs to the extent that it does not violate the international human rights law. Recently, the establishment of the permanent International Criminal Court (ICC) in The Hague, which is largely European advocated, claims it has universal jurisdiction to punish the worst crimes committed by any government of the world. These international human rights laws and enforcement mechanisms, have constrained the absolute freedom of states to act on their citizens to various degrees, which we clearer seen in Europe.

In addition to the norm of human rights, the EU actively embraces another key element of a political order, the democracy and democratization, for instance, throughout the membership of the EU. Through the democratization of member states, the EU has created a region of peace and prosperity. To some extent, now the EU is close to a Cosmopolitan legal order as anticipated in Kant's perpetual peace: Democratic states which respecting civil, political and social rights, to be united in a federation of peace and to respect each other's citizens either at home or abroad (Eleftheriadis, 2003:257). Hence, in the Post-Cold War Europe, there is increasing emphasis on the link between liberal-democracy, human rights, peace and security. For instance, without a democratic government, the human dignity and peace could not be sustainable. Consequently, regarding the civil conflict in the third countries,

the EU usually supports the side under the banner of democratic revolution.

The internal transformation of human rights and democracy within Europe definitely has shaped the EU's preference of its external relations, for instance, regarding its enlargement policy, the neighbourhood policy and wider humanitarian interventions in the world. In the European perspective, the protection of domestic human rights has become a matter of international community, and the states' actions at home should be exposed to the scrutiny of the international organizations. Hence, considering the unsettled debate on principles of intervention in international fora, which makes consensus on multilateral action in UN often unavailable, the EU clearly endorses the importance of individual human rights rather than the classic principle of state sovereignty. According to the human security principle enshrined in the European Security Strategy, "(the EU) need to continue mainstreaming human rights issues in all activities in this field, including ESDP missions, through a people-based approach coherent with the concept of human security."³² Therefore, a re-conceptualization of sovereignty as the Responsibility to Protect, could justify, and even guide EU's positions on international intervention, although not surprisingly the EU has difficulties to fully transform the doctrine into effective policies (Kirn 2011).

In order to reconcile the sovereignty and human rights as two fundamental principles endorsed in international law and the UN Charter, the concept of Responsibility to Protect (R2P) was invented by the Canadian-led International Commission on Intervention and State Sovereignty (ICISS, China is not in the commission) in 2001, and established in 2005 as a UN initiative. The norm of R2P consists of an emerging set of principles, on the basis of the idea that sovereignty is not an authority, but

³² Report on the Implementation of the European Security Strategy ,11 December 2008

entails a responsibility.³³ Hence, protecting its own people's basic human rights becomes the precondition of respecting for a state's sovereignty. As suggested in the UN Outcome Document, "If the state fails to protect its citizens from mass atrocities and peaceful measures have failed, the international community has the responsibility to intervene through coercive measures such as economic sanctions. Military intervention is considered the last resort."³⁴ Under such circumstances, the principle of non-interference has to yield to the responsibility to protect. Regarding the representative of the international community, the ICISS report (2001) confirmed the paramount status of the UN in interventions as "there is no better or more appropriate body than the United Nations Security Council to authorize military intervention for human protection purposes". Security Council also reaffirmed "the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity".³⁵

While the doctrine of R2P was invented by Canada, it is closely related to the broader agenda of human security advocated by the EU. The human security idea can be traced back to the 1994 UN Development Program Report. Like the R2P, the idea of human security challenges the order of Westphalia by emphasizing that the individuals, rather than states, should be the proper referents of the security. The national security is generally essential, but not adequate to ensure the 'freedom of fear' and 'freedom of want' of the people. Under the human security agenda, the Ottawa treaty of landmine ban and the Rome Statue of the International Criminal

³³ This interpretation of sovereignty can be traced back to 1990s (see Deng 1995, Barkin 1998)

³⁴ United Nations General Assembly, '2005 World Summit Outcome', Sixtieth session, items 48 and 121 of the provisional agenda. A/60/L.1, 15 September, 2005

³⁵ UN Security Council S/RES/1674 , 28 April 2006

Court were established. The following norm of R2P is also the main contribution to the development of human security (Matlary 2008:136). The main sponsors of the agenda are 'like-minded' middle powers like Canada, Norway, Switzerland and several EU Member States (Gionet 2012). In 2004, the EU published the report of *A Human Security Doctrine for Europe*, well known as the 'Barcelona Report',³⁶ which was proposed by the study group on Europe's security capabilities convened by Professor Mary Kaldor. The report attempted to provide a human rights basis, and the criteria of intervention for the implantation of the European Security Strategy (ESS). The human security doctrine achieved further development within the EU during the Finnish Presidency, as the study group was asked to publish the 'Madrid Report', *A European Way of Security*³⁷ in 2006.

At the conceptual level, the Human Security is a broad concept involved with other relevant concepts such as R2P and crisis intervention. The threats to Human Security include the serious crimes such as genocide identified by the R2P. But unlike the R2P focuses on the 'man-made' crises, the Human Security also tackles with a broader range of insecure situations like natural disasters. In the opposite of the human security, human insecurity unusually occurs in humanitarian crises with the violations of human rights, which might bring about the international intervention as the topic of the dissertation. Considering the richer content of the human security, some analysts suggested the EU should adopt the concept as its strategic narrative to integrate existing terms such as 'crisis management', 'civil-military coordination' and 'conflict prevention' (Kaldor, Martin & Selchow 2007). However, its broad references

³⁶ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/solana/040915CapBar.pdf

³⁷ See the full text, <http://www.lse.ac.uk/internationalDevelopment/research/CSHS/humanSecurity/madridReport.pdf>

also lead to the ambiguity to some extent. As a candidate of the EU's comprehensive ideational framework for intervention, Kaldor and her co-authors (2007: 281) admitted that the proposed paradigm shift from state security to human security was regarded by some policy-makers as too idealistic. In terms of military capacity and real-world politics, some suggestions in the Barcelona Report were also criticized as quite unrealistic for the EU, despite of the fact that all ESDP missions have concerned with the human security (Matlary 2008).

Now turn back to the idea of R2P, which has largely marginalized the human security narrative in international fora included the UN (Martin & Owen 2010).³⁸ The EU also became one of the most enthusiastic supporters of R2P, and its support is enduring. During the 2005 UN Summit, EU member states worked closely with members of the African Union who pioneered the concept of R2P, and finally made the diplomacy success in the UN. After that, the EU has conveyed its endorsement of the R2P through various instruments such as 'The European Consensus on Development' (Article 37),³⁹ 'Providing Security in a Changing World'⁴⁰ which clearly claims that "sovereign governments must take responsibility for the consequences of their actions and hold a shared responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity", and quite vocally supportive European Parliament Resolutions reference R2P during the Libyan Crisis.⁴¹

³⁸ There is a growing discursive distinction between the Human Security and R2P, formulating the former as the consensual and preventative development of capacities to protect vis-à-vis the latter is understood as coercive intervention to stop ongoing human rights violations. (Chandler 2012: 215)

³⁹ European Parliament Council Commission, 'The European Consensus on Development', *Official Journal of the European Union*, C46/1, 24 Feb 2006.

⁴⁰ Council of the European Union, Report on the Implementation of the European Security Strategy, 'Providing Security in a Changing World', Brussels, S407/08, 11 December 2008.p.2

⁴¹ European Parliament, Resolution on the Southern Neighbourhood, and Libya in particular, including humanitarian aspects, P7_TA-PROV(2011)0095, 10 March 2011

As suggested in European Commission's answers to European Parliament's questions, the EU could promote the norm of R2P in multilateral and bilateral ways: "While the Commission welcomes the development of this norm, it is for the UN member states to act upon it" (23 February 2007), and "Where it can the Commission will seek to raise the importance of the Responsibility to Protect in its bilateral relations" (6 March 2007) (quoted in Evans 2007). Regarding the bilateral way, for instance, the EU funds the African Peace and Security Architecture (APSA) to support the African Union's to implement the Responsibility to Protect. This also followed the European Consensus on Development in 2006 which plans to "strengthened role for the regional and sub-regional organizations in the process of enhancing international peace and security"⁴² Regarding the multilateral way, the UN is viewed as the primary multilateral framework to promote R2P in practice. In rhetoric, EU member states, sometimes on behalf of the Union, made over 50 references to R2P in the UN Security Council or the General Assembly from 2005 to 2007.⁴³ In action, the EU also worked closely with UN in military crisis management, for example, the EUFOR RD Congo in 2006 (Major 2006). However, limited consensus on the interpretation of R2P and subsequent multilateral intervention has been made in the UN. According to the 2005 Outcome Documents, collective action to protect should be only decided through the Security Council in accordance with the UN Chapter VI and VIII.⁴⁴

(IV) European foreign policy making process regarding crisis intervention

Now, the central question is: to what extent the EU's commitment to the above

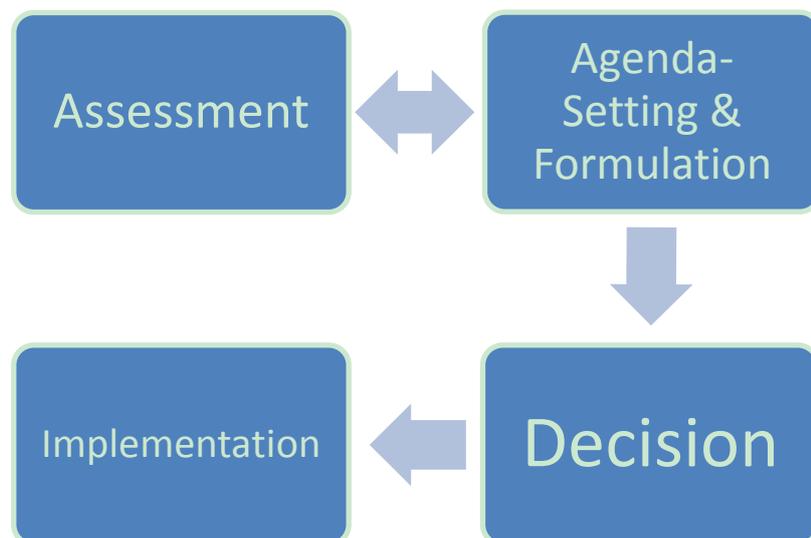
⁴² 'The European Consensus on Development', p.7

⁴³ R2Pcs Project, 'Excerpts of Government Statements on the Responsibility to Protect Europe 2005-2007', Institute for Global Policy, <http://www.responsibilitytoprotect.org/files/Government%20Statements%20on%20R2P%20Europe%202005%20-2008.pdf>

⁴⁴ '2005 World Summit Outcome', Paragraph 139.

principles and values can shape its foreign policy making? Whether the doctrines of R2P and human are just nice rhetoric in international fora? Answering such a question is complicated by at least two factors. First, competencies in European foreign policy-making are dispersed across a variety of actors, including the European Commission, the European External Action Service, the 6-months Council presidency and particularly the foreign and defence ministries of 28 member states (Dover 2013:249). In short, after the Lisbon Treaty the CFSP and ESDP remain intergovernmental in character, while supranational institutions have gradually strengthened rules after the Lisbon Treaty. Secondly, the EU' policy making processes varied across different interventionist policy areas: diplomatic, economic and military. Generally, the higher the level of coercion the intervention policy requires, the higher risks and costs it would entail (sometimes including life and death question), and the more reluctance of member states to pool their sovereignty to the EU when it comes to decisions. Notwithstanding the common declaratory commitment to the emerging norm of global human rights protection, the EU member states still hold significantly different positions concerning the use of force abroad.

Figure 3 The brief Policy Stages of CFSP and CSDP



In the rest of this section, I use the policy-stage approach to analyse the policy-makings of CFSP and CSDP (Figure 3). The presented process mainly reflected the status in the period of 2003-2011, during which the cases of Darfur and Libya occurred. Through the analysis of policy-making process, I inquire the functions of different actors and the different factors affecting their decisions on civilian and military intervention. It should be noted that the process is not always linear that one stage follows on from another. For example, the assessment of crisis situation is not only existed before the agenda-setting, but also lasting after that, because the policy shaping requires further assessments of the international situation as well as resources available.

Assessment of the International situation

The responsibility of The Policy Planning and Early Warning Unit is monitoring the international situation and analysing the emerging crisis. The Unit provides information and assessment to member states who can formulate a common foreign policy. However, sometimes member states pulled their resources back internally, especially when faced high crisis like the 2008 Georgia War. Along with the agenda-setting and the planning process, the Political and Security Committee (PSC) could require more information from other actors, ranging from the Commission, the member states, and the Council Secretariat, the EU Intelligence Analysis Centre (EU INTCEN) and the EU Satellite Centre (EUSC).

Agenda-setting and formulation

The agenda-setting is crucial for the policy making, because it determines what issues will be put into the decision-making process and discussed by the policy-makers. For example, not all of the domestic conflicts/crisis in the world would

be put on the agenda of the CFSP. Due to the security concern, the EU is naturally priorities the crisis occurred in its neighbourhood. Besides, the issues in the EU's agenda of external intervention usually had received a great deal of attention in the media, and influenced by relevant public opinions such as the special responsibility for the former colonies. Therefore, the media reports also play an important role in the agenda-setting of intervention, not only decide whether to put the crisis on the front pages of the newspaper, but also could frame a same crisis in different perspectives. For example, the conflicts framed as the shocking humanitarian crisis or the fight for democracy has more opportunities to become the policy agenda of the EU. Meanwhile, the EU also picks up some trivial issues relatively low on the international agenda, as a number of low-profile ESDP missions deployed in inconsequential countries illustrates. This is because different member states in particular the Big 3 and rotating Presidency sometimes have varying agendas and different priorities in the world (Toje 2008b: 207), and the EU is also cautious and avoid conflicting with the missions of NATO or the UN.

After all, the key actors of foreign intervention are governments thus this agenda needs to be finally set by politicians from above. The supranational institutions have a formal role in the EU's foreign policy agenda-setting. Different from other community policies like single market, the Commission does not hold the exclusive right of the initiates in CFSP from the outset. Instead, it shared right of initiative with member states from Maastricht to Nice, but had rarely used it in a formal way. At present, the Lisbon Treaty excludes the Commission's individual right of initiative, and transfers the right to the High Representative of the Union for Foreign and Security Policies. The HR is also the Vice-president of the Commission, could submit proposals individually or with the Commission's support. However, in most cases a

formal initiative from HR is not a prerequisite procedure for the Council to adopt a decision (Wessel 2012: 500).

The right to convene an extraordinary Council meeting within 48 hours is another tool for the rapid agenda-setting in crisis response. Before the Lisbon Treaty the right was in the hands of the rotating Presidency, while the Commission and member states could request the Presidency to convene an extra meeting. Now the right was also transferred from the Presidency to the new-established High Representative, who can convene an extra Council meeting of his motion, or at the request of a member state. This signifies that the Union has a stronger role in the agenda-setting of the EU's foreign policy particularly regarding crisis intervention.

With regards to the deployment of CSDP missions, the initiatives within EU usually come from the member states, the High Representative (E.g. Javier Solana) and the Council Secretariat, which has an increasing feeling of ownership and can channel its ideas through the Council Presidency or another member state (Breuer 2010: 8). Sometimes, initiatives originated from the third party like the UN and NATO (Björkdahl & Strömvik 2008:1). If the circulating proposed operation is generally recognized by member states and the Commission as politically feasible, strategically desirable and also possible in terms of capabilities, it will survive in the agenda and go head to the stage of planning. The PSC is in charge of the planning of operation, with the assistances of the EU Military Staff (EUMS) and the EU Military Committee (EUMC), or the Committee for Civilian Aspects of Crisis Management (CIVCOM) if civilian aspects involved.

Formal decision-making

First, we need to know what kind of decisions the EU could make through the CFSP and the subordinate CSDP framework. The Maastricht Treaty provided CFSP with the key instruments of Common Position and Joint Action. The Common Position included the restrictive measures such as travel ban, asset freezing and embargo. Once the Council established a Common Position on particular issues, member states must adopt their national policy to in line with the stated EU position. The Joint Action was the formal legal basis of CSDP missions, providing the latter with the objectives, the mandate and etc. Later, the Amsterdam Treaty introduced Common Strategies, which defined the policy objectives, duration and means targeting on certain countries or areas such as Russia, Ukraine and the Mediterranean. Currently, The Lisbon Treaty incorporates the previous three distinct legal instruments of common strategies, common positions and joint actions into the General Guidelines and Union Decisions which 'defining actions to be taken and positions to be done'.

It should be noted that the decisions in CFSP are not the strict 'legal acts' of the EU like in other Union policy areas, in which the Commission, the Parliament and the Court of Justice have respective formal roles in the legislative procedure. Instead, the CFSP decisions are exclusively made by member states in the Council (i.e. The Foreign Affairs Council) and not legally binding. For instance, the Council frequently only issues soft declarations to set up the general political lines in foreign affairs. If member states do not comply with the declaration, the Commission and the Court of Justice cannot resort to the infringement procedure.

The decision rule of CFSP has been evolving from Maastricht to Lisbon. At the beginning of the CFSP, the decisions were made in the Council only by unanimity, which retains the essence of the 'intergovernmentalism' in the age of EPC. Naturally,

the strict adherence to the rule of unanimity would lead to the ineffectiveness, since one single reluctant member could block the whole decision-making process. To improve the situation, the Amsterdam Treaty in 1997 introduced the concept of abstentions, which shall not prevent the adoption of Union decisions. The abstaining member could be exempt from the obligation of such decisions, but still refrain from any actions likely to conflict with or impede the Union action. Considering that it is difficult to implement a CFSP decision without the support of the vast majority, the Lisbon Treaty adds that if the number of member states declaring abstention represents more than one third of member states comprising at least one third of the population of the Union, the decisions would be prevented.

In addition to the constructive abstention, the possibility of majority voting on CFSP has been discussed within the EU since 1990. Amsterdam Treaty first provided that the common position and joint action can be achieved through a Qualified Majority Vote (QMV), under which a member state can only veto in the case that it claims that the measure adopted is against its core national interests (Art. 23.2). Still, the unanimity is the default voting rule of CFSP in the post-Lisbon period, while the application of QMV is seen as the exceptions in certain (albeit increasing) areas of CFSP (Wessel 2012: 500), or in the situation that the Council has unanimously agreed to use the QMV. Besides, the QMV is explicitly excluded at all times from decisions having military or defence implications, such as the CSDP missions which require considerable personnel and financial resources.

Besides the high risk of military intervention, another salient issue over decisions on military intervention is the financing. According to the formal financial arrangement (Athena Mechanism) established in 2004, participating member states in a given

military operation would afford the major expenditure related to the deployment of their personnel and equipment. Meanwhile, all member states with the exception of Denmark, should contribute to a supplementary 'common cost' related to the headquarters, infrastructure and logging according to their GNI scale. Under this mechanism, even certain strong interventionist member states (E.g. France) are willing to contribute troops, the proposal of military intervention within the EU could be blocked by the major providers of the 'common cost' (E.g. Germany). This situation already occurred in several ESDP missions deployed in Africa, in which Germany had few incentives to sponsor the France-led military operation in its former colonies like Congo and Chad.⁴⁵ The financial concern becomes more serious in the context of Euro Crisis and subsequent austerity measures, as member states seek to further cut their already depleted defence budget. It should be noted that although the financing of the CSDP mission is always a political issue raised by member states, it is not a real financial problem for the deployment of the CSDP, because most of the missions are small-scaled that member states could easily afford their shares of 'common cost'.⁴⁶

Generally, it is easier for member states to achieve the 'lowest common denominator' style of cooperation on the civilian interventions in the form of diplomacy, assistance and sanction, the common positions and declarations. Member states could achieve consensus because they generally share some common objectives such as defending human rights, promoting democracy when a crisis emerged in third countries. In addition, through a single voice of Europe, the larger member states could exert their leadership and expand their influences. This process is not necessarily 'zero sum' game in which smaller member states have to lose their autonomy on foreign policy

⁴⁵ Author's interview with a German analyst on ESDP, Brussels, April 2013

⁴⁶ Author's interview with a EU official in ESDP, Brussels, June 2014

to some degree. Instead, smaller members may have the opportunity to play a role in world politics that they could not play individually.

Implementation by civilian and military means

Besides, the EU's diplomatic or economic measures do not require member states to provide additional funding or capabilities, because there are pre-existing agreements within the EU to provide the significant resources. For example, the implementation of EU economic actions involves the classic 'Community method' because the relevant policy tools of external trade, aid and finance are laid in the hands of the Commission. For this reason, the Commission usually participated in the CFSP making-process as the 'twenty-eighth' (now the twenty-ninth) member states. However, the question of to what extent the EU, the largest single market in the world, could use its economic leverage in pursuit of its foreign policy goals is difficult to answer. For example, the EU's trade policy is decided by the Commissioner for trade, rather than the High Representative, on a case-by-case basis.

By contrast, the deployment of European troops in crisis management is largely under the control of key member states in terms of military power. Even after the establishment of ESDP in 1999, member states could choose to send troops abroad through NATO (E.g. Afghanistan) or the UN framework (E.g. Lebanon). Not to mention France and U.K have the records of individual military intervention in Sierra Leone (2000), Côte D'Ivoire (2004) and Mali (2013) in this century, in conjunction with consents of host countries and/or authorization by the UN. Therefore, the voluntary participation in ESDP operations is subject to the member states' own deliberations, and the launch of the larger scale of ESDP overwhelmingly depends on the political willingness of the larger member states.

Meanwhile, the EU has been attempting to Europeanized the security policies of member states by establishing several Brussels-based permanent institutions, which have pronounced executive powers to realize the decided policies. For example, the Political and Security Committee (PSC) established by the Nice Treaty in 2001, is central to the ESDP response to any crisis. According to the Article 38 of the Lisbon Treaty, the main task of the PSC is to ‘monitor the implementation of agreed policies’ and exercise ‘the political control and strategic direction of the crisis management operations.’ It should be noted that the PSC, like its predecessor the former Political Committee, is dominated by national representatives. Nevertheless, in practice the negotiation in PSC is better understood as a problem-solving process with strong wills to forge consensus and frequent references to common EU values, rather than the hard bargaining in pursuit of fixed national interests (Juncos and Reynolds 2007: 141). This argument is confirmed by my interviewees in Brussels. Most of them said that for historical reasons the commitment to common value plays a quite important role in PSC negotiations, and unlike a hard bargain bigger members rarely bully smaller ones. Or at least, “both the problem-solving and bargain existed within the PSC.”⁴⁷ Therefore, the PSC could be regarded as one of the channels in which the Europeanization of national foreign policies took place.

In addition to the PSC, the European Defence Agency (EDA) was created in 2004 to “support the member states and the Council in their effort to improve European defence capabilities in the field of crisis management and to sustain the ESDP”, in terms of identifying operational requirements and then suggesting programs to fill the gap. Similarly, the EDA is hardly an autonomous supranational institution, since

⁴⁷ Author’s interview with several EU officials in EEAS, Brussels, June 2014

its steering board is made up of the defence ministers of participating member states.

Finally, the Lisbon Treaty provided the EU with the full-scale diplomatic corps: The European External Action Service (EEAS), under the authority of the High Representative. With the establishment of the EEAS in 2010, all these above agencies have been transformed into EEAS's branches, while their intergovernmental functions will continue in the foreseen future. However, the function of EEAS is currently constrained by member states. For example, some member states are reluctant to further fund EEAS and commit their own diplomats to the autonomous body (Allen 2012: 647). From the perspective of member states, since the rotating presidency is replaced by HR Ashton (except trade area) and now there is less transparency after the Lisbon.⁴⁸ For HR Ashton, she was expected to bridge the gap between the Commission and the Council, but she failed in the Commission.⁴⁹ Anyway, it remains to be seen to what extent the new established EEAS and HR could promote a more capable and coherent EU's foreign policy.

Conclusion

In general, the EU is at the forefront of the multilateral intervention in humanitarian crises. To do that, the EU goes beyond its traditional image of civilian power, and has developed its diplomatic, economic and (still weak) military tools at its disposal since the late 1990s. With regard to the principles governing the multilateral intervention in the UN framework, the EU clearly promotes the norms of human rights and democracy, and supports the emerging concept of R2P. These ideas derived from the post-war history of Europe, and permeated the fundamental treaties and key

⁴⁸ Author's interview with a EU official in ESDP, Brussels, June 2014

⁴⁹ Author's interview with a EU official in EEAS, Brussels, June 2014

documents of the EU. Obviously, these norms or principles never entirely determine the EU's policy outcomes of intervention, but could predispose the EU to act in certain ways and refrain it from some other actions.

Turning to the question of policy-making process, Intergovernmentalists could safely argue that the intergovernmentalism still prevails in EU's crisis intervention policy. National governments interact intensively during the decision-making process and final decisions are made by European Council or Council of the ministers rested on member states unanimity. There are two basic reasons for this. First, member states need to react to international crises under tight time pressure. That is why member states held the right of policy initiation while the High Representative with the support of the Commission has an equal right to initiate but is not expected to do formal agenda-setting. Secondly, in crisis management member states are focusing on policy coordination rather than legislation-making. There is little room for a strong institution to play the role of monitoring, sanctioning and executing (Wagner 2003). Therefore, member states have much less incentives to delegate their foreign and security policy to the EU institutions, which cannot help to decrease the transaction costs like in trade policy. Consequently, the lack of its own coherence and capabilities usually makes the EU's intervention often less effective.

Nevertheless, the institutionalization at the Union level has been shaping the pure intergovernmental cooperation on foreign and security policies, through the increasingly important Brussels-based institutions such as the Political and Security Committee. The logic of appropriateness, like the common ideas serve as the coalition glue, is clearly visible in the past negotiations in the PSC. The path dependency can be observed in the choices of Petersburg tasks, which shaped subsequent policies (Peterson and Lavenex 2012:200). Constructivists even go further,

by claiming that the intensive foreign policy interaction within the EU for decades has been influencing the preference formation of the member states and developing the new European identities and interests in the external relations. For instance, the common goals of preventing, managing and resolving crises are genuinely shared among member states regarding the policy-making of intervention.

Neither the Intergovernmental/Realist approach nor Institutionalist-Constructivist approach can individually capture the full dynamics of the *sui generis* European Foreign Policy making process. In fact, the two approaches are not mutually exclusive, and the European intervention policy is better understood as a combination of national interests and normative considerations. European policymakers usually admitted that they were making the balance between the national interests and common norms which were intertwined in some occasions.⁵⁰ Therefore, it is better to understand European Foreign policy as primarily intergovernmental constructed, in which division of interests certainly existed among national capitals, but increasingly influenced by the institutions based in Brussels, where the socialization, persuasion and learning processes have been shaping the positions of member states.

⁵⁰ Consensus view of several European diplomats, personal communication, Brussels and Rome, 2012-2014.

Chapter 4: Chinese foreign policies on interventions: Positions, Principles, and Processes

Since the establishment of the People's Republic in 1949, China's approach to the UN multilateral interventions has experienced three stages. (1) Before recovering its membership in the UN in 1971, China was largely isolated from the international community. Meanwhile, Beijing was even boldly against the UN intervention by force such as in the Korean War. (2) During the 1970s and the 1980s, China was still reluctant to participate in the UN peacekeeping operations, but unilaterally intervened in the Vietnam and Cambodia. (3) Since the end of the Cold War, China has gradually become an active participant of multilateral intervention under the UN framework, while Beijing is averse to the conception of non-consensual 'humanitarian intervention' and wary of the emerging norm of 'Responsibility to Protect'.

Several literatures have reviewed China's intervention and non-intervention policies from the 1950s to the 2010s, to demonstrate how Beijing's principle of non-interference involved in the past 60 years and explain why China's positions on UN peacekeeping varied in different periods (He 2007, Stähle 2008). However, there has so far been little attention given to the issue of Chinese foreign policy making process concerning crisis intervention, which is essential to understand the effect of ideas and principles on the policy outcomes. Therefore, my research on this topic will combine the analysis of policy making process, attempting to explore the mechanisms in which ideational factors could exert a long-lasting influence on policy-making.

The chapter is divided into four parts. The first section explains why China acquired the principle of non-interference in the 1950s, emphasizing Beijing's security concerns and ideological motivations. Besides, I will explain China's practices of unilateral intervention and reluctant attitude to the UN multilateral intervention during the Cold War. The following section focuses on the evolution of China's position on multilateral intervention since the 1990s, accounting for Beijing's rationales to participate the UN peacekeeping. In the third section, I point out that China does not completely cast off the principle of non-interference. Beijing still emphasizes the respect to target state's sovereignty and the neutrality of intervention in recent cases. The final section turns to the third question of Chinese foreign and security policy making process, and attempts to demonstrate how the principles and values could shape China's policy-making on crisis intervention.

(I) The emergence of China's non-interference principle and the Chinese practice of external intervention

China's adherence to the principle of non-interference can be traced back to the 1954, when 'the Five Principles of Peaceful Coexistence' were enshrined as the cornerstone of Chinese foreign policy.⁵¹ The Five Principles, including: (1) Mutual respect for each other's territorial integrity and sovereignty, (2) Mutual non-aggression, (3) Mutual non-interference in each other's internal affairs, (4) Equality and mutual benefit, and (5) Peaceful co-existence. Their first formal codification in treaty form was signed in 1954, in a China-India agreement on trade and intercourse between the Tibet Region of China and India. Then the five principles were subsequently incorporated in modified form in a statement issued in April 1955

⁵¹ China's Ministry of Foreign Affairs affirmed China's continuing allegiance to The Five Principle after the change of Chinese leadership. Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on November 15, 2012

at the historic Asian-African Conference in Bandung, Indonesia. Later The Five Principles had been adopted in Colombo and elsewhere formed the basis of the Non-Aligned Movement.

Security concern was one reason for China's adoption of the non-intervention principle in the 1950s. The new born PRC was facing an insecure domestic and international environment. Domestically, the Chinese Civil War was not completely ended, with the continuing military collision between the PRC in mainland China and ROC in Taiwan Island, as well as the danger of rebellion movement in Tibet. Internationally, the U.S and other major western countries refused to recognize the communist regime in China and adopted a joint export embargo against the PRC. Besides, due to the strong U.S military presence in China's neighbourhood and the U.S military intervention in the Korean War, Beijing deeply perceived the risk of being intervened and toppled by the U.S. The international situation further deteriorated for China as a result of the Sino-Soviet Split since 1960, in which Moscow also threatened to punish Beijing. Therefore, as a potential target of foreign intervention, China naturally preferred to the defensive principle of non-interference.

China's embrace of the non-interference principle was not only aiming to preserve the Communist regime and China's independence from foreign interventions. One of the most notable features of its development is that it had been driven significantly by domestic and international anti-colonialism and anti-imperialism movement. Therefore, ideology is another reason for Beijing to enshrine this principle. China shared the doctrine of non-interference in domestic affairs with the global South, or called 'The Third World' in Mao Zedong's term. During that period Western powers regularly interfered in the internal affairs of their former colonies through regime

change, economic agreement with strings, and even the deployment of military force. To fight against the Western interference and change the world order, China supported the national self-determination movement with large-scale aid and quickly established diplomatic relations with the newborn African countries. In return, African countries played an essential role in Beijing's campaign to secure a permanent seat on the UN Security Council. After being isolated from the Western world and deteriorated the relations with the Soviet bloc, China perceived the developing countries in Asia, Africa and Latin America (represented by the Group of 77) as its friends in the world. As the world's largest developing country as it labelled itself, China attempted to unify their voices on the global issues.

Echoed by the Five Principles and in particular the principle of non-interference, the increasing number of post-colonial states contributed to make considerable law-making declarations and resolutions in the UN even before the PRC regained China's UN membership in 1971. For instance, the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty in 1965,⁵² and the *Declaration of Principles of International Law Concerning Friendly Relations and Co-operation Among States in Accordance with the Charter of the United Nations* in 1970.⁵³ Therefore, at that time China insisted classic Westphalian norms of non-intervention in international fora: on the basis of a 'thick' notion of sovereignty, Beijing refuses to support international interventions even with the UN Security Council authorization and the invitation of the host state.

Throughout the first decade in the UN, China's attitude to the UN peacekeeping was

⁵² UN General Assembly A/RES/20/2131, 21 December 1965

⁵³ UN General Assembly A/RES/25/2625, 24 October 1970

an outright rejection. During this period, the UN peacekeeping missions focused on the Middle-East to calm the Arab-Israeli Conflict, in Suez (UNEF II) in 1973 and in the Golan Heights (UNDOF) in 1974 concluding the Yom Kippur War, and Lebanon (UNIFIL) in 1978 following the 1978 South Lebanon conflict. Since its return to the UN Security Council, China generally opposed the creation and continuation of all UN peacekeeping operations, and refused to share the annual budget of peacekeeping operations or contribute personnel operations (He 2007: 16-17). In Beijing's view, the UN peacekeeping operation was under the ultimate control of the two hegemonic superpowers, as an interventionist instrument to serve their own interests. Consequently, as the pioneer of the anti-hegemony, China should not cooperate with them in the UN Security Council. Remembering the brutal war in Korea against the UN forces in the early 1950s, Beijing was naturally suspicious of the peacekeeping operation under the UN flag.

It is noteworthy that Beijing did not veto any proposal of UN peacekeeping operations in this period, because a veto could be regarded in line with the position of either U.S or Soviet Union, and annoyed the host country which might genuinely need the UN peacekeeping. Instead, Beijing often presented during the UNSC voting process, but kept silent and did not participate in the voting, in order to express its non-cooperation and neutrality. For example, as regards setting up United Nations Emergency Forces to supervise the ceasefire between Egypt and Israel at the end of Yom Kippur War, China did not vote or formally abstain on the UNSC Resolution 340.⁵⁴ The Chinese representatives called the behaviour as 'the fifth kind of voting' (Zhu 2005), which was different from the four traditional kinds of voting behaviour in UN: voting in favour, vote against (veto), abstention and absence from the meeting

⁵⁴ UN Security Council: Resolution 340, October 25, 1973

and voting. It reflected that Chinese diplomats still needed time to learn the complex structures and procedures of the UN, after the restoration of Beijing's seat in the organization in 1971. The dearth of experience in multilateral organizations was another practical reason to refrain China from participating in UN peacekeeping during the 1970s.

Ironically, Beijing's commitment to the principle of non-interference was not wholly consistent during the Cold War. In support of the communist revolution and self-determination movement, Mao's China obviously breached the principle of non-interference several times from the 1950s to the 1970s, notably the unilateral military intervention in the neighbouring Korean Peninsula and Indo-China Peninsula. During the Korean War (1950-1953), China fought against the UN multinational force led by the U.S, in order to save the defeated communist regime in North Korea. In 1979, China invaded the Socialist Republic of Vietnam, as a response to Vietnam's occupation of Cambodia in 1978 which ended the rule of the Chinese-backed Khmer Rouge.

China justified its military interventions in two ways, although they are probably not well reflected China's genuine motivations. First, Beijing legitimated its military interventions as against the pre-existing interventions made by the U.S in Korea and Vietnam in Cambodia. According to Beijing's narratives, U.S represented the Western imperialism, which attempted to occupy the Eastern countries like Korea, while Vietnam sought to establish its regional hegemony in Indo-China by occupying Cambodia. Therefore, China's interventions were invited by the host country (North Korea and Cambodia) to combat the invaders. Secondly, at home Beijing used the reason of self-defence to justify its military operations. Based on this claim, China

was involved in the Korean War because U.S was bombing the Chinese towns on the China-Korea border and would pose a bigger threat to China if it occupies the whole Korea. Beijing also accused Vietnam of provoking border conflicts which finally exceeded China's tolerance.

Besides the two striking cases of military interventions, China also exerted political interventions by supporting the communist (Maoist) anti-government forces in other countries, in particular in South-East Asia and Africa. This practice was particularly prevailed during the China's Cultural Revolution (1966-1976), and stood contrast to the current Chinese foreign policy proclaims as respecting the political system of other countries. However, it should be noted that China's radical interventionist policy in this decade was mainly the result of domestic political chaos and reflecting Mao's personal will, rather than a routine national foreign policy. For example, the Chinese Foreign Ministry was largely paralysed by the 'Cultural Revolution' and excluded from the decision-making of the exporting revolution.

China's interventionist policy based on the revolutionary ideology was ended in the 1980s. In the era of Deng Xiaoping, the aim of Chinese foreign policy began to transform from confronting the two superpowers to creating a peaceful international environment for the domestic economic development. For example, to improve the relationship with its Southeast Asian neighbours, China re-emphasized the principle of non-interference, replacing the support to the communist rebels and the fight against the hegemony in this region. In this light, China could re-establish the diplomatic relations with Indonesia in 1990 and ended the conflict with Vietnam at the same time. In the 1980s, the embrace of the principle of non-interference was necessary for Beijing's strategy of development. By reducing the possibility of conflict

with superpowers and neighbours and the material burden of exporting revolution, China could focus its limited resources on economic development.

Meanwhile, the domestic 'Reform and Opening up' also request China to engage in international cooperation and multilateral diplomacy. Since the 1980s, Beijing adjusted its UN policy and began to take a more cooperative stance on the UN multilateral intervention. For the first time in 1981, China voted in favour of the Security Council resolution that extended the mandate of the UN peacekeeping operation in Cyprus. The next session will explain China's position changes regarding the UN peacekeeping operations.

(II) The evolving China's positions on intervention since the 1990s

The end of the Cold War has profoundly changed the international environment. After getting rid of the global geopolitical game between U.S and USSR, the focus of the international community, including the developing world has largely shifted to the new agendas such as civilian protection, crisis management and peace-building. The UN Security Council, which was largely paralysed by the West-East confrontation during the Cold War, has become more active in playing a decisive role in dealing with crises since major powers have a higher political willingness to cooperate. A clear indicator of this is the fact that the UN undertook only 13 peacekeeping operations From 1948 to 1988, all of them are traditional monitoring mission after the conflict; while from 1988 to 2012, the UN deployed more than 50 UN peacekeeping missions, some of them were including broader mandates.

China's non-interference policy, as a reaction to the bi-polar world, has been adapted to the changing international system accordingly. As a posture of integrating the

international community, China actively participated in multilateral intervention operations through the UN framework in the past 25 years. Since it first dispatched 20 election monitors to the United Nations Transition Assistance Group (UNTAG) in Namibia in 1989, China has become the largest peacekeeping contributor among the UNSC permanent members and ranked 15th overall among all UN contributors. At the beginning, China's participation was limited to the traditional non-military tasks such as sending observers to the Iraq-Kuwait Observer Mission in 1991 and deploying engineering units to the UN Transitional Authority in Cambodia. The slight shift occurred in 1993, when Beijing voted in favour of the resolutions authorizing the use of limited force to protect civilians in Somalia and Bosnia. Since the 2000s, China's peacekeeping engagement ranged from traditional peacekeeping operations to multidimensional peacekeeping and enforcement. In East Timor, Liberia and Congo, considerable Chinese troops and police were deployed in large part to protect civilians.

There are two preconditions that China could choose to participate in the UN peacekeeping operations. First, as a well-recognized tool of multilateral intervention in conflicts, the UN peacekeeping operation is a comparable safe form of engagement to maintain the peace and security. Hence Chinese soldiers wearing the blue helmets would not cause the major controversy at home or fuel the 'China Threat' theory abroad. Besides, as the permanent member of the UN Security Council, China could use its veto power and influence to shape the proposed UN intervention in accordance with its interests and preferences. For instance, by strengthening the authority of the UN, China could counter the radical form of unilateral military operation led by the West.

Furthermore, two kinds of pressures have been driving China to involve with the international crisis management. On the domestic level, in recent years there is growing demand for Beijing to secure China's expanding interests abroad, even by military presence if necessary. For example, around 75% Chinese peacekeepers have been deployed in Africa, where China has major interests on energy and trade, but also increasingly exposed to the local fragile security environment. On the international level, both the Western countries and developing partners urged China to shoulder more responsibility in assisting the host state to overcome its security challenges. For instance, the Forum on China-Africa Cooperation (FOCAC) has explicitly incorporated the Chinese cooperation with Africa on peace and security (Aldin and Large 2013: 19-20).

In an optimistic view, the divergence between Chinese and Western positions on interventions is under the way of lessening (Carlson 2006:224). Like other great powers involved in peacekeeping operations, Beijing's motivation behind includes bolstering China's status as a benevolent power, capitalizing on chances to exercise PLA force and maintaining a military presence in some concerning areas. A Chinese analyst (Pang, 2009) also points that China's adherence to the principle of non-interference is experiencing remarkable change, because (1) A growing domestic demand for China to protect its overseas interests; (2) Western pressures on China to shoulder more international responsibility; (3) and some developing countries adopt a flexible interpretation on non-intervention, notably the African Union.

However, the Crisis in Darfur completely exposed the divergences between China and the West on international intervention, which was highlighted before 2008 Beijing Olympics with the mass campaigns against the Chinese government in Europe and

North America. A quantitative discourse analysis shows that China's position on Darfur was quite different from that of U.S: In their respective 20 official speeches and documents on Darfur, U.S mentioned sanctions 74 times and approves it explicitly 61 times, whereas China mentioned sanctions 49 times and opposes it 22 times (Gu and Dong 2010: 28). Beijing was blamed as an irresponsible power in the management of Darfur conflicts, watering down and obstructing decisions in UN Security Council on a robust UN multilateral intervention to halt the slaughter in Darfur. And even worse, rumours abounded about Beijing's military assistance to Khartoum, according to reports *from Amnesty International (2007) and some Western media*.⁵⁵ China, of course, categorically denied this accusation.⁵⁶ The conventional wisdom attributes China's position to its close oil ties to the Sudanese regime. However, this prevailing explanation in terms of economic-motivation may ignore the importance of ideational factor in China's foreign policy, thus fail to seize the general and consistent Chinese position on intervention, in particular does not provide a satisfactory account of some cases in which China's economic motivation was inadequate.

When Libya Civil War broke out, More than 30,000 Chinese nationals worked in Libya. China mounted a big operation to fly out Chinese citizens on chartered flights and military aircraft, which demonstrates China's growing ability and willing in operations abroad. At the same time China voted in favour of UN Security Council resolution 1970 which condemned the use of lethal force by the regime of Gaddafi against

⁵⁵ Hilary Andersson, "China 'is fuelling war in Darfur', *BBC News*, 13 July 2008; Amnesty International, 'Sudan: Arms Continuing to Fuel Serious Human Rights Violations in Darfur', 8 May 2007.

⁵⁶ Zhang Juan, 'Zhai Juan: The Weapons in Darfur is not from China', *CRI online*, 17 April, 2007. 张娟:《翟隽: 达尔富尔地区武器来源帽子扣不到中国头上》, 国际在线。

protesters, and imposed a series of international sanctions in response.⁵⁷ This could be read as a sign that China began to adopt a more permissive approach to intervention. However, on March China retreated somewhat to its traditional position by abstaining in the vote on the UN Security Council resolution 1973 that authorized a non-fly zone and 'all necessary measures' to protect civilians in Libya.⁵⁸ What the outcome was: the France, the UK and US-led military intervention sidetracked from the aim of protecting civilians but aiding the rebels for hastening Qaddafi's downfall. During the course of the events, China repeatedly accused NATO of overstepping its mandate several times.

The consequence of regime change in Libya has strengthened China's resistant position on international intervention on humanitarian ground. Considering the later crisis and coercive multilateral interventions in Syria, China vetoed a Western-drafted resolution along with Russia at the UN Security Council on 4 October, 2011 that would have threatened Assad's regime with targeted sanctions if it continued its campaign against the protesters. On 4 February 2012, a similar resolution was vetoed by China and Russia again. On 4 August, China and Russia vetoed UN Security Council resolutions which could have led to sanctions against Syria a third time. China's expressed its stance explicitly early in May 2011 as follows:⁵⁹

"China believes that when it comes to properly handling the current Syrian situation, it is the correct direction and major approach to resolve the internal differences through political dialogue and maintain its national stability as well as the overall stability and security of the Middle East. The future of Syria should be independently

⁵⁷ S/RES/1970 (2011) ,26 February 2011

⁵⁸ UN Security Council SC/10200, 17 March 2011

⁵⁹ Ministry of Foreign Affairs of the People's Republic of China, 'Foreign Ministry Spokesperson Jiang Yu's Regular Press Conference on May 24, 2011', 25 May, 2011.

decided by the Syrian people themselves free from external interference. We hope the international community continues to play a constructive role in this regard.”

China’s position on multilateral intervention is clear and basically consistent in above cases: unwilling to intervene, at least by coercive measures. In contrast to a popular argument that China supported Al-Bashir and Gaddafi regimes in the pursuit of its oil interests in Sudan and Libya, in the case of Libya China’s non-intervention policy had made Chinese assets and investments in risk during and after the regime change. The economic-motivation explanation of China’s position is even less convincing in the case of Syria where Chinese assets are quite limited. The next section explores the role of China principles, which could be a reason to explain why China’s positions on intervention are not always directly reflecting their powers and interests.

(III) China’s current principles regarding the multilateral intervention

Although China has become less adhered to the classical form of non-interference principle since the 1990s, Beijing’s positions in recent cases of Sudan, Libya and Syria remind us to reconsider the limit of China’s shift from its non-intervention position. Still, China exclusively sticks to the traditional peacekeeping operations which must have clear UN Security Council authorization as well as the local consent. The UN defines the peacekeeping operations (UNPKO) as *Non-combatant military operations undertaken by outside forces with the consent of all major belligerent parties and designed to monitor and facilitate the implementation of an existing truce agreement in support of diplomatic efforts to reach a political settlement.*⁶⁰ Therefore, China’s participation in UN peacekeeping has been guided by these defining principles: (1) deployment of the force following a ceasefire agreement; (2) the requirement of

⁶⁰ United Nations, Department of Peacekeeping Operations, “Glossary of UN Peacekeeping Terms”, <http://www.un.org/en/peacekeeping/sites/glossary/p.htm>

consent of the host country or belligerent parties; (3) the non-use of force, except in cases of self-defence, and (4) impartiality of the force and its commander (Contessi 2010: 329). China's commitment to above principles can be found in China's white papers *China's National Defence* in recent years and China's discourse in the UN Security Council debates on peacekeeping.

According to the former Chinese president Jiang Zemin's speech in UN Security Council in 2000,⁶¹ China's strict restrictions on humanitarian intervention is a critical lesson drew from the NATO unilateral military intervention in Kosovo. Tang Jiaxuan, who was then the Chinese Foreign Minister, spoke at the UN that "A country's sovereignty is the prerequisite for and the basis of the human rights that the people of that country can enjoy. When the sovereignty of a country is put in jeopardy, its human rights can hardly be protected effectively."⁶² The case of Kosovo alerted China to the danger of coercive intervention against the wills of host state. Moreover, China's wariness on the US-led intervention is rooted in the soured Sino-American relations after the Cold War and the Tiananmen accident. With the collapse of the Soviet Union, as the remaining largest communist regime in the world, Beijing perceived the challenge from the liberal democracies through the so-called 'Peaceful Evolution'. Therefore, it is not surprising that in the Chinese version of multilateral intervention, emphasis is placed on the importance of respecting the target's sovereignty and the leadership of UN instead of a West-orchestrated intervention.

What arose in cases of Darfur, Libya and Syria is the emerging norm of Responsibility to Protect. Although China accepted the R2P with reluctance in the UN,⁶³ the idea

⁶¹ Jiang Zemin, The speech in the summit meeting of UN Security Council, 7 September 2000, <http://www.people.com.cn/GB/channel2/17/20000908/223916.html>

⁶² General Assembly, A/54/PV.8, p.16, 22 September 1999

⁶³ China, Russia and Algeria had initially opposed the notion of collective responsibility

has little attraction for Beijing. According to the speech of Ambassador *Liu Zhenmin*, the *Deputy Permanent Representative of China to the UN in 2009*, China emphasizes that R2P remains a concept and does not constitute a norm of international law. Liu reiterated the implementation of 'R2P' should not contravene the principle of state sovereignty and the principle of non-interference in internal affairs, and strictly limited to four mass atrocity crimes, namely, "genocide, war crimes, ethnic cleansing, and crimes against humanity".⁶⁴ The subsequent controversial application of R2P implementation has raised more objections from the Chinese government. As Beijing needs to balance its well established principle of non-interference with the global emerging norm of R2P, after the intervention of Libya which brought about a regime change, China's balance inclines to the orthodox principle of non-interference again. A Chinese diplomat and IR expert, argued that R2P is highly vulnerable to the abuse of regime change, which is not authorized by the UN Charter, thus China vetoed on Syria in the defence of the UN Charter (Qu 2012).

In addition, In China's view the application of R2P may be too narrow since its conception of human rights gives priority to civil and political rights over socioeconomic rights, which encompass issues such as the food and resources crisis. Instead, Beijing believes that the key of the final solutions to the problems of China and other developing countries' is their own economic and social developments. For example, China mentioned words relevant to 'development' 83 times in its 20 documents concerning Darfur from 2004-2008 (Gu and Dong 2010: 28). Liu Guijin,

(paragraph 139), however Algeria's two-year term as a non-permanent member of the Security Council came to end on December 31, 2005 and British diplomats persuaded China and later Russia to pass Resolution 1674. See 'Update Report No. 1, Protection of Civilians in Armed Conflict', *Security Council Report*, March 8, 2006; E. Lederer, 'UN Affirms Duty to Defend Civilians', *The Washington Post*, April 28, 2006.

⁶⁴ UN General Assembly, A/63/PV.98, 24 July 2009

the Chinese envoy on Darfur, offered an alternative interpretation of the Darfur situation by arguing that the essence of Darfur issue is not genocide, but ‘development’, which caused the conflicts over resources between ethnic groups.

⁶⁵This argument of development was echoed by the Sudanese ambassador to China Mirghani Mohamed Salih, who attributed the Darfur crisis to ‘insufficient development’ in an interview with a Chinese media.⁶⁶

Beijing’s emphasis on economic development and the stability of the state reflected its strong political preference since the Deng Xiaoping era. It is originated from the Chinese Communist Party’s ideology of governance at home, that long-term development is more important than liberal-democracy. This also has shaped China’s modalities on the conflict-prevention and conflict intervention in other continents. As a confident newcomer in the global stage, China is more willing to provide its alternative norms rather than passively follow the existing norms made by the West.

In practice, China’s stances of non-interference are usually appreciated by the developing countries who can take the advantage of it. The non-interference principle is helpful for Beijing to comfort its African partners that China would not attempt to dominate them by utilizing its material leverages (Li 2007). For example, while engaged with the implementation of African Peace and Security Architecture (APSA), China has proffered its non-interference policy – according to which China focused on providing financial and technological support and the African Union remains the owner and leader of its security program (Kambudzi 2013: 32).

⁶⁵ Bai Jie and Xu Song, ‘Liu Guojin: The essence of Darfur issue is issue of development’, *Xinhua Agency*, 29 May 2007. 白洁, 徐松:《刘贵今: 达尔富尔问题实质是“发展的问题”》, 新华社

⁶⁶ Interview by Ruan Cishan, ‘The truth in Darfur which was distorted by U.S’, *Phoenix TV*, 18 October 2007. 阮次山:《被美国歪曲的达尔富尔问题真相》, 凤凰卫视

(IV) Ideas and the Chinese Foreign Policy Makings

After the cold war, China has framed various ideas, including 'lie low, bide our time', 'peaceful rise', 'peaceful development', 'multi-polar world', and 'harmonious world', as the strategic guideline of Chinese foreign policy. These ideas well reflected China's perceptions of the international environment and its self-identity. Using the theory of categorization and social identity, Yong Deng points out the international social situation China faces: After the collapse of the Soviet bloc, the leading advanced western democracies seek to establish their in-group superior qualities by promoting a set of values as the basis of social comparison and categorization in international society (Deng 2008). That is why U.S and the EU would like to use the word 'engagement policy' toward China, whom needs be engaged with their leading existing customs, in order to be entitled to the full membership of the international club.

As Yong Deng claims, to overcome the disadvantage and raise its status in international society, China's strategy follows two directions: on the one hand, as a continuing status quo power, China actively participate in the existing international order such as UN and WTO, in which China has an advantage; on the other hand, China attempt to alter the dominance of western ideas in international society, for example, by advocating the idea of 'harmonious world': where western superiority of democracies is no longer valid, but every sovereign state can embrace their own political systems, economic models and social arrangements. However, nowadays China's strategy of two-directions may encounter a dilemma regarding the issues of international intervention. Although Beijing is willing to play a significant role in maintaining the international peace and security, in particular through the UN

framework, the norms leading the intervention such as R2P are championed by the West, which make China hesitated to follow.

The question the dissertation tackles is to what extent these ideas and principles professed by Beijing could shape China's foreign policy making on external crisis intervention? Like the study of the European foreign policy in Chapter 3, the answer to the Chinese question is also related to its policy-making process. Compared to the EU, however, Chinese foreign policy making process is less transparent and sometimes appears to be mysterious, largely due to the lack of foreign policy decision-making legislation. In theory, the competencies of Chinese foreign policy making dispersed across several government departments, including National People's Congress, the President, State Council, and the Central Military Commission. In reality, however, the small and opaque Standing Committee of the Politburo of Chinese Communist Party (CCP) has the ultimate authority in China. The collective leadership of Politburo Standing Committee (PBSC) could make supreme foreign policy decisions outside the Foreign Affairs Ministry and Defence Ministry, especially on the major issues. Therefore, it is difficult to anticipate Beijing's foreign policy from its formal decision-making procedures. But this does not imply that China's foreign policy making is random and could elude the academic scrutiny. In fact, the CCP regime is even easier to achieve the continuity of foreign policy than the politics of multi-party system. The consistency and coherence of the Western foreign policies are affected by the rotation of ruling parties and the separation of powers between the legislative and executive branches.

Meanwhile, analysts also find it is difficult to view Beijing's foreign policy making as purely centralized and mainly reflected the personal wills of top leaders. As a growing

world power under the domestic social transition, today China faced the most complicated foreign policy challenges of any other time in the history of the PRC. To adjust to the transforming international and domestic environment, Beijing's foreign policy mechanism has grown more sophisticated and diverse, in which a broader spectrum of actors and factors need to be taken into account (Jacobson and Knox 2010). In respect of the multiple actors, for instance, Chinese official think tanks and even elite experts from universities are believed to have informed and influenced the Chinese senior decision makers since the Jiang Zemin's Presidency (1989-2002) (Shambaugh 2002, Morrison 2012). Regarding the emerging factors, for example, Chinese public opinion is no longer regarded as irrelevant in the analysis of Chinese foreign policy.

The two characteristics—the lack of transparent procedures as well as the proliferation of inputs—make the study of Chinese foreign policy makings especially challenging. The chapter will adopt a complex approach, rather than only a linear stage approach to analyse it. First, I will discuss the key people and agencies involved in the Chinese decision-making process; Secondly, I will identify the domestic intervening variables in particular ideational ones, which could have influences on these people and agencies. It should be noted that my investigation bellow mainly reflects the period of Hu Jintao's Presidency (2002-2012), during which the interventions in crises of Darfur and Libya occurred. The new China's National Security Commission of CCP established by President Xi Jinping in 2013, which further centralizes the Chinese foreign and security policy making and increases the authority of the president over the deep bureaucratic traditions and rivalries, is beyond the content of the chapter.

Chinese decision makers and agencies involved in external crisis interventions

The collective leadership under the principle of 'democratic centralism' is the key for understanding the China's foreign policy decision making. Usually, the more important issue would involve broader scope of discussion among CCP top leaders and even other high officials in relevant departments. Any decision on strategic important issues such as introducing a new strategic policy toward a critical country should be based on the consensus among 7 or 9 top leaders in the Politburo Standing Committee. They are based in Beijing and meet regularly every week or the emergency requires. Considering the varied backgrounds and charged fields of PBSC members, sometimes they have different priorities and preferences during the negotiation. In case the consensus is impossible to reach and the decision has to be made, it is believed the final decision will be voted upon (that is why the number of Politburo Standing Committee member is always odd). It is noteworthy that in most cases the Politburo Standing Committee would take longer time to achieve unanimity, rather vote for the decision.

Like most of his counterparts in the world, the Chinese President, as the general secretary of the CCP and the Chairman of Central Military Commission, is the supreme policy-maker on foreign policy. Although needs to seek consensus, Hu Jintao commands unparalleled authority and privilege in determining routine and daily foreign policies, and have greater weight than his colleagues to decide strategic issues. According to the division of labour among members of Politburo Standing Committee, the president is in charge of the diplomatic and defence affairs.⁶⁷ He

⁶⁷ Other PBSC members also shoulder some responsibility on external relations. For example, Wu Bangguo, as the chairman of the National People's Congress, was in charge of the parliament diplomacy. Jia Qinglin, who chaired the People's Political Consultative Conference, played a significant role in dealing with Taiwan, overseas Chinese, and relations with developing countries. (Cabestan, 2009: 68)

heads the Foreign Affairs Leading Small Group of the Communist Party of China (FALSOG), which is an ad-hoc inter-agency committee consisting of a dozen senior CCP leaders and relevant ministers. In Hu's era, the Leading Small Groups (LSGs) in different areas played essential coordinating roles in the governance of China. The FALSOG shares the same executive staff and slightly different group members with the NSLSOG (National Security Leading Small Group) which was established in 2000. As a subset of CPC Politburo, the FALSOG is the highest decision-making body on China's external relations.

The FALSOG is largely designed for responding to the international crisis, which (potentially) involving China, rather than dealing with regular foreign affairs at the working level. In the ad-hoc FALSOG meeting, all the relevant agencies have one or two seats at the table by invitation. During the process of policy making, there might be various opinions and competing policy options presented by different branches, such as the Ministry of Foreign Affairs, the Ministry of Commerce, the CCP international department, the Ministry of State Security and the Military (PLA).⁶⁸ Generally, the discussion in FALSOG is understood as problem-solving and consensus-building among different agencies. The diffused decision-making authority could lead to a slower decision making process regarding the critical and emergent issues, but also help to avoid making arbitrary and disastrous decisions made by an individual or a minority of people. The establishment of FALSOG marks the end of strongman in China. Compare with Mao Zedong and Deng Xiaoping, the subsequent Chinese Presidents Jiang Zemin and Hu Jintao do not have the absolute authority

⁶⁸ It is believed that the PLA has the greater weight than any other line ministries on issues have a clear security dimension such as border disputes and Sino-US relations. But the role of PLA in general Chinese foreign policy making is debated. On the one hand, along with the professionalization of the PLA, the Military's influence on Chinese politics has largely declined since the Deng Xiaoping era. On the other, in recent years several PLA generals frequently made public comments on international affairs and engaged in television debates.

over the critical foreign policy decision making. As a Chinese analyst pointed out, the broader consensus building serves to legitimate the final decision within CCP, instead of risking the personal career and reputation of individual leaders (Sun 2011:6).

As the primary (but informal) advisor of Chinese President on foreign affairs, the State Councillor plays a central coordinating role among different participating agencies. In Hu's era, State Councillor Dai Bingguo manages the office of FALSG, which is also known as the Foreign Affairs Office of CCP Central Committee (FAO). As a conveyor belt between top leaders and bottom bureaucracies, The FAO is an essential agency in assessing the international situation and agenda setting. On the one hand, the FAO is responsible for collecting and filtering the policy reports from relevant government departments and (semi) official think tanks.⁶⁹ All the agencies have their own research institutes and Intelligence sources, and their reports usually reflect their specific concerns. On the other, the FAO summarizes the key findings for the State Councillor to present policy briefings to the President, who will determine whether it is necessary to convene a FALSG meeting and who will be invited to the meeting. In other word, the FALSG agenda is largely shaped by the State Councillor (Jacobson and Knox 2010:6). Moreover, the FAO has some derived power from the President to make decisions on daily operational and procedural issues. Like the EEAS of the EU, the FALSG and FAO are criticized for the deficiency of coordination and integration among different agencies, which usually centres on their own work, provide partial reports and sometimes lead to budgetary war.

This bureaucratic tension is particularly true between the MFA and PLA at the

⁶⁹ The General Office of CCP is responsible for collecting and submitting different agency reports for senior leaders via their secretaries. But the function of General office is mainly procedural and not only concerned with foreign affairs.

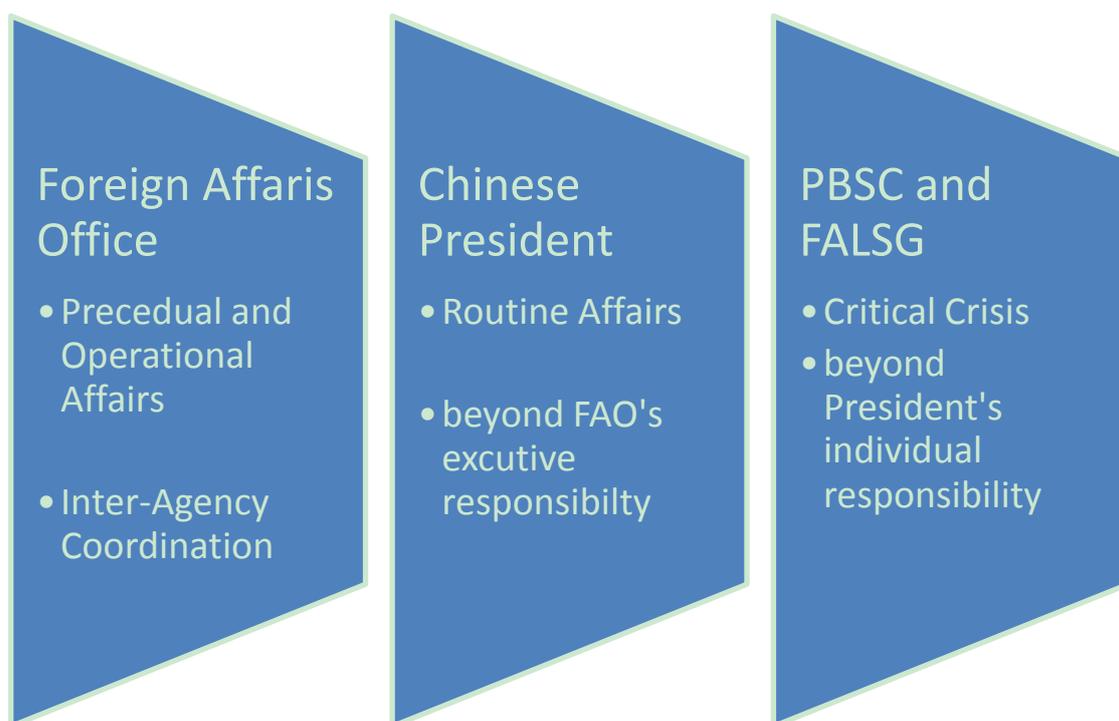
implementation level. On the one hand, the PLA usually emphasizes its operational autonomy thus is reluctant to coordinate their perceived daily activities, which could have foreign policy consequences, with the civilian agency. Two notable cases are the PLA's anti-satellite test in 2007 and the J-20 fighter display in 2011. The MFA was not informed in advance and felt awkward in dealing with the strategic Sino-US relations. Another example is the naval patrols in the South China Sea. The PLA feels its routine operation is constrained by the MFA which cares the bilateral relations with the neighbouring countries.⁷⁰ On the other hand, sometimes the Chinese government makes foreign policy decisions with military dimension, but without the previous consultation with PLA. For example, in 2006 China decided to send a one thousand peacekeeping troop to South Lebanon, while eventually only 350 transportation and medical-service PLA troops were dispatched. It is reported that the PLA was not consulted in advance about the number or readiness level of available (particularly English-speaking) officers and soldiers (Cabestan 2009: 90).

In sum, we can understand the Chinese foreign policy making process as a diffused hierarchic system. First, all relevant line departments and official think tanks could contribute to the assessment of situations and provide policy options, while the right of agenda-setting is believed to be dominated by the CCP top leaders. A large number of government agencies produce and submit regular or commissioned reports, including situation assessment and policy recommendation. These reports would be normally filtered by Foreign Affairs Office, General Office or secretaries of top leaders. Unless authorized by CCP top leaders, these reports would not get circulated outside the agency or put into the agenda. Second, the final decision making of Chinese foreign policy is diffused to some extent (Figure 4). The State

⁷⁰ Personal communication with a PLA Naval officer in South Sea fleet, 2012 December.

Councillor and his FAO could make daily procedural decisions for the Head of State, in particular on the affairs involved the inter-agency coordination. The affairs that State Councillor feels uncertain would be moved to the table of the Chinese President. The strategic affairs and critical crises, which go beyond the President's individual responsibility, will be negotiated at the PBSC, the broader PB or the FALSG level. It is worth indicating that the FALSG is not a formal decision making body but a convenient place to coordinate and prepare the policy. Any critical policy proposal made in the FALSG should be formally approved by the PBSC.

Figure 4 China's Foreign Policy Making: Who Decides What?



The domestic intervening variables

After briefly demonstrating the mechanism of Chinese foreign policy making, we can further investigate how the domestic factors could influence it. Generally, the mechanism is complex but well organized, in which multiple line agencies should provide accurate information to the op decision-makers and implement their final

decisions with good coordination. However, the reality is even more complex because a number of intervening variables have effects on the established mechanism. As I mentioned above, the implementation of China's external relations sometimes appears uncoordinated due to the tension among different government agencies. This section focuses on the assessment of situations, agenda settings and final policy decisions of the Chinese foreign policy, in which the institutionalized ideas, system cultures and public opinions could play significant roles.

First, the assessment of international situation could be influenced by the culture of institutions and thus not ideally objective. In China, the long-existing mainstream principle within the institution could constrain the analysts in from re-evaluating the situation according to the change on the ground. Instead, they prefer to follow and maintain the prevailed ideas rather than challenge them, in order to avoid personal career risks as being marginalized in the institution. This is particular true when analysing the Western intervention in the third world. The mainstream view in China is that the Western interventions always serve their national interests at the cost of target countries and likely challenge Beijing's interests in that country or even targets at China's national security. Whenever a military intervention led by the West take place, a dominating tone of the official analysts is refuting the Western public justification and exposing their 'real' motivation behind.⁷¹ This approach of analysis is not totally false, but only partly true. The information and evidence which conflicts with the mainstream argument, such as the rising of humanitarian concerns in international society, are largely ignored. This, in turn, further reinforces the orthodox doctrine of Anti-Western Intervention in China.

⁷¹ Author's interview of several analysts from Chinese Institute for International Studies (CIIS) and Chinese Institute of Contemporary International Relations (CICIR), August 2014, Beijing

Nevertheless, it is possible for Chinese mid-level officials and think tank analysts to bring out new foreign policy ideas. A prominent example is the 'peaceful rise' theory, which was firstly elaborated by Zheng Bijian in 2003. During the 2003 and 2004, the idea of 'peaceful rise' was endorsed by a number of top officials including President Hu, Premier Minister Wen Jiabao and Defence Minister Cao Gangchuan. The initial success of 'peaceful rise' theory was not only because it directly addresses the need of Chinese foreign policy to re-define China's grand strategy in the new era, but also due to its inventor and promoter Zheng Bijian. Zheng has been a famous political theorist within the CCP since the Deng Xiaoping's era, and used to be the vice-president of the Central Party School of CCP while Hu Jintao was the president of the school. Although Zheng was no longer a government official at that time, his credibility in the Party and the close personal relationship with the top leader is the key for him to input the new idea to the Chinese government system. Moreover, he was 70 years old and less concerned that his career could be affected by his breakthrough. However, later the 'peaceful rise' theory was challenged by other elite scholars and several officials in the MFA and PLA, and finally was modified into the less controversial concept of 'Peaceful Development' (Glaser and Medeiros 2007).

Secondly, personal authority, rather than certain agencies, is the key in the agenda-setting of the Chinese foreign policy. The key line ministry like the Ministry of Foreign Affairs is not active like their Western counterparts. The MFA is a relatively weak ministry in China, due to its limited power and jurisdiction.⁷² As a government agency subordinated to the State Council and FALSG, the main function of the MFA is to manage the routine bilateral relations with foreign countries and multilateral

⁷² Generally, the power of Chinese politicians depends on his/her rank in CCP, while the Chinese Foreign Minister is not even one of the 25 members of CCP Politburo. Regarding the jurisdiction on foreign policy, the MFA has to share China's foreign policy tools with other line ministries. For example, China's foreign aid is at the hands of the Ministry of Commerce.

relations in international organizations, by protecting China's core interests and maintaining China's international images. Meanwhile, the MFA has little incentive and power to push Chinese foreign policy in a particular direction. In reality, the MFA pays considerable effort to pre-emptively settle the question that could embarrass the Chinese government and top leaders, rather initiate new question into the agenda of top leaders. Anyway, as elaborated above, the destiny of policy reports and recommendations submitted from the bottom only depends on whether it could be sponsored by the authoritative individuals above. Only if a policy proposal gets a powerful sponsor at the higher level, it will be taken seriously by the lower-level officials in the Chinese bureaucratic system.

Public opinion and media usually influence the agenda-setting of crisis intervention in the West. In China, however, there is no formal channel like elected parliament, through which public opinion could exert pressure on the government, or the independent media immune from the censorship of the government. Nevertheless, in China there are growing pluralistic public expresses and media attentions to the international affairs, which are not totally ignored by the Chinese foreign and security policy makers. Chinese public opinion on external relations is largely dominated by active internet users (netizens) and young students, who usually believe in nationalism and prefer *raison d'état* to universal values. For instance, in a case of foreign humanitarian crisis, they usually urge Beijing to defend their perceived Chinese national interests rather than save strangers.

The increasing public opinion expresses in China is a double-edged sword for Beijing's foreign policy makings. On the one hand, Beijing attempts to shape the public opinion via the state-controlled media and other propaganda resources, and

sometimes utilizes the public nationalist sentiments to legitimate its foreign policy against certain foreign governments like Japan and U.S. On the other, when the nationalism dominates the public opinion, it could constrain China's policy options. When a breaking international issue directly touching Chinese interest or sentiment, the public could express their views in the less controlled internet media and even pressure the government to take stronger actions by the 'anti-something demonstration'.⁷³ Hence, Chinese top leaders would try to avoid being perceived by public as failing to protect Chinese interests, which is more difficult to be concealed from the public today. For instance, in a foreign crisis that Chinese companies and personals are involved, we can expect that China will have stronger incentives to intervene in.

Finally, risk-averse prevails in the decisions-makings in the top. Like most decision-makers in the world, Chinese leaders tend to reduce the risk of a foreign and security policy. With regard to an intervention policy targeted on the domestic crisis of another country, the potential material benefits for the intervener are usually rare or uncertain. Thus the policy-makers feel no need to gamble and prefer to choose the policy option requiring the lowest material and personal costs, such as the diplomatic and economic measures, rather than military intervention unless security threats clearly exists. For China, besides, their perceived risks include that China being isolated from the majority group or becoming the leader in the international affairs (Paltiel 2010:13). For example, China's voting behaviour in the UN Security Council is usually standing with the majority and never veto alone. China's fear of isolation also exists in several cases of international intervention, in which China was deeply

⁷³ They are frequently the anti-Japan, anti-U.S and anti-Imperialism demonstrations. These demonstrations have some legitimacy in Chinese politics, and in many cases are not directly suppressed by the government

concerned with the dominate opinion of the international community and seek to build consensus with relevant regional organizations like the African Union and Arab League. Meanwhile, in spite of being suspicious of the interventionist camp, Beijing is unwilling to project itself as the vanguard of the anti-interventionist group.

As elaborated in the previous section, the characteristic of risk-averse is partly due to the collective decision-making mechanism in the top, which reduces the possibility of personal adventure of individual leaders. Instead, Chinese decision makers would be more inclined to follow the pre-existing practices and in line with the institutionalized ideas. For example, Deng Xiaoping's foreign policy ideas in 1980s such as "hide one's capacities and bide one's time" and "Keep the low profile and never take the lead" were largely complied during the Jiang Zemin and Hu Jintao's presidency (1989-2012). This is also true concerning the earlier principle of non-interference in domestic affairs. Despite the growing domestic debate over the principle, no one in the Chinese policy circles overtly challenges the applicability of the principle yet. On the contrary, Chinese government reaffirms the principle of non-interference in different occasions. In 2014, Chinese President Xi Jinping emphasized these principles are still relevant and important today. He promised (largely to the developing countries) that China will insist the principle of non-interference and never impose its wills on other countries.⁷⁴

Conclusion

The principle of non-interferences has survived 60 years in China's external relations, while Beijing's implement of the principle varied at different periods. Standing in

⁷⁴ Chinese Government, "Xi Jinping's speech at the conference marking the 60th anniversary of 'the Five Principles of Peaceful Coexistence'", June 29, 2014, http://www.gov.cn/xinwen/2014-06/29/content_2709613_2.htm

contrast to its isolation from the UN intervention and violent unilateral interventions in the early years, today China has become an active peace mediator and an important contributor to the UN peacekeeping force. In the course of its participation to UN multilateral intervention in crisis, China sticks to the traditional principles of peacekeeping operations, which emphasize the sovereignty of the host state and non-use of force. To explain China's approach to intervention and its commitment to the principle of non-interference, we need to take the Chinese foreign policy making process into consideration.

The consensus-driven nature of China's foreign policy making process gives multiple actors, inside or outside of the Chinese government system, an opportunity to convey their preferences and input their agendas. Once they successfully influence one of the top decision-makers, the foreign policy making deliberations would be affected. Hence, in the study of China's policy on international crisis intervention, we should investigate a number of Chinese actors involved in the issue. First and foremost, the MFA manages the bilateral relations with the target country and presents in the UN Security Council. Therefore, the MFA needs to consider the coordination with relevant parties and major powers, the consistency of Chinese position as well as the broad international agenda. Secondly, if the crisis and intervention occurred in an oil-producing country where China has a stake, or a county where China's bilateral relationship is dominated by the trade ties, we need to take large Chinese state-owned companies in energy, minerals, constructions or defence,⁷⁵ as well as the Ministry of Commerce into account. The business sector usually defines a narrower commercial interest. Thirdly, when the foreign crisis and

⁷⁵ Among the Chinese state owned companies the Big-3 Oil Companies, CNPC, Sinopec and CNOOC have more opportunities to influence the Chinese foreign policy. For example, Zhou Yongkang, a PBSC member in Hu's era and working in Chinese oil industry for 30 years, was believed that represented the interest of Chinese oil companies in the PBSC.

international intervention included the military and security dimension, the opinion of PLA becomes crucial. Compare with the West, however, Chinese media and NGOs usually have less impact on Beijing's (non-)intervention policy, for instance, in Africa or Middle East where Chinese national sentiment is not directly involved.

If divergences exist among different official foreign policy actors, Chinese policymakers tend to postpone making decisions until consensus was achieved. Consequently, it is extremely difficult for Beijing to make a quick decision on a robust intervention, especially required by the human rights demands of foreigners. Besides, people in the Chinese policy-circle usually avoid challenging established mainstream view. Therefore, this leads to a lot of continuity in China's foreign policy making. For example, although China's material power has grown significantly in the past two decades and Chinese national economic and strategic interests extend to remote areas such as Africa and Middle East, China generally continues to adopt a *status quo* non-intervention policy or only non-coercive diplomatic engagement toward a conflict beyond its border even the conflict may endanger its commercial interests.

For sure that China's pragmatic policies in specific cases could be nuanced and flexible. For instance, Beijing could send a UN peacekeeping force, as a kind of military presence, to the target country where China's national interests at stake. Nevertheless, in a realist perspective, there exists a looming tension between China's growing power and its defensive foreign and security strategy which may be less applicable to protect China's expanding interests all over the world. It is unusual for a powerful state in the world, which has the growing capabilities to intervene, to perform considerably conservative on international intervention. Interestingly, in a liberal perspective, there also exists a dilemma between China's increasing

integration with international society, to play a role in multilateral organizations and multilateral intervention, and its continuing preference of standing aloof with the emphasis on sovereignty and non-interference. In the following cases of Darfur and Libya, we might observe these policy dilemmas Beijing faced.

Chapter 5: The Case of Darfur Crisis (2003-2009)

The purpose of the chapter is not describing the whole sequences of the crisis again, which was well documented in books written by journalists, activists, and officials who experienced the event. Instead, my work mainly examines responses from the international community, in particular the EU and China, and explains why the two international actors adopted significantly different approaches in dealing with the Darfur Crisis from 2003 to 2009. Two main interpretations can be identified that in different ways to account for the EU-China divergences in Darfur. The first is the realist and materialist explanation: the question of international intervention in Darfur is a notable case mainly reflecting the significant Chinese material interests in Sudan and the rising Sino-West (Europe) economic/geopolitical competition in Africa, while their rhetoric was actually irrelevant. We will encounter these accounts in the following. The second explanation seems more normative, emphasizing this case demonstrated the emerging norm of Responsibility to Protect in the international society, while its value as a precedent and *opinio juris* was limited due to the unwillingness among the UN membership to challenge the traditional sovereignty of Sudan (See Matthews 2008).

Both explanations provide insights for us to understand the international intervention in Darfur. However, neither the hard-core materialists nor naive idealists see the whole picture. The former only focuses on the easily-defined part of national interests such as oil and alliance, and conspicuously underestimates the importance of values, principles and images to an international actor. The latter, on the contrary, emphasizing the diffusion and competition of norms, but usually fails to validate their causal effects in policy-making, mainly due to the lack of comprehensive

analyses of foreign policies. Therefore, my case study of intervention in Darfur attempts to bridge the gap by taking both the material factors and ideational factors into account. The findings are based on two sources. On the one hand, the chapter depends on diverse first and second sources, including official documents and media reports, to reconstruct the scenarios the Chinese and European decision-makers faced with the Darfur Crisis, and thus we can inquire what factors they were considering. On the other, by interviewing a dozen of relevant officials and analysts who experienced the case, my explanation could be further confirmed or corrected.

The Chapter opens with a short introduction of the crisis and the initial regional intervention from the African Union, whose incompetence produced the subsequent international interventions. Three specific fields of multilateral intervention that China and the EU (including Member States) involved will be analysed. First, I examine the sanctions and proposals of sanctions against Sudan, by providing EU/China's self-interests considerations and proclaimed principles regarding economic intervention. Next, I investigate the EU/China's attitudes to the judicial intervention of the International Crimes Court. This reflected their understandings about the essence of the crisis and the question of legal responsibility. Finally, the military interventions of the United Nations and European Union peacekeeping forces are discussed. Here, I consider whether the deployment of an international peacekeeping force was in accord with China and the EU's interests, and why debates happened within the UN and the EU. The division of fields is based on my categorization of intervention devised in the Chapter 3.

The following sub-questions structure the avenue of enquires during the case tracing.

(a) whether the international/public concerns of the Darfur Crisis in fact occurs, how

widespread it was in Europe and China, and what was the difference between European concerns and Chinese concerns (b) whether the element of their concerns add up to a consideration for policy-makers by linking their (non-)intervention policies with their images and commitment to certain principles; (c) to what extent, this ideational factor, as a independent variable in the case study, has a causal effect on policy making vis-à-vis the rival explanations concentrating on economic interests or security concerns.

(I) Background: the Crisis in Darfur and the African Union on the ground (2004-2007)

Darfur, literally means the land of the Fur and the home to 80 ethnical groups, is a backward region in western Sudan, suffered from the desertification and drought. The tension between the sedentary Fur and the semi-nomadic Arabic tribes over the strained resources of land and water has long existed, but seemed invisible to international society which was more attracted by the Sudanese Civil war in the south. The Arabic-dominated Sudanese government has been long concentrated its resources on the Nile Valley and failed to develop the economy of Darfur, particularly since Khartoum began to gain the growing oil revenues in 1990s. Not surprisingly, as a political and economic marginalized region, plus the politically exaggerated ethnic difference and structural inequity between the Arabic Muslim and the 'Less Arabized' African Muslim, the deprived Darfur was prone to become a breeding ground of rebellion movements.

The long-accumulated problems in Darfur finally became a crisis when the Sudan Liberation Movement (SLM) and the Justice and Equality Movement (JEM) carried out an unprecedented raid against the government in 2003. The incompetent

Sudanese government troop was unable to suppress the rebels who using guerrilla tactics in the desert, thus unleashed and armed the Arabic militia Janjaweed. These gunmen on the horse were notorious for the massacre of Fur, Masalit, Zaghawa and other so called 'African' tribes who supported the rebels, with the connivance of the Sudan government.

The increasing number of civilian victims and internal displaced people during 2003 to 2004 finally caught the attention of the international society, through the mounting media reports and activist movements from 2004 onwards. Although the contents of media reports differed from country to country, it was generally agreed that what occurred in Darfur was not an ordinary African civil conflict, but a severe humanitarian crisis demanding prompt solutions rather than only modest humanitarian assistance. Hence, the intervention in Darfur gradually became high on the agenda of the international community since 2004. For example, due to the relevant advocacy and public concerns, the Darfur issue became a campaign issue during the 2004/2008 American Presidential Elections and the 2007 French Presidential Election. It was also clear that some Western leaders were uncomfortable with the slaughters in Darfur as a violation of their cherished human rights values.

The first effort of intervention was made by the regional actor - African Union, which established on 9 July 2002 to replace its predecessor - Organization of African Unity (OAU). While OAU bore the mark of decolonization and thus narrowly focused on securing the sovereignty of its member states even governed by dictators, the AU has a brand new Charter which notably incorporated the principle of human rights protection. For example, remembering the tragedy of Rwanda and the inaction of the

international society, the fundamental *Constitutive Act of the African Union* granted the AU a right to intervene in respect of certain 'grave circumstances'. Therefore, the humanitarian crisis in Darfur was the first crucial test for the newborn African Union. However, in dealing with the case of Darfur the AU council did not activate the article of humanitarian intervention, but followed a traditional approach of peacekeeping with the consent of Khartoum.

Under the mediation led by the African Union and the neighbouring Chad (which was facing an exodus of refugees from Darfur), the April 8 Humanitarian Ceasefire Agreement between the Sudanese government and the two rebel groups was achieved in 2004. The AU formed a Ceasefire Commission (CFC) to monitor observance of the April ceasefire.⁷⁶ Soon after, AU initiated the African Union Mission in Sudan (AMIS) in July 2004, originally sent 150 Rwandan soldiers and soon added another 150 Nigerian soldiers with the consent of Sudan. As the sole external peacekeeping force on the ground, the AMIS was appreciated by Darfur people at least in the initial stage. The leading role of the African Union was also endorsed by UN Resolution 1556 and 1564.

However, AMIS soon faced strong challenges due to its own weakness. First, the ceasefire agreement was a hasty action with fatal shortcomings such as lacking maps and existing two versions (Flint and de Waal 2008:174-175), which undoubtedly increased the difficulties with the AU peacekeeping. Secondly, obviously 300 peacekeepers were radically insufficient, and they lacked adequate material resources, transport and logistics and clear administrative mandate to protect civilians. According to Jon Pronk's subsequent monthly reports to the UN after the

⁷⁶ African Union, Press Release 51/2004, Addis Abeba, 28 May 2004

Resolution 1564, in Darfur the situation had continuously deteriorated, despite there had undoubtedly been progress on the political negotiation and humanitarian assistance.⁷⁷ In response, the AU decided to increase the scale of AMIS to 3,320 personnel with the endorsement of the UN in Resolution 1574 in Nairobi⁷⁸ and logistic support from UN member states. Eventually the number of AMIS personnel reached its peak in April of 2005 at 7,000.

The limit capacity of the AU exposed in Darfur called for urgent assistances from the International community. Both China and the EU had backed the AU's endeavour in Darfur. In June 2005, under the influence of France, the European states chose the EU rather than NATO as the coordinated institution to support AMIS (Reichard 2006:272). The EU took a joint action to provide a consolidated package of civilian and military measures to support AMIS from July 2005 to December 2007.⁷⁹ Considering the AU's scarcity of peacekeeping budget, the EU provided over EUR 300 million to AMIS through the instrument of African Peace Facility. In respect of the logistic support, the EU Member States airlifted for over 2000 AMIS personnel. Besides, The EU deployed several dozen of military and police advisors to assist AMIS in training and coordination.⁸⁰ China also encouraged the 'African solutions to African problems'. Beijing commended the pioneering role of the AU in solving the Darfur Crisis in different diplomatic occasion, and donated 1.8 million dollars to the AU.

(II) Division on sanctions against Sudan within the UN

⁷⁷ See S/2004/763, S/2004/787, S/2004/881.

⁷⁸ UN Security Council, S/RES/1574 (2004), 19 November 2004

⁷⁹ EU Council Joint Action 2005/557/CFSP, 20 July 2005.

⁸⁰ EU Council Secretariat Factsheet, "EU support to the African Union Mission in Darfur – AMIS", 1 January 2008

Compared to the African Union, the United Nations potentially has much stronger ability to intervene. The Security Council began to concern the situation in Darfur in 2004. The first official involvement was made by the presidential statement which expressed its deep concern at the continuing reports of large-scale violations of human rights in Darfur.⁸¹ The Report of the Secretary-General highlighted the continuing fighting and catastrophic situation in Darfur and other areas was regarded as an obstacle to implement the comprehensive peace agreement between the government and the Sudan People's Liberation Movement/Army (SPLM/A) in the region of South Sudan. Kofi Annan reported that "A meaningful agreement on Darfur will be fundamental to the success of a future United Nations role in the Sudan".⁸²

Regarding whether the situation in Darfur should be put on the agenda of the UN, reluctances already existed in the Security Council. UK made a draft resolution, which endorsed the conclusions of the Secretary-General with regard to the situation in Darfur and urges the parties to the April 8 Ceasefire Agreement to conclude a political agreement without delay. According to Sir Emyr Jones Parry, UK ambassador to the United Nations, "about a third of the council thought the resolution should just concentrate on the peace process, while the remaining two-thirds thought it should cover the peace process and the situation in Darfur." An anonymous source told that China, Algeria and Pakistan were lobbied by Sudan, and unwilling to discuss Darfur at the beginning. "But we got a letter from the secretary-general last week saying we cannot ignore the western part, and so we reached an agreement to include it." Abdallah Baali, the Algerian ambassador to the United Nations admitted (Wald 2004). The draft was eventually adopted unanimously on 11 June 2004 as the Resolution 1547. This resolution mainly welcomed the achieved peace agreement in

⁸¹ UN Security Council, S/PRST/2004/18, 12 May 2004.

⁸² See paragraph 20 and 22. UN Security Council, S/2004/453, 3 June 2004.

southern Sudan, and mentioned Darfur with a brief reference urged both parties to bring an end to the violence in the Darfur region, the Upper Nile and other areas.⁸³

Unfortunately, this hope proved overly optimistic as both the government of Sudan and rebels had not altogether complied with the ceasefire agreement, even after the joint communiqué between the government of Sudan and the UN Secretary-General on 3 July. The violence continued and the UN needed to respond. In addition to supporting African Union at ground level, another non-military tool of intervention the UN could adopt was imposing sanctions. However, Security Council divided over the use of coercive measures against Sudan. In the following four UN Security Council resolutions involving sanctions, European states and U.S energetically pushed forward international sanctions against Khartoum, while China was highly reluctant to use its extensive leverage over the Sudanese government.

Resolution 1556

The first UNSC resolution focusing on the conflict in Darfur, drafted by U.S and U.K, was including some mandatory measures to pressure the Sudanese government.⁸⁴ China frowned upon this practice by arguing that “such (mandatory) measures cannot be helpful in resolving the situation in Darfur and may even further complicate it”. Instead, China believed that Khartoum will actively honour its commitment of disarming Janjaweed and other illegal armed groups, while the immediate concern of international society should be providing further humanitarian assistance to relieve the suffering of Darfur.⁸⁵ The amendment added the concern of humanitarian assistance, while the U.S, all four European states (U.K, France,

⁸³ UN Security Council, S/RES/1547(2004), 11 June 2004.

⁸⁴ UN Security Council, S/2004/611, 28 July 2004

⁸⁵ UN Security Council, S/PV.5015, 30 July 2004

Germany and Romania) and Chile insisted to submit a draft resolution included arms embargo acting under the Chapter VII and other potential coercive measures (except the use of armed force) if Sudan still fail its commitment.⁸⁶ The Resolution 1556 was approved by 13 Council members, with Brazil's claim of no need to trigger the Chapter VII. China and Pakistan abstained to express their disapproval on coercive measures. Sudan, without voting right, was vociferously against the resolution.

The Resolution 1564

According to the report of Jan Pronk, the Sudanese government has made some progress since Resolution 1556, but had not met its commitments of protecting civilians from militia attacks and punishing perpetrators.⁸⁷ Security Council members divided on two aspects: (1) whether the limited progress Sudan had achieved was acceptable at the moment; (2) whether a further sanction or threat of sanctions can facilitate Sudan to cooperate. The U.S and European states were quite unsatisfied, in particular with recent helicopter attacks by the government. They believed the Sudanese government only act under the international pressures, thus further pressures could yield further progress. Germany, Romania, Spain, U.K and U.S drafted a new resolution which shall consider expanding the sanctions to petroleum sector in order to obtain a full compliance of Sudan. On the contrary, China emphasized the sincerity and improvement of Khartoum to resolve the problem. Together with Russia, Algeria and Pakistan, China abstained with the doubt of the effect of the sanction threat. Wang Guangya, Chinese ambassador to the UN, reiterated "the fact that China's position against sanctions remains unchanged."⁸⁸ Due to China's resistance, the UN did not implement sanctions on the Sudanese petroleum sector in practice.

⁸⁶ S/RES/1556(2004), 30 July 2004

⁸⁷ UN Security Council, S/2004/703, 30 August 2004

⁸⁸ UN Security Council, S/PV.5040, 18 September 2004

Resolution 1591 and 1672

When international sanctions such as the asset freeze and travel ban were included in the U. S-drafted Resolution 1591, China, Russia and Algeria abstained to convey their disagreement about sanctions.⁸⁹ The reason China gave was the same: we should be very cautious about adopting the sanctions because probably a rash sanction is unhelpful for resolving the Darfur issue. Ambassador Wang Guangya affirmed that it was China's consistent view of Darfur.⁹⁰ Resolution 1672 was the first time the UN imposing travel and financial sanctions on individuals: two high ranking officials of the Sudanese government and two rebel leaders.⁹¹ China, Russia and Qatar abstained to convey their reservations about the application of sanction against individuals and successfully limited the list to four persons. Again, China emphasized that sanctions usually cannot reach expected results, but jeopardizes civilian populations. Besides, China claimed the sanctions lacked of convincing evidence and may disturb the parties in the Abuja Peace Talks.⁹²

Accounting for China's reluctant position on sanctions

Economic sanction is presupposed to modify the behaviour of target state by imposing its economic costs. As the largest trade partner of Sudan since 2002, China was expected to use its huge leverage to divert Khartoum's tough approach in Darfur. However, far from imposing trade sanctions against its 'all weather friend' Sudan, China's foreign aid to Sudan was not even halted during the crisis. In the 2006 Sino-Africa Summit, Chinese president Hu Jintao declared that China would double

⁸⁹ UN Security Council, S/RES/1590(2005), 29 March 2005

⁹⁰ UN Security Council, S/PV.5122, 29 March 2005

⁹¹ UN Security Council, S/RES/1672(2006), 25 April 2006

⁹² UN Security Council, S/PV.5423, 25 April 2006

the assistances to Africa by 2009.⁹³In the February of 2007, Chinese Ministry of Commerce announced to forgive 33 least developed African countries' debts to China before the end of 2007.⁹⁴Sudan was one of the beneficiaries, released from a Chinese debt of 80 million dollars and received an assistance of 13 million dollars for the construction of infrastructure. Although Hu allocated 40 million Yuan for the humanitarian assistance in Darfur, some Western observers regarded China's approach of 'business as usual' in Sudan as being not serious in seeking to pressure Khartoum when the international community was appealing for sanctions against the Sudanese government (Keith 2007: 158).

Implementing an economic sanction is a double-edge sword could also cost the civilian people and trade partners of the target state. Although Beijing's justification used in the UN was placed on the counterproductive consequence of sanction on the Sudanese people, it was generally believed that China's closer economic relation with Sudan, particularly in petroleum sector had led to Beijing's deep reluctance to economic sanctions against Khartoum. China's oil empire in Africa began with Sudan, which had an abundant supply of oil. Since Sudan had been sanctioned by U.S since 1997, China's trade volume with Sudan rocketed mainly due to China's increasing oil import. Besides the oil trade and oil infrastructure investment implemented by state-owned oil companies, China also had several large-scale projects of infrastructure construction in Sudan, and a considerable amount of arms trades with Khartoum since 1990s. Therefore, China indeed afraid that the UN sanctions against Sudan, in particular on petroleum sector as threatened in the Resolution 1564, would be paid at the expense of China's substantial economic interests.

⁹³ "Hu Jintao said that China will expand its aids to Africa", *Xinhua Agency*, 4 November 2006 http://news.xinhuanet.com/world/2006-11/04/content_5288695.htm

⁹⁴ "China plans to forgive 33 African countries' debts before the end of 2007" *Xinhua Agency*, 29 Jan 2007 http://news.xinhuanet.com/world/2007-01/29/content_5669614.htm

This made Chinese public opinion more suspicious of the Western intentions of sanctions, as a competitive strategy against China (Wang 2004). Another Chinese analyst suggested that China's abstentions on above resolutions were inadequate to protect China's oil interests in Sudan (Wang 2005:38). The domestic concerns impelled the Chinese government to account to Chinese media for its voting in the Security Council. Ambassador Wang Guangya explicitly promised to protect the overseas interests of Chinese companies, which would be untouched by the Resolution 1564. For, the resolution was significantly revised under China and other countries' pressures, by deleting the suggestion of sanction Sudan automatically. Instead, any sanction should be further discussed and approved by the Security Council before its implementation.⁹⁵ This is smoking gun proof that economic concerns had motivated China to impede a substantive sanction against Sudan.

It should be noted that the economic interdependence between China and Sudan was asymmetric and their cooperation was not without problems. China was the most vital partner of Sudan that consumed the half of Sudan's oil production, while Sudan was far from being a critical partner of China in a relative term (Shichor 2007). Although the stable oil import from Sudan was important for China to reduce its reliance on Middle East oil, Sudan never ranked in the top 3 largest oil supplier to China (Table 2). Besides, the share of China's oil import from Sudan will be inevitably further reduced because of the interdependence of the oil-rich South Sudan in 2011.⁹⁶ The prospect of South Sudan's independence was clearly foreseeable since

⁹⁵ China's Ministry of Foreign Affairs, "Ambassador Wang Guangya talked about the new UN resolution on Darfur", 20 September 2004, http://www.fmprc.gov.cn/mfa_chn/wjdt_611265/zwbd_611281/t158100.shtml

⁹⁶ However, the oil export of landlocked South Sudan would continue to rely on the Chinese-constructed oil pipelines and seaports in Sudan.

2005 Naivasha Agreement set up a referendum in 2011. Meanwhile, Chinese oil companies also faced some challenges in Sudan at that time. Afraid of the monopoly of Chinese companies, especially the China National Petroleum Corporation, by far the largest investor in Sudan since 1996, Khartoum intentionally introduced rival oil companies including the Sinopec. Consequently, CNPC lost several bids of Sudanese oil fields when the Darfur Crisis broke out (Ren & Wang, 2004). As we will see below, China's positions on Darfur Crisis were not always pleasing its oil ally Khartoum.

Table 2 Sudan's share of China's crude oil imports (2000-2010) %

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Share	4.7	8.3	9.3	6.9	4.7	5.2	3.3	6.3	5.9	6.0	5.3
Rank	6	4	4	6	6	7	8	6	6	5	6

Source: Tian (2001-2011)

The non-substantive sanction against Sudan was largely due to the Chinese oil business there, but a long-standing principle of China appeared to have a constraining effect of excluding the economic sanctions as a normal policy in Africa. Comparing other global economic actors like the EU and U.S, China's trade and aid policies toward Africa countries were characterized by its so called 'non-conditionality in political terms' (Zhang 2009). It should be pointed out that Beijing still attaches one diplomatic condition: the 'One China' principle to marginalize Taipei, which is not about the domestic affairs of African countries. The principle of 'non-conditionality but one' in Chinese foreign aid policy could be traced back to 1964, when China aimed to ally with African newborn nations to confront the Soviet Union and United States. Since the 1990s, China's policy focus in Africa has largely transferred from the ideological/geopolitical game to the economic reciprocal,

driven by the desire to obtain oil and other raw materials for China’s continuing economic growth and open up new export markets (Taylor 2006). Nevertheless, the principle of non-conditionality but one is continued to be used today.⁹⁷ For, on the one hand, condition-free trades, loans and aids are appreciated by the African governments and beneficial to the China-Africa economic deals; on the other, attaching political strings to economic agreement was traditionally regarded as a western-style interference in domestic affairs, which was long criticized by China’s official discourses and many African leaders as ‘new imperialism’.

Table 3 China’s calculations on the economic intervention in Sudan

Supporting (oil) sanction	Obstruction and abstention
<p>Benefits:</p> <p>The possible international reputation of rescuing Darfur</p>	<p>Benefits:</p> <p>Safeguarding China’s oil interests; Pacifying the domestic criticism; Maintaining the consistency of China’s principles and policies in Africa</p>
<p>Costs:</p> <p>Direct economic losses in oil sector; Domestic criticism for the economic loss; Adverse effects on the Sino-African cooperation based on the principle of non-conditionality.</p>	<p>Costs:</p> <p>Drawing criticism from the West</p>

Hence, wielding the economic leverage over Sudan to achieve political or humanitarian goals would not only directly damage the strong China-Sudan

⁹⁷ State Council of China, “Chinese Foreign Aid”, April 2011, http://www.gov.cn/zwgg/2011-04/21/content_1850553.htm

economic tie in a short-term. This may also break China's accountability in 'non-interference' and its image of the leader of the developing world ('the biggest one' as Beijing claimed), thus jeopardize China's traditional close relations with Africa and other developing countries. In fact, many of them were not interested in sanctioning Khartoum. The timing was also a key to understand China's calculations. In 2006, 'the year of Africa' for China's diplomacy, Beijing prominently strengthened its close bond with Africa by President Hu Jintao and Prime Minister Wen Jiabao's separate visits to Africa, hosting the China-Africa Summit in Beijing, and publishing *China's Official Policy Document on Africa*. This document echoed the Sino-African historical tie based on "equal treatment, respect for sovereignty and common development."⁹⁸ To avoid the risk of damaging Beijing's long-term relations with Africa, China's trade and aid policy toward Sudan during the Darfur Crisis had followed the established practice of non-conditionality.

Explain EU's approach of sanctions

All of the EU Member States in UN Security Council voted in favour of the four resolutions, which included the content of sanctions against the government of Sudan as the measures to pressure Khartoum to comply with the peace process. In fact, European states were often the co-drafters of these resolutions. Within the framework of the Common Foreign and Security Policy (CFSP), The EU supported the UN targeted sanctions against Sudan by Common Position⁹⁹ and rapidly implemented them through a series of Council Regulations. Here the EU's sanctions are an intervention instrument of an economic nature which seeks to bring about a change in the Khartoum's wrong policies and activities in Darfur. As an instrument of the

⁹⁸ The full text in Chinese

http://news.xinhuanet.com/world/2006-01/12/content_4042333.htm

⁹⁹ Council of the European Union, Council Common Position 2004/31/CFSP, 9 January 2004 and 2005/411/CFSP, 30 May 2005.

CFSP, the adoption of a new Common Position requires unanimity from EU Member States in Council, while action by Community was needed in order to implement financial measures.

To guide its sanctions policies, the EU announced its basic principles of sanctions in 2004.¹⁰⁰ The EU referred its sanction as 'restrictive measures', which was "an important way to maintain and restore international peace and security in accordance with the principles of the UN Charter and of our common foreign and security policy". On the one hand, the EU promised to fully implement the UN authorized sanction; on the other, if necessary the EU could impose autonomous EU sanctions, in pursuit of countering terrorism and WMD proliferation, upholding respect for human rights, democracy, the rule of law and good governance.

This normative goal of sanction was echoed by the EU's white paper 'Strategy for Africa' in 2005,¹⁰¹ released shortly before China published its white paper toward Africa. The EU's normative ambition stands in sharp contrast to China's concentration on economic cooperation. While the Chinese vision of Africa emphasized the economic mutual benefits, the EU's strategy highlighted the political agendas such as improving good governance and human rights. Regarding the principles in dealing with their relationship with Africa, while China confirms its promise of non-interference in domestic affairs, in the European perspective, the Europe-Africa partnership should be based on the international law and human rights.

It was clear that Khartoum's behaviours in Darfur had violated human rights and

¹⁰⁰ Council of the European Union, "Basic Principles on the Use of Restrictive Measures (Sanctions)", 10198/1/04 REV 1, 7 June 2004

¹⁰¹ European Union, *EU Strategy for Africa: Towards a Euro-African pact to accelerate Africa's development*, COM(2005) 489 final, 12 October, 2005

international humanitarian law, which could justify the EU's sanction on the Sudanese government during the Darfur Crisis according to the above principles inscribed in EU documents. It is well known that the EU sanctions never cover all countries which threatened the peace or violated the human rights and democracy (Brummer 2009), so the selection of target states is inevitable and sometimes criticized as double standards. But Sudan was first caught by the UN without much controversy, since the atrocity in Darfur was too severe to be ignored by the mass media and international community, thus the inaction of EU sanction would be blamed as repudiating its adopted principles as well as the UN resolutions.

Compare to the US comprehensive sanction against Sudan,¹⁰² however, the EU sanction was limited to embargoes on arms and related materials, travel ban and assets frozen on several medium-ranking Sudanese officials. In despite of the call for the EU to increase its sanctions on Sudan (Beatty 2007, Rettman 2007), the European sanction was refrained from expanding into the EU-Sudan trade or oil export throughout the crisis. In the light of the EU basic principles of sanctions, such a limited 'targeted sanction' could reduce the side-effects on innocent people and neighbouring countries of the target state. Meanwhile, the scope and intensity of sanction the EU could adopt also need to take into account the potential detrimental economic and political consequence for the EU and its Member States.

Although the EU's share in Sudanese exportation had been significantly decreased from 28% in 1999 to 2% in 2007, due to the boom of the Sudanese oil exportation (in particular to China) since the late 1990s, the total values of Sudanese exports to the

¹⁰² Office of Foreign Assets Control, "Effectiveness of U.S. economic sanctions With Respect to Sudan", Report to Congress, January 2009, http://www.treasury.gov/resource-center/sanctions/Documents/sudan_report_030509.pdf

EU, as well as the importation from the EU still had increased during the period. Therefore, a full scale trade embargo from the EU could harm the Sudanese economy on the one hand, by reducing the Sudan's GDP by 2.3%, according to a simulation, on the other hand, the economic cost of the EU was losing an important trade partner in Africa and the embargoed Sudan-EU trade probably would further shift to China and other East-Asian countries (Siddig 2011). For this reason, a comprehensive economic sanction on Sudan was hard to achieve the unanimity among the EU Member States. There is one clear proof. As the Franco-Belgian oil group Total owned the largest undeveloped oil concession in Sudan, in 2004 France objected the extended sanctions on Sudan suggested by U.S in UN Security Council.¹⁰³ Besides, Swedish Oil Company Lundin and OMV of Austria also had profited in Sudanese oil fields until 2003, under the shield of the EU's 'constructive engagement' policy with Sudan (Patey 2007:1007).

Table 4 The EU's calculations on the economic intervention in Sudan

Policy options	Benefits	Costs
The inaction in sanction	Not clear	Drawing criticism at home and abroad
The targeted sanction	Upholding its principles and pressuring Khartoum	Probably less effective in pressuring Khartoum
The broader sanction	Putting more substantial pressures on Khartoum	Resulting in unduly high economic and humanitarian costs

¹⁰³ "France opposes UN Sudan sanctions", *BBC*, 8 July 2004, <http://news.bbc.co.uk/2/hi/africa/3875277.stm>

(III) Genocide or not? ICID report and the judicial intervention from ICC

The choice of label regarding the essence of the Darfur Crisis was commonly regarded important, as many people believed that it could establish the legitimate boundaries of possible action from the international community. The 1948 Genocide Convention, as well as the lesson from the well-know genocide in Rwanda, would demand a more robust intervention to suppress an ongoing genocide. The word of 'Genocide' in Darfur had haunted in world media since 2004. The UN co-coordinator for Sudan Mukesh Kapila first sounded the alarm about the danger of genocide in Darfur, claiming the only difference between Darfur and Rwanda was the scale (Kapila 2004). Then, investigation teams or commissions from U.S State Department, the AU and even Sudanese government published their own reports, which were profoundly different especially concerning whether genocide was taking place in Darfur. The U.S declared it was genocide while the AU did not use the G-word, not mention the partial conclusion of 'tribal squabbles' from the Sudanese government. The EU had not declared the Darfur conflict as an act of genocide and China explicitly refused to declare that. According to the Resolution 1564, an international commission inquiry was established to investigate the violations of international humanitarian law, and ascertain whether the genocide has occurred.¹⁰⁴

The UN International Commission of Inquiry on Darfur (ICID), led by Italian jurist Antonio Cassese, submitted its report to the Secretary-General in January 2005.¹⁰⁵ The ICID report concluded that "the government of Sudan and the Janjawiid are responsible for serious violations of international human rights and humanitarian law amounting to crimes under international law". The use of military force by Sudanese

¹⁰⁴ See Paragraph 12, S/RES/1564(2004), 18 September 2004

¹⁰⁵ *Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General*, Geneva, 25 January, 2005

government was disproportionate to any threat posed by the rebels, but deliberately and indiscriminately directed against civilians in most cases. While considering genocide, the report said “the crucial element of genocidal intent appears to be missing; at least as far as the central government authorities are concerned”. The ICID identified a list of 51 suspected individual perpetrators and recommend hand over the list to a competent prosecutor. The ICID strongly called on the Security Council immediately refer the situation of Darfur to the International Criminal Court (ICC). Nevertheless, the ICID report was criticized by some activists for refusing to character the crimes in Darfur as genocide and thus downplay the catastrophe, in order to avoid invoking the Genocide Convention (Udombana 2006).

The UN Security Council decided to refer Darfur to the ICC in Resolution 1593,¹⁰⁶ which was drafted by U.K and supported by other European states in the Security Council. It was the first time the Security Council referred a situation to the ICC, even though Sudan was not a party of Rome Statue and strongly against the Security Council referral. The legal ground of the resolution is that ICC may exercise its jurisdiction if “A situation in which one or more of such crimes appears to have been committed is referred to the Prosecutor by the Security Council acting under Chapter VII of the Charter of the United Nations”, according to the Article 13 (b) of Rome Statue states.¹⁰⁷ However, the UN member states divided again within Council and 4 abstentions were noticed. United States continued to “fundamentally object to the view that the ICC should be able to exercise jurisdiction over the nationals, including government officials, of States not party to the Rome Statute.” China, as a non-contracting party of the Rome Statute, shared some views of ICC with U.S.

¹⁰⁶ UN Security Council, S/RES/1593(2005), 31 March 2005

¹⁰⁷ UN General Assembly, A/CONF.183/9, 17 July 1998. The Statute entered into force on 1 July 2002.

Besides, China emphasized the respect for Sudanese national juridical sovereignty, and warned the unintended consequence of the resolution.¹⁰⁸

The ICC formally opened an investigation on 6 June 2005, and eventually issued an arrest warrant for the Sudanese president Omar al-Bashir and some senior officials on 4 March 2009. The ICC indictment further deepened the international disarray over the Darfur Crisis. The proponents of indictment argued that the involvement of the ICC was necessary because it would bring justice to Darfur by ending impunity for the perpetrators. Besides, it was believed the activity of ICC, together with economic sanctions, could positively pressure the Sudanese government to halt its criminal policy in Darfur such as supporting Janjaweed (Kastner 2007). On the contrary, the sceptics disagreed with the expected consequence of ICC involvement. The inopportune ICC indictment did upset Sudanese top officials as well as rebel leaders, thus may bother rather than facilitate the ongoing peace negotiation between Khartoum and rebels, because generally the amnesty deal is necessary in a peace negotiation. Besides, the court's intervention provoked a broad backlash from African governments, because all of ICC investigations had only targeted at Africa since the court established in 2002 (Bosco 2013).

The EU is a staunch supporter of the ICC in the case of Darfur. The EU Member States played an active role in UN to refer the case to the ICC and the Council of the EU adopted the same position. When ICC attempted to arrest al-Bashir the EU reiterated its full support and called for Sudan's cooperation with ICC (EU 2010: 24). Since the principles and objectives of ICC are completely in line with that of the EU, the EU has inscribed its commitment to ICC in a series of documents. For example, the Council

¹⁰⁸ UN Security Council, S/PV.5158, 31 March 2005

Common Position on the ICC promised the support from the Union and Member States,¹⁰⁹ the Action Plan specified the steps and sections the EU can contribute to the ICC.¹¹⁰ As regards the EU's external relation with African, Caribbean and Pacific countries, the Cotonou Agreement includes an ICC-related clause and serves as a binding legal instrument. Sudan was a party of the Cotonou Agreement in 2005, but when the amendment proposed introducing the Rome Statute and related instruments to all parties, Sudan withdrew from the agreement in June 2009 when ICC issued an arrested warrant for al-Bashir on March.¹¹¹ For the EU, supporting ICC in Darfur was a policy for implementing principles and thus beneficial to the EU's prestige without clear material costs.

Table 5 The EU and China's calculations on the judicial intervention of ICC

	The EU	China
Benefits of supporting ICC	Upholding its principles	Not clear
Costs of supporting ICC	Drawing criticism in Africa	Breaking its principles and betraying Khartoum; Drawing criticism in Africa
Benefits of abstaining ICC	Not clear	Upholding its principles
Costs of abstaining ICC	Drawing criticism at home	Annoying Khartoum
Benefits of obstructing ICC	Not clear	Pleasing Khartoum
Costs of obstructing ICC	Breaking its principles and drawing stronger criticism	Drawing stronger international criticism

¹⁰⁹ Council of the European Union, 2003/444/CFSP, 16 June 2003

¹¹⁰ Council of the European Union, *Action Plan of the follow-up on the Common Position on the ICC*, Document 5742/04, 28 January 2004

¹¹¹ "Sudan formally withdraws from Cotonou Agreement amendments", *Sudan Tribune*, 23 June 2009, <http://www.sudantribune.com/spip.php?article31608>

Concerning the role of the ICC in Darfur, China was belonged to the camp of scepticism. China is not a party of Rome Statue and generally disagrees with several principles guided ICC such as the universal jurisdiction, so that Beijing was never a supporter of ICC investigations even before the Darfur. In the case of Darfur, not only principles but also the consideration of consequences made China hostile to the ICC intervention. One consequence China claimed in the UN was that the ICC's arrest warrant for the Sudanese president had an adverse effect on the situation in Darfur by disturbing the peace process. This argument was shared by the African Union, the Arab League, the Organization of the Islamic Conference, and members of Nonaligned Movement. Therefore, another consequence China must be aware was that the ICC indictment was unwelcome in the third world where China always stands with, not mention Beijing's oil ally Khartoum. As a result, China claimed to support the efforts in UN Security Council to suspend the ICC indictment of al-Bashir from 2008 to 2009, according to the Article 16 of the Rome Statute.¹¹² However, in practice, China did not invoke the Article 16 in the Security Council. It is notable that Khartoum expected Beijing's veto against the ICC referral and felt quite dissatisfied with Beijing's abstention.¹¹³ It reflected that China's stance regarding Darfur Crisis was not altogether based on the coordination with Khartoum. Beijing had to balance the international pressure from the other side, which criticized China's inaction in solving the Darfur Crisis. The next part will demonstrate how the growing international pressures had modified China's calculations.

¹¹² "China supports the UN Security Council to suspend the ICC indictment for Sudanese leaders", Xinhua Agency, 2 August 2008

http://news.xinhuanet.com/world/2008-08/02/content_8905093.htm

"Chinese envoy: ICC's arrest warrant disturbs Sudan's stability", Xinhua Agency, 5 March 2009, http://news.xinhuanet.com/english/2009-03/05/content_10951598.htm

¹¹³ "China defends decision not to veto Darfur ICC referral", *Sudan Tribune*, 10 November 2009, <http://www.sudantribune.com/spip.php?article33085>

(IV) The transition from AU to UN (2006-2009): peacekeeping operations in Darfur and neighbouring countries

In the beginning of 2005, Security Council, with no dissent, adopted Resolutions 1585, 1588 and 1590 about Darfur Crisis. The three resolutions were not including the threat of sanctions, but mainly extending the mandate of the United Nations Advance Mission in Sudan (UNAMIS),¹¹⁴ and transferring its responsibilities to the new established United Nations Mission in Sudan (UNMIS),¹¹⁵ which was requested to be co-operated with AMIS. In 2006, the looming failure of the AMIS pressured the UN to deploy its own blue helmet peacekeepers to take over the African Union's green berets, who was suffering from the attacks from militias and rebel groups since 2005. Therefore, Resolution 1679 in May mentioned a follow-on United Nations operation in Darfur.¹¹⁶ The resolution was approved without dissent, but with China's statement of "a basic principle and precondition for deployment of all UN peacekeeping operations": Must obtain the agreement and cooperation of the Sudanese Government.¹¹⁷

In August, the following Resolution 1706 expanded the mandate and the force of UNMIS, up to 17300 military personnel and 3300 civilian police, to enforce the Darfur Peace Agreement signed on May 5th. Considering the cross-border conflict, the resolution also broadened the mandate of UNMIS to the neighbouring Chad and Central Africa Republic. It was the first UN Security Council resolution explicitly reaffirmed the Responsibility to Protect.¹¹⁸ However, the resolution was adamantly rejected by the Sudanese government, asserting the Western 'colonial' ambition

¹¹⁴ UN Security Council, S/RES/1585(2005), 10 March 2005; S/RES/1588(2005), 17 March 2005

¹¹⁵ UN Security Council, S/RES/1590(2005), 24 March 2005

¹¹⁶ UN Security Council, S/RES/1679(2006), 16 May 2006

¹¹⁷ UN Security Council, S/PV.5439, 16 May 2006

¹¹⁸ UN Security Council, S/RES/1706(2006), 31 August 2006

behind. Khartoum's genuine concerns include: the multinational force presence could not only restrict Sudan's military campaign in Darfur, but also assist the ICC to investigate and even arrest the indicated Sudanese officials. China abstained with Russia and Qatar due to the non-consent of Khartoum, and used the threat of a veto to insist inserting the requirement of Khartoum's consent. Chinese Ambassador Wang Guangya emphasized that requiring the consent of the host country is a 'fixed and standardized phrase' when deploying UN peacekeeping operations. Thus, China's abstention was 'principled reservations'.¹¹⁹ Although Resolution 1706 was passed, UN peacekeepers could not be deployed in practice in the absence of consent of Sudan.

The compromise was the Annan Plan of three-stage operations, made in November 2006. The first stage of UN sending material assistance and 200 advisors to AMIS was smoothly completed. However, the Sudanese government was not cooperating on the second stage of increasing UN troop proportion in the peacekeeping operation, or the third stage of deploying a large scale UN-AU hybrid peacekeeping force under the command of the UN. In response, U.S threatened to impose further sanctions labelled as 'Plan B' (Kessler 2007) while UK threatened a non-fly zone against Sudan, if Khartoum still refused the deployment of UN peacekeepers (Borger 2007). Meanwhile, the UN, the AU and China had undertaken various coordinating and mediating efforts to facilitate the Annan Plan. Finally, Sudan agreed to implement the second stage in April and the third stage in June 2007, with the following conditions: (1) the commander of the hybrid-force should be African; (2) Most of the peacekeeping soldiers should come from Africa, then Asia and Latin America.

¹¹⁹ UN Security Council, S/PV.5519, 31 August 2006

With Sudan's consent, The African Union-United Nations Hybrid Operation in Darfur (UNAMID) was unanimously authorized by Resolution 1769. The mandate is for a force of up to 19,555 military personnel and 3,772 police, which "should, as far as possible, be sourced from African countries".¹²⁰ Despite the unanimity, U.S warned that Sudan's failure to cooperate would lead U.S "move for the swift adoption of unilateral and multilateral measures"; while China emphasized that the goal of resolution was not pressuring or sanctioning Sudan, but launching a hybrid operation.¹²¹ As the first UNAMID force in Darfur, a 140 personnel Chinese engineer troop was deployed in November 2007. Due to varied technical obstacles, however, the hybrid peacekeeping force was not fully recruited and deployed until the beginning of 2009.¹²²

Beijing's involvement in implementing the UN military intervention in Darfur

China's persistent position of non-interference in Darfur was broadly criticized as encouraging Sudan's intransigence, thus hindering a swift and robust multilateral intervention in the UN framework. For instance, China had used its veto threat to thwart a more coercive version of Resolution 1706. According to the materialist explanation, China's obstructionism was exclusively motivated by its very rapidly increasing need of oil resources in Sudan (Reeves 2006). For this reason, global advocacy groups including Hollywood celebrities, which failed to push U.S and the EU to take a decisive intervention in last 3 years, began to lay the blame for the enduring Darfur conflict on Beijing. The 2008 Beijing Olympics provided them a window of opportunity to pressure the Chinese government. China had paid much attention to shape its international image of a benign power, thus would be less indifferent to

¹²⁰ UN Security Council, S/RES/1769(2007), 31 July 2007

¹²¹ UN Security Council, S/PV.5727, 31 July 2007

¹²² UNAMID aimed to reach 65 % deployment by the end of 2008, and 85 per cent by March 2009. Secretary-General's Press Conference, 7 October 2008

international opinion than Sudan.

It was popular to interpret China's non-interference justifications as window dressing to disguise selfish reasons like defending its oil ally from foreign intervention. For sure, China needed to maintain the good relations with Khartoum. However, what is missing from the account is that China had been lobbying Sudan to accept the UN peacekeeping two weeks after its abstention to Resolution 1706 in 2006, even before the 'Genocide Olympics' campaign linked China's role in Sudan to the 2008 Beijing games. According to the testimony from Ambassador Wang Guangya to Reuters, China informed Sudan that China approved of the idea of the transition to the UN peacekeeping operation, but it would be up to Sudan. "From the beginning, it is always our position," Ambassador denied China shifted its standpoint, "We said it is a good idea to have the UN taking over. But in the meanwhile, I think it is a general practice that when the UN sends troops, you have to have the consent of the government, so now we need the second part."¹²³ It proved that what China disagreed was not the outcome of Resolution 1706, the UN peacekeeping operation *per se*, but the way to initiate a forcible peacekeeping by imposing a resolution on the target state, which presented a serious infringement of Sudan's sovereignty. China's concern was reasonable in practice, as a forcible military intervention against the will of target state would probably result in unduly casualties and chaos.

In fact, China had been a key player in persuading Khartoum to accept the UN peacekeepers since 2006. Beijing's efforts received acclaim in the international society. Andrew Natsios, The U.S' envoy to Sudan, praised China began to play an important behind-the-scenes role to go along with its more visible peacemaking

¹²³ "China Pushes Sudan to Let UN Troops into Darfur", *Sudan Tribune*, September 15, 2006 <http://www.sudantribune.com/China-pushes-Sudan-to-let-UN,17596>

efforts after the international appeals for China's action in Darfur (Sullivan 2007). At the beginning of Beijing's soft engagement to convince Khartoum particularly President al-Bashir, the latter was reluctant to the UN peacekeeping and refused to implement several aspects of Annan's Plan. Later in different occasions, China straightforwardly sent 'strong messages' to the Sudanese government that China fully supported the UN mission (Holslag 2008: 78-79). Instead of threatened with economic sanctions in case of Sudan's non-compliance, Beijing clarified the different options to Khartoum in a way of concerning Sudan's interests: either accept the neutral UN peacekeeping operation which including African and Chinese forces, or further deteriorate the situation that might trigger coercive unilateral intervention from Western states as they always threatened. Obviously, the first option was certainly better for Khartoum to pacify the Darfur Crisis as soon as possible, especially considering the renewed conflict in the south. Therefore, "the Sudanese government was relatively more willing to listen to China's suggestions".¹²⁴

Two main reasons explain China's growing efforts of intervention in 2007. First, the rising international pressures on China had added to problems of the Chinese government. In West, a number of politicians and human rights campaigners planned to boycott the Beijing Olympics. The Chinese government was sensitive to the Olympics event and China's international image. For instance, Ambassador Liu Guijin, the full-time Chinese special envoy to Darfur appointed in 2007, met the directors of the Save Darfur Coalition, which explicitly expressed their purpose of urging China to pressure Sudan.¹²⁵ In Africa, China's traditional partners in AU were eager for the UN peacekeeping force to replace the exhausted AU force in Darfur. The neighbouring

¹²⁴ Author's interview Interview with a Chinese diplomat, Beijing, July 2014

¹²⁵ Saving Darfur Coalition, "Save Darfur Coalition Urges Continued Chinese Engagement on Darfur Crisis", 7 September 2007

Chad, which just transferred its diplomatic ties from Taipei to Beijing in 2006, was also expecting China to help in Darfur. Secondly, China's oil interests in Sudan were at stake. The Darfur rebel JEM attacked Chinese-run oil facilities in the neighbouring Kordofan region for warning Chinese to leave in 2007 (Osman 2007). It reflected that the Sudanese government was unable to stabilize the situation and protect China's investment alone. As a trade partner China sincerely welcomed the deployment of UN peacekeeping force to bring a quick restoration of peace and stabilization in the western Sudan. In short, these events significantly modified China's calculations by increasing China's visible cost of non-intervention as both its reputation and investment were at risk. Therefore, the rational choice for Beijing was to push forward to the UN peacekeeping force in Sudan, and demonstrating its contributions in solving the Darfur Crisis.

But to what extent China's pro-active engagement in Khartoum had blurred the boundaries of non-interference? Beijing still avoided endorsing a precedent of international intervention without the consent of the target state, which would deviate too far from China's orthodox principle of non-interference. With the constraint, the only approach of engagement Beijing can choose was persuading rather than compelling Khartoum. Hu Jintao's visit to Sudan in February 2007 exemplified the self-restraint. On the one hand, Hu duly attempted to change Sudan's rejective position toward the UN peacekeeping in Darfur, admonishing Bashair 'you have to resolve the problem' (McDoom 2007). On the other, Hu strengthened the bilateral economic relations and declared four principles in dealing with the Darfur issue: (1) Respect the sovereignty and territorial integrity of Sudan; (2) insist a peaceful solution through dialogues; (3) confirm the constructive role of the AU and UN; (4) stabilize the Darfur region by a comprehensive ceasefire and improve

the living conditions of local people.¹²⁶ In short, China cautiously shifted its attitude to Khartoum while continued defending its policy as being in conformity with its principles.

Table 6 China’s calculations on the UN military intervention in Darfur

Policy options	Benefits	Costs
Obstructing the UN peacekeeping	Pleasing the Sudanese government	Deteriorating the situation; Drawing international criticism before the Beijing Olympics; Annoying regional actors.
Persuading Sudan to accept the peacekeeping	Deflecting international criticism, safeguarding its oil interests, maintaining its influences in Africa while upholding its principles	Annoying the Sudanese government to a less extent
Compelling Sudan to accept the peacekeeping	Pacifying the international criticism	Breaking its principles and Betraying Sudan

The European Union’s military intervention led by France

When China was busy with addressing the international pressure and persuading Sudan to accept UN peacekeeping force UNAMIND in Darfur, the EU contributed troops to tackle with the Darfur Crisis in neighbouring Chad and Central Africa Republic (CAR), which were involved with the fights crossing the border from Darfur

¹²⁶ “Hu Jintao talked with Sudanese president al-Bashir”, *Xinhua Agency*, 2 February 2007 http://news.xinhuanet.com/world/2007-02/02/content_5688877.htm

since mid-2006. The EU regarded the mission as a part of its regional approach to Darfur Crisis, by assisting to maintain order in the refugee camps close to the border with Darfur. The initiative of deploying a peacekeeping force in Chad could be traced back to Resolution 1706 in 2006 and the Security Council proposed 10,900 troops in early 2007.¹²⁷ However, the Chadian president Idriss Déby rejected the UN military force,¹²⁸ and labelled it as an illegitimate interference in Chad's domestic affairs (Lanz 2008:40). For, these refugee camps were used by Chad as important recruitment bases for the Chadian army and Chad-supported Darfur rebel groups, and the proposal of the UN mission including a political mandate (Seibert 2010: 8). As Khartoum blocked the UN peacekeeping operation in Darfur, a parallel peacekeeping in eastern Chad was also unlikely without the consent of N'Djamena.

The position of Chadian leadership changed under the influence of France, which initiated all EU missions in Africa before. The new-elected French president Nicola Sarkozy became active in solving the Darfur Crisis because of his commitment made in the 2007 France presidential election campaign. Chad had a longstanding military cooperation with France, which has an ongoing military presence in Chad under the Opération Épervier since 1986. Based on the ongoing security agreement, France provided logistical and intelligence support to Chad to tackle with the rebel movements backed by Sudan. Yet France might face the criticisms that it was too implicated in the actions of the Déby regime to play the role of a rescuer in Darfur, especially if Paris chooses to intervene unilaterally. Therefore, an EU operation under the French leadership was a more acceptable option for Chad as well as the international society.

¹²⁷ UN Security Council, S/2007/97, 23 February 2007

¹²⁸ "Chad rejects a UN military force", *BBC*, 28 February 2007, <http://news.bbc.co.uk/2/hi/africa/6405543.stm>

In order to launch the EU military operation through the CSDP framework, France needed to convince other Member States. Most of them were sceptical on France's motivation: whether it aimed to protect civilians and humanitarian workers as Elysée Palace claimed or defend its ally Déby from the offensives of the rebel groups (Tull 2008, Helly 2009: 346). Although later France managed to gain enough political supports within the EU for establishing the operation, there was less material support of the Member States for such a venture. Only Ireland, Poland, Austria and Sweden contributed more than 100 troops. The other big 2, U.K and Germany, did not contribute any troop or airlift capability to the EU operation.

With the authorization from the France-drafted UN Resolution 1778,¹²⁹ and the consent of host countries after several concessions, the EU conducted a 16-months military bridging operation (EUFOR Tchad/RCA) in Chad and CAR during the 2008 to 2009. France contributed 2100 troops in the 3700-personnel EU force, and paid more than half of the budget. The mission was successful in regard with fulfilling its limited mandates. In 15 March 2009, a UN force took over under the mandate of United Nations Mission in the Central African Republic and Chad (MINURCAT), while a number of Member States and third countries remained on the ground and relocated their troops to the UN (Ireland, Austria, Finland, Poland, France, Albania, Croatia and Russia).¹³⁰ However, the hand-over from the EU to the UN was not smooth in practice. When Member States were ready to exit according to the plan, the UN was not sufficiently prepared to replace the EU's mission (Seibert 2010: 35).

¹²⁹ UN Security Council, S/RES/1778(2007), 25 September 2007

¹³⁰ European Union, "EU Military Operation in Eastern Chad and North Eastern Central African Republic (EUFOR Tchad/RCA)", March 2009

Table 7 France's calculations on leading the EU military intervention

Policy options	Benefits	Costs
The inaction in military intervention	Avoiding any material expense and casualty risk	Breaking elections promise; Possible adverse effects on French prestige in Africa
Leading the EU military intervention	Increasing the prestige of leaders and France; Maintaining French influences in Chad/Africa; Sharing some expenses and risks with the EU	Shouldering major material expenses and casualty risk; Spending time and political capitals to coordinate EU Member States
Unilateral military intervention	Increasing the prestige of leaders and France; Confirming French influences in Africa; A more rapid intervention	Shouldering all material expenses and casualty risk; Drawing potential criticism of unilateralism

An excellent analysis attributed France's rationale to the French domestic politics (Marchal 2009). The president Sarkozy had a strong influence on the French presidential government in particular in foreign affairs, and his Foreign Minister Bernard Kouchner was an enthusiastic advocate of humanitarian intervention. Pushing for a France-led European intervention in the Darfur Crisis could help themselves and the new government to gain more credits at domestic, European and international levels. Since in 2007 Sudan had already accepted the deployment of UNAMID in Darfur where no western troop was allowed, France needed to find an alternative option to demonstrate its efforts of intervention. Kouchner's first plan

was to establish a 'humanitarian corridors' to facilitate the humanitarian aid to Darfur. However, the plan was rejected by both UN and humanitarian organizations as unnecessary. Hence, the neighbouring and affected Chad, and to a less extent, Central Africa Republic were selected by Paris, despite the fact that the European military operation there had minimal influence to mitigate the conflict in Darfur.

There was little doubt that the EUFOR Tchad/RCA was characterized by French cost-benefit calculations. But it is hard to conclude that the primary motivation of France was to pursue its geostrategic interests in its former colonies, since Chad and CAR were only selected as a plan B. Even the non-humanitarian motives was existed, it does not preclude the role of principles behind the EU military mission. The ideational factors had enabled the European intervention by influencing the cost-benefit calculations of policy-makers. For France, without the rooted human rights idea in French society, Sarkozy and Kouchner would unlikely regard a humanitarian intervention initiative as a popular policy pleasing electorate, news organizations and relevant NGOs such as the coalition '*Urgence Darfour*'. A counterexample was the Chinese leadership, who did not have this incentive to intervene in a humanitarian crisis because saving strangers would not be recognized by the Chinese society as a significant achievement of the government yet.

The same reason probably also suitable for Brussels and other European capitals. Xavier Solana, the High Representative of the EU, also demanded a public visibility of the EU in the Darfur Crisis to fulfil the EU's commitment in the regional crisis management (Hainzl and Feichtinger 2011:8). Being aware of the Paris' hidden agendas and thus reluctant to contribute, other Member States still accepted the French proposal within EU on 15 October 2007. This compromise was not only for

avoiding a direct tension with France, which promised the impartiality and neutrality of the mission and provided the most resources, but also considered the merit of confirming the image of the EU as an ethical power in relation to Darfur with only a one-year mission (Olsen 2009: 256). Conversely, the political liability of blocking an initiative of humanitarian intervention was clear. “Nobody wanted to appear as not doing much to help Darfur” (Marchal 2011: 26). A fresh lesson could be drawn from China, who was under huge international pressures because Beijing baffled a robust intervention proposal on Darfur within the UN Security Council in 2006.

Table 8 Member States calculations on the EU military intervention

Policy options	Benefits	Costs
Obstructing the France-led EU military intervention	Avoiding any material expense and casualty risk; Stopping French hidden agenda in Africa (for big MS)	Drawing domestic and international criticism; Damaging the relations with France and cohesion of the EU
Authorizing the France-led EU intervention without contribution (UK, Germany, etc.)	Upholding their principles; Maintaining the prestige and cohesion of the EU Avoiding any casualty risk	Shouldering a few common costs; Increasing French influences (for big MS)
Supporting the France-led EU intervention with contribution (Poland, Ireland, etc.)	Upholding the principles and increasing their own prestige; Maintaining the prestige and cohesion of the EU	Shouldering some material expenses and casualty risks;

(V) Conclusion

In dealing with the Darfur Crisis, both China and the EU supported the leading role of the African Union, and the fundamental role of the United Nations. For example, they made parallel efforts to deploy multinational military forces on the ground of Sudan and Neighbouring countries. Meanwhile, there also existed significant policy differences between the EU and China in two of the three fields the chapter examined. The EU supported to sanction Khartoum and halted its aid to Sudan, whereas China opposed the proposal of the sanctions and continue its close economic tie with Sudan. The EU endorsed the judicial intervention of the ICC, which never gain the support from Beijing.

How to explain their policy outcomes? My answer starts with their cost-benefit calculations. Protecting and promoting the national interests, or more specifically the government-defined interests, are always the primary concerns of foreign policy decision makers. In a realistic perspective, the first-order interest of a state is the national security. Without clear perceived security threat, the given preference of policy-makers is not to intervene. For example, the great powers' responses to humanitarian crises were similarly pale during the Cold War (Wheeler 2000). In this case, since Sudan is far away from the EU and China's borders, the turmoil in Darfur and the subsequent military intervention were not presenting a direct security threat for China or European States. Certainly, we can find indirect security concerns: For the EU, although the number of Darfur refugees flowed into Europe was minimal, a long-term turmoil in an Islamic region may spawn terrorism. For China, the chaos in its oil partner was also a challenge to its 'energy security'. Therefore, China and the EU actually had similar security concerns, which became the cause of their policy convergences such as supporting peacekeeping operations, rather than their policy

divergences. Instead, what led to their divergences were mainly their different economic interests in Sudan, and the different sources of the government prestige.

Economic self-interests had influenced China and the EU's policy-decisions notably regarding the sanctions and military operations. It is hard to imagine that China or the EU took the disaster of Darfur as an opportunity to expand their economic benefits, but they needed to calculate the potential material costs of the crisis and their policy options. China had a strong oil tie with Sudan before the crisis, so China was cautious about its established economic advantages in this country, and made very efforts at the UN to restrain the multilateral economic sanctions from expanding to oil trades. Finally the UN resolutions only implemented the arms embargo and freezing assets of individuals, and China's core oil interests in Sudan was protected. To a less extent, several EU Member States such as France also had noticeable economic interests or potentials in Sudan. Therefore, the EU was unable to reach an agreement to pose an American-style full sanction against Sudan, which is costly at least for some Member States. Another material factor the EU considered was the cost of EUFOR peacekeeping mission in Chad and CAR. The French initiative was accepted on the conditions of relatively risk-free, low-cost and short term: It was only a one year mission in a non-combat environment and did not require other Member States, in particular Germany and UK, to contribute large troops.

The rising public concerns on Darfur Crisis, as well as the policy-making processes involved the consideration of the governments' prestige and image had occurred in China and Europe from 2004 onwards. Therefore, upholding the adopted principles, fulfilling the established commitments would increase their prestige both at the domestic and international level. The domestic prestige is even crucial for the

legitimacy of government. On the contrary, breaking a promise in public was detrimental to their prestige. However, regarding the international intervention, China and the EU adopted different principles and made different promises, which shaped how they defined their interests of prestige. Principles such as Human Security and the Responsibility to Protect, plus the intensive media reports and influential humanitarian social movements within European societies, had enabled the European intervention in Darfur by ensuring the domestic legitimacy and boosting the international prestige of the EU and Member States. On the contrary, European leaders realized that the inaction or even thwarting an action in Darfur would be unacceptable in the eyes of public opinion. In this respect, imposing targeted sanctions, supporting the ICC indictment, and deploying troops in neighbouring areas served as to protect and promote the prestige of the EU and certain Member States, such as Sarkozy's France.

Yet, the Chinese government and society had not embedded such a strong universal human rights principle like Europeans. Besides, the emerging 'mobilizing-conscience' role of western news organizations in agenda-setting on foreign affairs (McDevitt 2010) did not exist in China, as state-run news organizations like Xinhua Agency retains authority in foreign news reporting. Therefore, the same internal excitation mechanism for humanitarian intervention did not work in Beijing. By contrast, China had established some other principles the EU did not emphasize. For example, the non-intervention of domestic affairs without the consent of host state has been championed by Beijing for decades. Largely for demonstrating its principle of non-interference in domestic affairs and non-conditionality in trade relations as a long-term commitment made in Sudan and other African countries, China abstained for all UN resolutions involving economic or legal sanction against Sudan, and the UN

military intervention proposal without the consent of Khartoum.

Why China was reluctant to use the veto, but paid more efforts to lobby Sudan after 2007? The audience of Beijing's foreign policy was beyond Chinese people and a number of developing countries which shared China's principle, since China rose as an emerging global power and further integrated into the international community after the Cold War. As the idea of human rights protection became an emerging global norm in recent two decades, China no longer expresses an entire opposition to it. Therefore, vetoing a humanitarian intervention proposal in the UN would go too far and also damage China's prestige as a responsible power, which shoulders the responsibility to make contribution to the world peace. Besides, the major demonstrations against the Beijing Olympic staged in the West, as well as the political pressures from the U.S and European governments, elevated the 'prestige cost' for Beijing's continuing inaction. In fact, Chinese diplomats already began to persuade Sudan in 2006, but Beijing needed time and the involvement of top leaders to coordinate different governmental agencies and state-owned companies in oil and military industry, to create a consistent policy toward Khartoum.

The role of ideational factors in Chinese and European foreign policy-makings on Darfur was discernible. First, their policy options were restricted to the range that can be justified by their adopted principle. Secondly, different social ideas provided different roadmaps for China and Europe in their pursuits of prestige, as their prestige was largely defined by the prevailing domestic public opinion. Besides, the European states needed to coordinate their policy at the EU level, during which the EU institutionalized principle could serve as the cohesion glue, whereas China's principle of non-interference functioned as a long-lasting bond with the developing

world. In the case of Darfur, the rise of global norm of human rights protection in the UN since 1990s had influenced both the EU and China, by shifting their dilemma of choices from whether to intervene to how to intervene a humanitarian crisis.

Chapter 6: The Case of 2011 Libya Crisis

As a part of the democratic revolution wave in the Middle East and North Africa (MENA), the Libyan Civil War began in February 2011. The anti-government protest in Benghazi rapidly escalated into an armed conflict between the rebels seeking to overthrow the Colonel Gaddafi and the government force loyal to him. It should be pointed out that the Libyan Civil War was not only a fight between democracy and tyranny, but also characterized by the tribal problem accumulated over the years. The anti-government force was mainly from the eastern part of the Libya like Benghazi (Cyrenaica region), which faced a growing economic hardship since the Gaddafi's regime had obviously favoured the Western part surrounding Tripoli (Tripolitania region) where Gaddafi's belonged tribe Qaddadfa lives in. During the period of King Idris I of Libya, however, Cyrenaica was once the privileged region until Gaddafi seized the power in 1969.

The sequence of events in the Libyan civil war was well known as the fall of Libya's strongman Gaddafi. After dominating the country and cruelly suppressing the opposition for four decades, Muammar Gaddafi's dictatorship were disintegrating and crumbling, in particular when the rebels formed the government of the National Transitional Council (NTC) and began to gain the international support. On the one hand, a number of states and international organization condemned Gaddafi's regime over its attacks on civilians during the conflict, cutting of their diplomatic relations with Gaddafi government. On the other, with the *de facto* help of the foreign military intervention, the rebel forces gradually seized the initiative on the ground, and finally captured the capital city of Tripoli in August. Gaddafi was defeated and killed in the end. His regime Socialist People's Libyan Arab Jamahiriya

was formally replaced by the National Transitional Council in the UN.

The chapter examines the international responses to the Libya Crisis in 2011, in particular China, the EU and its key Member States' motivations and justifications for their policies. The chapter categorizes their interventions or non-interventions in Libya into two groups: political/economic and military. Regarding each category, the EU (including Member States) and China's nuanced foreign policies will be explained according to their economic interests, security concerns and institutionalized principles. Different from the previous literatures concentrating on a single factor, this chapter bears the emphasis that these three alternative explanations are not necessarily contradictory, since policy-makers usually need to consider a variety of factors. Even though considerations of security and economic interests were evident in the intervention in Libya, they did not preclude the role of principles and norms.

Here, three key arguments are advanced: First, though their material interests in Libya and bilateral relations with the Gaddafi regime varied, the EU and Member States eventually adopted a critical position against Gaddafi and support the rebels. To achieve such a common policy, their commitment to certain principles was necessary. Secondly, even the Gaddafi regime was not China's friend, Beijing refused to endorse the military intervention in Libya. China's principle and values were necessary to cause this policy outcome. And, thirdly, the principle of pro-intervention alone was not sufficient to mobilize the EU to intervene by military measures, whereas only the principle of non-intervention was unable to motivate China to prevent a military intervention.

The following sub-questions structure the avenue of enquires during the case tracing.

(a) Whether certain principles and norms actually occurred, not only in the rhetoric of the EU and China, but also in their policy-making process. (b) Whether the occurrence of norms and principles (democracy, human rights...) was a cause of the EU's interventionist policies of supporting rebels in the case of Libya Crisis. (c) Whether the principle of non-interference and the value of pro-stability was a cause of China's neutral policy outcome in the Libya Crisis. (d) Why the EU and China's attachments to relevant principles were inadequate to motivate them to conduct or impede military intervention.

(I) International Interventions through diplomatic and economic measures

In February 2011, the escalating Libyan civil conflict soon became a grave concern for the international society, after the government force retaliated in a criminally disproportionate manner and bombed civilian targets. The response of the UN to the Libya Crisis came quickly. The Security Council issued a statement on Libya situation, condemning the violence against civilians and calling on the Libyan government to meet its responsibility to protect its population.¹³¹ On the same day, the League of Arab States announced a similar statement of condemning the crime of Gaddafi's regime and suspended Libya from all sessions. The African Union also adopted a strong stand by condemning the indiscriminate and excessive use of violence and pressuring the government of Libya to protect its citizens from serious crimes.¹³²

However, the Gaddafi regime manifestly did not respond to the mounting calls of the international society and continued its bloody suppression. Consequently, the regime further lost its domestic and international legitimacy. The Libyan diplomats in UN decided to serve as representatives of the Libyan people rather than the regime. The

¹³¹ UN Security Council, SC/10180, 22 February 2011

¹³² AU Peace and Security Council, PSC/PR/COMM(CCLXI), 22 February 2011

UN Human Rights Council recommended the General Assembly to suspend the membership of Libya in the Council due to the gross and systematic violations of human rights, and decided to dispatch a commission of inquiry to investigate the alleged violations of international human rights law in the country.¹³³ The UN human rights chief commissioner Navi Pillay referred to the principle of R2P, suggesting that the international community has the responsibility to intervene when the government of Libya failed to protect its population.

Within the above context, Resolution 1970 including the R2P language, coercive measures and the ICC referral was passed unanimously.¹³⁴ Comparing to the intense debates on Darfur Crisis in the Security Council, two factual circumstances facilitated the pass of Resolution 1970. First, regional organizations like Africa Union and the Arab League played a key role in forming the consensus in the Security Council, which was not happening during the Darfur Crisis. Secondly, no one, including Libya's representative at the UN, was defending Libya's sovereignty from international intervention in the Security Council. This situation stood in stark contrast to Sudan's vociferous self-defence regarding Darfur in the Security Council. Instead, the Libyan ambassador to the U.N overtly condemned Gaddafi and urgently required the intervention of the UN.¹³⁵ China, which is usually unwilling to impose sanctions in crisis intervention, explicitly attributed its consent to the above 'exceptional situations'. In addition, the impact of the comprehensive sanction in the resolution was targeted and should not worsen the condition of Libyan citizens, which dismissed the worries of developing countries about the unintended consequence of sanction. Yet reservations still existed in the Security Council. Russia emphasized the

¹³³ UN Human Rights Council, A/HRC/S-15/2, 25 February 2011

¹³⁴ UN Security Council, RES/1970(2011), 26 February 2011

¹³⁵ UN Security Council, S/PV.6490, 25 February 2011

restrictive measures did not indicate future military intervention. India insisted the exemption from the jurisdiction of nationals as not parties to the Rome Statute.¹³⁶

China's response: Deeply concerned, but refrained from rebuking Gaddafi

China was restrained from taking sides. In spite of voting in favour of Resolution 1970 against the Gaddafi regime, Beijing was not joining the international community in condemning the Gaddafi's use of force to crush the protest. Considering that the Gaddafi regime was not close to China, Beijing's caution mainly reflected its traditional reluctance to criticize authoritarian governments of the developing countries, which would present interference in domestic affairs. Instead, Beijing followed the standard procedure according to the doctrine of non-interference, taking a neutral position in the Libyan uprising and only calling for the restoration of peace. And interestingly, Gaddafi even delivered a speech and justified its violence by drawing parallels with the Chinese authorities' use of military force to quell the 1989 Tiananmen Square protest, "National unity being worth more than a small number of protesters".¹³⁷ Obviously, Beijing disliked Gaddafi's analogy and blacked out Gaddafi's reference in Chinese news reports.

No matter whether Beijing truly sympathize Gaddafi, it was clear that China did not welcome the Libyan rebels and the Arab Spring aiming at bottoms-up regime change. The Libyan uprising was inconsistent with Beijing's political philosophy—*stability is of overriding importance* at home, and implicitly challenging the 'Chinese Model' of authoritarian politics coupled with state-guide capitalism. Hence, the Arab revolutions were seen by Beijing as the politics of instability that follows a failed state.

¹³⁶ UN Security Council, S/PV.6491, 26 February 2011

¹³⁷ BBC: "Libya protests: Defiant Gaddafi refuses to quit", 22 February 2011, <http://www.bbc.co.uk/news/world-middle-east-12544624>

The evidence could be found in the coverage from the Chinese state-run media. Their general attitude to the Arab revolution was sceptical and even against, in particular when a rumour called for a Chinese 'Jasmine revolution' spreading on the internet in 2011 (Parello-Plesner & Pantucci 2011). For example, an article in People's Daily emphasized the cost of the Arab Spring was too high for the Arabic people and the outcome of it had not significantly bettered their lives (Tian 2012).

The initial response from Beijing was mainly concerned its assets and people in Libya. China was an important trade partner for Libya, ranking the third largest Libyan oil buyer behind Italy and France and ranking the second largest supplier of the Libyan imports after Italy. Besides, about 75 Chinese companies, 13 of them are state-owned key enterprises, had around \$ 20 billion contracts in Libya. They employed 36,000 Chinese working on about 50 projects, including railway, road and building construction before the Libyan civil war (Wang 2012). In the wave of unrest sweeping Libya, Chinese oil facilities had been attacked by raiders in chaos. The CNPC, China's largest state-owned cooperation, was the first oil majors confirmed the attack, after European oil groups such as BASF of Germany, Eni of Italy and Repsol YPF of Spain closed their Libyan operations earlier (Blas 2011). Therefore, Chinese government required the Gaddafi regime to restore social stability and guarantee the safety of Chinese personnel and property in Libya.¹³⁸

Obviously, at the moment the Gaddafi regime had no time to ensure the safety of life and properties of Chinese citizens in Libya. According to the directives from President Hu Jintao and Prime Minister Wen Jiabao, the largest evacuation operation in the history of PRC began on 22 February. A PLA navy missile frigate, which was

¹³⁸ Chinese Ministry of Foreign Affairs, regular news conference, 22 February 2011, http://www.fmprc.gov.cn/mfa_chn/wjdt_611265/fyrbt_611275/t801348.shtml

participating in anti-piracy operations in the Gulf of Aden, and four military transport airplanes were dispatched to Libya as part of the unprecedented evacuation effort. This was the first time the Chinese navy has participated in such a mission. Another key of the evacuation was the secured assistances from the countries like Greece, Malta, Egypt, Tunisia, Turkey and Jordan, which kindly either provided transportation or facilitating temporary shelter. Within 10 days, 35,860 Chinese workers and 2,100 foreign nationals were evacuated back to China or transferred temporarily to politically stable countries neighbouring Libya.¹³⁹ The swift and nimble evacuation mainly attributed to the concerted effort of related ministries, PLA and stated-owned companies in Libya. It demonstrated Beijing's determination for protecting its citizen abroad and China's growing capabilities for overseas military actions.

Besides taking care of Chinese nationals and properties in Libya, China also prompted to resolve the Libya Crisis through peaceful means such as a dialogue. In the first three months of the war the end result of the civil war was uncertain while the civilian casualties and property damage was increasing. The destructive deadlock required both sides to sit down and talk, which gave China an opportunity to play a larger role as peacemaker. In the beginning of June, Chinese foreign ministry hosted Gaddafi's envoy Abdelati Obeidi, who claimed in Beijing that his government was ready to approve of a total ceasefire and hoped China would help broker such a temporary peace settlement. Later in the month the Head of the Executive Committee of the NTC Mahmoud Jibril visited China. In the meetings with two sides, China urged both sides to give priority to the interests of the country and the people, take into account the mediation proposals from the world community, cease hostilities and restore peace and stability in the country as quickly as possible.

¹³⁹ Xinhua Agency, "35,860 Chinese evacuated from unrest-torn Libya", 3 March 2011, http://news.xinhuanet.com/english2010/china/2011-03/03/c_13759456.htm

However, Gaddafi's offers to make a truce, hold an election or lead a transitional government were all dismissed by the rebels. In the end, Beijing's attempts at mediation had failed since the rebel gradually took the advantage in the war with the assistance from the foreign military intervention and thus left Gaddafi no role to play in the future of Libya.

Table 9 China's calculations regarding the civilian intervention in Libya

Policy options	Benefits	Costs
Preventing the international intervention	Pleasing Gaddafi regime	Drawing fierce international criticism
Political involvement without taking sides	Solidarity with regional actors; in accordance with its principles and values	Not clear
Condemning Gaddafi and Supporting rebels	Pleasing the rebels	Breaking its principle and values

In sum, China's response to the outbreak of Libyan Civil War was basically consistent with its routine reactions to other similar crises, no matter whether the target country had a special relation with Beijing. We can recognize familiar features from China's crisis management in Darfur, such as refusing to openly support one side over the other during the conflict, mainly calling for a restoration of peace through political dialogues. This is the essential content of the principle of non-interference in domestic affairs, and was respected by China in the case of Libya. Even Beijing's unprecedented evacuation operation was implemented within the boundary of the UN Charter, because the rescue of nationals where the territorial State is unable or

unwilling to do so, does not infringe the principle of non-interference (Wood 2007). Meanwhile, Beijing was flexible enough to accommodate changes in world opinion, by voting in favour of Resolution 1970 included the content of civilian intervention. However, it was only an expedient, in order to keep the solidarity with dominant views of the regional countries which were strongly supporting the UN (non-military) intervention in Libya in February. No evidence that Beijing had significantly changed its general sceptical attitude toward the practice of foreign intervention or R2P.

The EU's reaction: Condemning Gaddafi and imposing sanctions as usual

The European Union was expected to play a major role in dealing with the Libya Crisis. On the one hand, the European common foreign and security policy was enhanced by the Treaty of Lisbon and the newly established European External Action Service (EEAS) under the authority of the High Representative for foreign and security policy (HR). However, the EEAS was not formally launched until 1 December 2010 and many senior positions remain unfilled when the Libya Crisis broke out. On the other, the Libya Crisis was occurring in the EU's 'backyard' right crossing the Mediterranean, thus of deep concern for the EU for two reasons. First, in order to prevent the nearby conflict from becoming a threat to the Europe's security, the EU had the responsibility to take a quick response, not only evacuated the EU citizen from Libya but also resolve the serious crisis. Second, the Libya Crisis in the context of the Arab Spring was perceived as a window of opportunity for the EU to promote its long-term normative agenda like democratization in its Southern Neighbourhood.

Before this, the EU's neighbourhood policy for the Southern Mediterranean had not consistently followed its normative agenda. Only three years ago in the first summit of 'Union for the Mediterranean' hosted by France, dictators in the Arab world like

Mohamed Hosni Mubarak and Bachar el-Assad were regarded as the partners of Europe. After Gaddafi abandoned the nuclear program and paid the compensation to the victims of the terrorist bomb attacks, the EU also lifted all economic sanctions and arms embargo against Libya and offered the country to negotiate a new framework agreement with the EU (Zoubir 2009). As several analysts argued, the EU's rapprochement with Libya revealed that the EU's short-term security concerns on energy and immigration had overridden the long-term goal of democracy promotion (Joffé and Paoletti 2010, Bosse 2011). In fact, within the EU there had existed debates and criticism of the strengthening EU-Libya cooperation, concerning the dictatorship of Gaddafi and its abuse of human rights, which was highly incompatible with the principles in the EU's external relations as well as the Barcelona Process (Lutterbeck 2009).

Notwithstanding the close cooperation with Gaddafi regime before, the Union quickly declared its position of supporting Libyan rebels on 21 February, referring the Libya uprising as a part of social movements for freedom in the South Mediterranean, which was long supported by the Union in its Neighbourhood Policy.¹⁴⁰ In a broader context, the EU welcomed all the looming democracies in the region by setting up a new partnership which "rooted unambiguously in a joint commitment to common values".¹⁴¹ The most notable decision made in the extraordinary European Council on 11 March was no longer regarding Gaddafi's regime as the legitimate government of Libya. Instead, the EU recognized the Transitional National Council based in Benghazi as an interlocutor with the EU,¹⁴² although not as the legitimate government of Libya yet. We need to rethink why the EU shifted its cooperative attitude toward the

¹⁴⁰ The EU Council, Press Release of 3069th Council Meeting, Brussels, 21 February 2011

¹⁴¹ European Commission, Joint Communication on Partnership for Democracy and Shared Prosperity with the Southern Mediterranean, Brussels, 8 March 2011

¹⁴² European Council Declaration, D/11/2, 11 March 2011

Gaddafi regime and seemed to regain its normative characteristics during the crisis.

The EU's pro-rebels intervention in Libya was unlikely directly driven by the desire of expanding oil interests or eliminating security threats, as the relationship between Gaddafi and the West had resumed since 1999. Before the 2011 crisis, the EU had a close cooperation with the Gaddafi regime on immigration control and energy supply, subject only to a very light political conditionality. Concerning fighting against illegal immigration, the EU even provided a little financial assistance and even military equipment for Libya, despite its poor record of human rights. The argument that overthrowing Gaddafi was necessary to fight terrorism and secure the border was less plausible in this case. Regarding the oil supply, Libya became the EU's third most important source of oil supply since 2006. European oil contracts in Libya, in particular of Italian oil company ENI, were already ensured before the uprising. Thus, it is unreasonable to debunk the EU's support to the rebels as for oil.

For instance, the Member State had most significant material an interest in Libya was not ready to stand by the Union initially. Italy was Libya's largest import country and had widespread economic interests in Libya notably in the energy sector. Rome also counted on Gaddafi for enforcing the immigration control. In addition, the Italian colonial past in Libya led to the "treaty of friendship, partnership and cooperation", signed between the Berlusconi government and the Gaddafi regime in 2008. The treaty was the main concern of Italy at the beginning of 2011 Crisis.¹⁴³ Obviously, Berlusconi government was reluctant to damage the close cooperation and political relations with Libya. Therefore, Rome was refrained from condemning the Gaddafi regime directly. Berlusconi said in February that he did not want to disturb

¹⁴³ Personal communication with an Italian ambassador in MENA countries, Rome, May 2014

anyone.¹⁴⁴ Together with Malta and Cyprus, Italy even held out for a week within the EU against the proposal of imposing sanctions against Libya, cautioned that it could further weaken the Italian economy (Lombardi 2011:39).

Table 10 Italy’s calculations regarding the intervention in Libya

Policy options	Benefits	Costs
Neutral non-interference at the beginning	Pleasing Gaddafi regime to ensure Italian interests	Breaking its principles; Drawing International and domestic criticism
Join the EU intervention to support NTC later	Pacifying the criticism; Solidarity with the Union; Pleasing the rebels	Annoying Gaddafi regime

Italy was unable to hold this reluctant position for several reasons. On the international level, Rome could not resist the intense lobbying within the EU and the mainstream opinion of the Western allies, and finally approved the EU sanction. On the domestic level, the central-left party *Partito Democratico* bashed the inaction of Berlusconi government in Libya Crisis, and called for a humanitarian intervention. This was echoed by the majority of Italian public opinion (Alessandri & Matarazzo 2011:4). Concerning the increasing international and domestic pressures, Italy government had gradually adopted a critical stance toward Gaddafi regime and ‘de facto suspended’ the friendship treaty with Libya (Miranda 2011:14). Later, the subsequent changes of the situation on the ground further facilitated Italy’s shift of

¹⁴⁴ Reuters, “Opposition lawmakers criticized Italian Prime Minister Silvio Berlusconi for failing to condemn violence in Libya and saying he did not want to ‘disturb’ Libyan leader Muammar Gaddafi during the revolt in his country”, 20 February 2011, <http://www.reuters.com/article/2011/02/20/us-italy-libya-berlusconi-idUSTRE71J1LH20110220>

position. After the launch of NATO military intervention in March, Rome realized that the Gaddafi was unlikely to stay in power thus the cost of betraying Gaddafi diminished. Finally, Italy abandoned the Gaddafi regime 'for national interests, the EU's common interests, and the multilateral solidarity in UN and NATO'.¹⁴⁵

Despite the lack of evident material motivation, the EU was efficient in delivering humanitarian aids and sanctioning the Gaddafi regime. On the one hand, the EU provided more than €80.5 million in humanitarian assistance to the Libyan people, in particular massive refugees in a timely fashion. On the other the EU adopted a range of restrictive measures against Gaddafi's regime as the UN Resolution 1970 required, and implemented further sanctions on key Libyan financial entities to ensure that oil and gas revenues would not reach the regime.¹⁴⁶ The scope of EU restrictive measures was further widened following the UN Resolution 1973.¹⁴⁷ The EU imposed a *de facto* oil and gas embargo by freezing the assets of the Libyan National Oil Company and 26 energy firms. Besides, since Gaddafi was attempting raise fuel imports after its refining industry was crippled in the war, six Libyan ports were added to the EU's sanction list.¹⁴⁸ In this respect, what the EU did in Libya Crisis was almost exactly the same as that in the Darfur Crisis.

Although the EU's reaction to the Libya Crisis was slow as usual, taking almost one month to pull together an emergency meeting after the breakout of the crisis, its stance was clear in supporting the rebels to overthrow the Gaddafi's dictatorship. It is well known that the EU had promoted norms like democracy and human rights over

¹⁴⁵ Interview with an Italian official in EEAS, Brussels, June 2014

¹⁴⁶ The EU Council Decisions, 2011/137/CFSP, 28 February 2011

¹⁴⁷ The EU Council Decisions, 2011/178/CFSP, 23 March 2011

¹⁴⁸ Reuters, "EU adds six ports to Libya sanctions list", 7 June 2011

<http://www.reuters.com/article/2011/06/07/us-eu-libya-idUSTRE7563E520110607>

decades, and such norms were inscribed in the EU's Neighbourhood Policy concerning the relationship with the MENA countries. Therefore, as the Arab Spring was framed as the new wave of democratization, and the Gaddafi's cruel oppression seriously violated the human rights, the EU was obligated to stand by rebels. More than one official of the EU admitted that for historical reasons the EU and Member States could not be against the revolution and had to support the Libyan people, especially if the crisis was reported by the media and became a public concern.¹⁴⁹ In this respect, the EU's discourses on Libya Crisis, no matter from the EEAS, European Commission, European Council or European Parliament, were generally consistent with its principles and norms. In particular, the EU officials emphasized the human security concept and R2P doctrine as the Union's primary motive for action in this crisis as some analysts observed in Brussels (Gottwald 2012). However, the gap between its rhetoric and actions was still wide, notably concerning the military action, which will be addressed in the following section.

Table 11 The EU's calculations regarding the civilian intervention in Libya

Policy options	Benefits	Costs
Neutral political involvement	Avoiding annoying Gaddafi regime	Breaking its principles; Drawing International and domestic criticism
Supporting rebels over Gaddafi regime through diplomacy and sanction	Upholding the principles, increasing the EU's prestige; Pleasing the NTC to ensure their future cooperation.	Annoying Gaddafi regime and damage their cooperation if Gaddafi won

¹⁴⁹ Interviews with several EU officials from Italy, Poland and Netherlands, Brussels, June 2014

(II) **Military Intervention**

Faced with the continued deterioration in Libya, the international community began to discuss the possibility of the military intervention in February. Gaddafi had explicitly made a threat of mass atrocities against the civilians, and the force loyal to him was overwhelming the rebel force by the air strike and heavy weapons. However, the international response to the plan for military intervention was lukewarm. No unanimity reached for the use of force within NATO at the beginning of March (Hope 2011). The division also existed within the great powers as exposed in the G8 foreign ministers meeting on 14-15 of March. The meeting's conclusions agreed to increase the pressure on the Gaddafi regime, but made no reference to a no-fly zone following the Arab League's backing on it and the request of Libyan revolutionary National Council. British and French proposals of no-fly zone were opposed by Germany and Russia, while the U.S was not interested in taking the leadership to intervene in another Muslim country.

A reluctant international census dealing with Libya Crisis was reached in UN Security Council on 17 March. Resolution 1973 drafted by the UK, France, U.S and Lebanon was passed with notable 5 abstentions. The controversy was that the resolution foresaw military action in particular in the paragraphs 4 and 8 by authorizing UN member states "to take all necessary measures" short of the foreign occupation to protect Libyan civilians. Germany stood with BRICS countries, emphasizing the great risks of the no-fly zone and military intervention.¹⁵⁰ Russia and Brazil believed the resolution had transcended the initial concept and call of the Arab League, opening the door for large scale military intervention which might cause large scale loss of life. India complained the intensified financial sanction, asserting it would affect regular

¹⁵⁰ UN Security Council, RES/1973, 17 March 2011

investment and trade activities and thus mitigate the situation of the Libyan people.

Two days after the authorization, three military operations respectively led by France, the UK and U.S began. Later the multinational interventions were gradually integrated into the NATO-command operation Unified Protector started on 23 March. The initial coalition of Belgium, Canada, Denmark, France, Italy, Norway, Qatar, Spain, the UK and the U.S also expanded to seventeen states. While several allies only made symbolic gestures, the U.S, the UK and France contributed the majority of military actions. Ironically, Sudan, just faced international intervention for the protection of the Darfur people, also provided considerable military, logistical, intelligence assistance to the Libyan rebels.¹⁵¹ The assistance from the foreign military intervention, including the no-fly zone, missile strike and naval blockade was vital for the rebel to defeat Gaddafi's force. However, the military intervention was clearly a tool for regime change rather than civilian protection. The UN estimates 1,000-2,000 people died before the intervention, while during the following eight month civil war, estimates of the death toll range from 10,000-50,000 (Milne 2011). Although the air-strike did not cause more civilian casualties, it undoubtedly failed to stop the increase of civilian casualties in the Civil War.¹⁵²

The division of EU in launching a military operation

On the basis of the principles and values they agreed at the Union level and promised in domestic and international stages, the EU and members were able to reach an agreement on the public diplomatic interference in Libya that Muammar Gaddafi must step down. However, they soon divided on how to quicken the process in

¹⁵¹ *Sudan Tribune*, "Bashir said Sudan armed Libyan rebels", 27 October 2011, <http://www.sudantribune.com/spip.php?article40547>

¹⁵² Interview with an expert of Libya from International Crisis Group, Rome, May 2014

particular whether by using military means. Finally, the plan of enforcing a military intervention Libya failed within the EU, largely due to the divergent domestic political considerations among the key Member States. After all, any robust action at ground level is contingent on the situation, rather than the institution. This section will analyse why the EU failed to conduct a military operation in Libya, focusing on the calculations of key Member States and the discussion within the EU.

France, and the UK to a certain extent, took a leadership role in the military intervention in Libya. Paris' previous inactive responses toward revolutions of Tunisia and Egypt, and the close personal relations between French politicians and Middle East dictators were well criticized at home. It was widely believed that the Sarkozy administration perceived the Libyan uprising as an opportunity to compensate the insignificance of its foreign policy in Tunisia and Egypt (Echagüe, Michou & Mikail 2011:333, Henry 2012: 412). Therefore, the key motivation of Sarkozy for leading an intervention in Libya was to please domestic audiences and boost French international reputation, by demonstrating his determined commitment to human rights protection and democracy. The similar rationales also applied to the UK. As the anti-Gaddafi protests prevailed in the West, 'the UK could not stand by as Gaddafi slaughtered his people'.¹⁵³ Otherwise, the prestige of him and the British government would be affected. Besides, the big 2 in terms of military power in Europe were encouraged by U.S for the burden-sharing.

¹⁵³ David Cameron, Libya statement in full text, September 5 2011, <http://www.politics.co.uk/comment-analysis/2011/09/05/david-cameron-libya-statement-in-full>

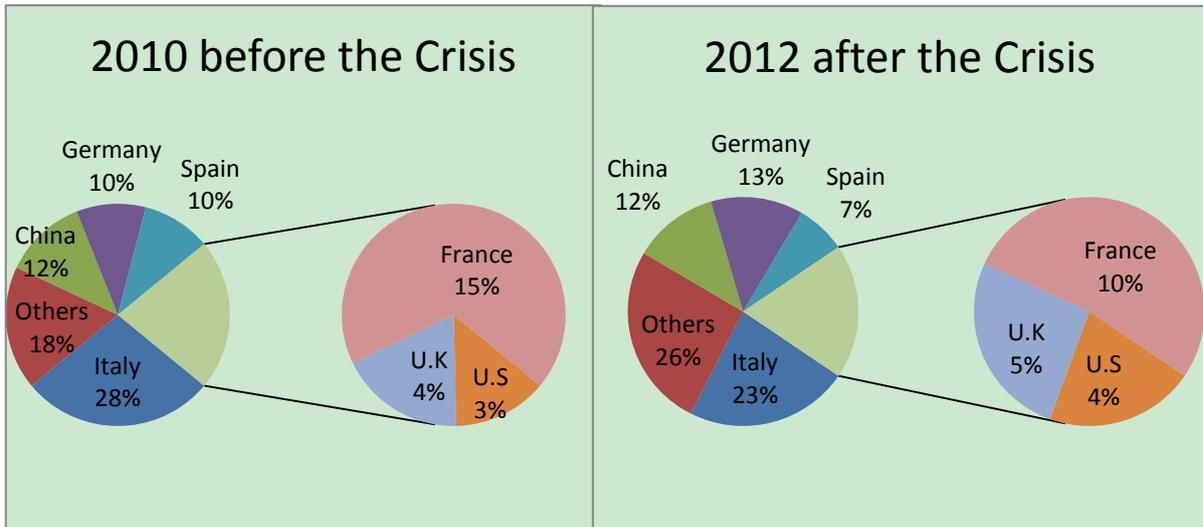
Table 12 France and UK's motivations for the military intervention in Libya

Motivations	France	United Kingdom
Security Concerns	Restoring and strengthening the cooperation with Libya on energy, immigration and anti-terrorism	
Economic Rewards	Less clear	Less clear
Domestic and International considerations	Upholding its principles pleasing the electorates Increasing its prestige Leadership in the EU	Upholding its principles Increasing its prestige Sharing the burden of U.S

Whether France and U.K were motivated by their pursuits of material interests, such as security concerns and economic self-interests? Let us address each in turn. First, security concerns were necessary for the military intervention. The instability in Libya was directly affecting the two countries and the EU by risking their anti-terrorism, immigration control and energy supply. Therefore, according to the Anglo-Franco causal belief, military intervention was designed to quickly end the Libyan turmoil which had the potential to threaten their security. Secondly, in contrast to the widely-cited account of oil-driven intervention, there was no clear-cut pressing commercial reason for France and the UK to have the military adventure. Certainly, by helping the rebels to defeat Gaddafi, foreign military interveners could establish better relations with the new Libyan authority. However, this was hardly their main incentive to intervene as the potential economic benefits were minor and uncertain.¹⁵⁴ The consequence also proved it. After their military intervention, France, U.K and U.S did not get oil rewards from the new Libyan authority, as the figure below corroborates.

¹⁵⁴ Interview with an analyst from the EU Institute of Security Study, Paris, October 2012

Figure 5 Libya’s oil exports by destinations before and after the 2011 intervention



Source: Global Trade Atlas

At the beginning, even France and the UK did not synchronize their moves concerning the rapidly changing situation and details of military operation. The idea of no-fly zone was first proposed by France and discussed in the Council of the European Union on 23 February. President Sarkozy went further than any other counterparts in Europe in calling for a military action. But the proposal did not receive positive responses from other Member States. The UK was unwilling to adopt a belligerent no-fly zone at that point, which might antagonize the Gaddafi’s regime and thus risk British and the EU citizens who were not completely evacuated from Libya yet. Besides, the UK was concerned that an early military intervention could break the international consensus if China and Russia veto it in UN Security Council (Watt and Wintour 2011). One week later when the repatriation work was done,¹⁵⁵ the Prime Minister Cameron became more interested in a no-fly zone. Then it was the French turn to discourage the plan, claiming that the no-fly zone was not a

¹⁵⁵ BBC, *Libya Unrest: British Evacuation*, 28 February 2011, <http://www.bbc.co.uk/news/uk-12568976>

priority, but humanitarian aid was.¹⁵⁶

The Anglo-French consensus dealing with Libya was not reached until 9 March, when David Cameron and Nicolas Sarkozy wrote a joint letter to Herman Van Rompuy and copied to their European counterparts before the extraordinary European Council on Libya Crisis. The letter included the suggestion of a non-fly zone or other necessary options to halt Gaddafi's violence against civilians.¹⁵⁷ However, other Member States led by German Chancellor Angel Merkel and EU High Representative Catherine Ashton blocked the proposal for a non-fly zone in the emergency EU summit. Instead, Member States requested to examine all necessary options, provided that there was a demonstrable need, a clear legal basis and support from the region.¹⁵⁸ In other words, even Gaddafi regime was proved guilty of attack civilians with brutal force and that deserved a counter-strike, any military intervention under the EU flag must be authorized by the UN Security Council, and supported by the African Union and the Arab League. Moreover, the NATO also regarded the three principles as the guideline for any NATO operation.¹⁵⁹

With regard to the regional support, two regional organizations differed over the no-fly zone. In the emergency talks in Cairo on 12 March, the Arab League officially requested the UN Security Council to impose a no-fly zone against any military action against the Libyan people.¹⁶⁰ This was in contrast to the position of the African

¹⁵⁶ Reuters, *France urges aid, not military action for Libya*, 1 March 2011,

<http://in.reuters.com/article/2011/03/01/idINIndia-55234520110301>

¹⁵⁷ The full context of the letter, 10 March 2011,

<http://www.theguardian.com/world/2011/mar/10/libya-middleeast>

¹⁵⁸ European Council Declaration, D/11/2, 11 March 2011

¹⁵⁹ NATO Press Conference, by NATO Secretary General Anders Fogh Rasmussen, 10 March 2011, http://www.nato.int/cps/en/natolive/opinions_71419.htm

¹⁶⁰ Reuters, *Arab League Calls on U.N to impose Libya no-fly zone*, 12 March 2011

<http://www.reuters.com/article/2011/03/12/us-libya-arabs-idUSTRE72B1FI20110312>

Union, of which Libya was a founder and Gaddafi was a chairperson from February 2009 to January 2010. The AU did not support a no-fly zone over Libya, but attempted to mediate the conflict by urging restraints on both sides. However, the division within the AU on the Gaddafi regime hindered the AU from presenting a united stance, plus the AU's lack of public diplomacy, its peace initiative (the AU Roadmap) was omitted by the world community (de Waal 2013).

As the Resolution 1973 was passed, Catherine Ashton¹⁶¹ and Herman Van Rompuy¹⁶² declared the three conditions set out by the European Council were satisfied. Nevertheless, the EEAS and other EU institutions remained virtually absent from the international military intervention mainly due to the rift between France, the UK and particularly Germany. Berlin's overt abstention in the UN and persistent opposition in the EU against military intervention in Libya was another symbol of the incoherence of the European foreign policy. According to the justification from the German foreign minister Guido Westerwelle, Germany championed the values of freedom and democracy and principles of international law, thus confirmed that dictator Gaddafi committed to humanitarian crimes must step down. However, German government believed that the best international intervention was tightening the sanctions against the regime, rather than the military action which "risking the lives of our soldiers".¹⁶³ The vast majority of Member States supported the idea of Germany and doubted the effect of military intervention in Libya, as well as the hidden agenda of France and UK.¹⁶⁴

¹⁶¹ European Commission - SPEECH/11/195, 18 March 2011

¹⁶² European Council President, PCE 075/11, Paris, 19 March 2011

¹⁶³ Policy statement by Foreign Minister Guido Westerwelle in the German Bundestag on current developments in Libya (UN Resolution), 18 March 2011, http://www.auswaertiges-amt.de/EN/Infoservice/Presse/Reden/2011/110318_BM_Regierungserkl%C3%A4rung_Libyen.html

¹⁶⁴ Author's interview with a Polish diplomat in the EU, Brussels, June 2014

Besides the prudence of the use of military force, the result of Berlin's cost-benefit calculation did not support the military intervention. Concerning the geopolitics, Germany was less anxious to the need for intervention in the South Mediterranean area which is regarded as France and UK's sphere of influence.¹⁶⁵ Germany and the eastern Member States are relatively more concerning the situation in the eastern borders like the Crisis in Ukraine. Meanwhile, According to the Athens Mechanism, Germany would pay the most for 'common costs' (about 10% of the overall mission cost) under the GDP scale, therefore Berlin has become increasingly sensitive to the costs of missions in areas it does not consider political priorities (Menon 2011:10).

The upcoming elections in France and Germany intensified their divergences on the military intervention. Assuming that the democratic European governments are not immune to public opinions in their foreign policy makings, the elections would make the statesman even more sensitive in the decisions on the particular foreign affair which had drawn great publicity during the election campaign. In France, a decisive military intervention leading by Sarkozy was regarded as increasing his chances to win the presidential election in 2012 (Chrisafis 2011), because the French strategic culture goes beyond the civilian power, thus Paris could conduct a military intervention without strong domestic criticism. On the contrary, Merkel government's decision on military intervention was restricted by German public opinions just 10 days before the federal state elections. For historical reasons, the post-war German public opinion is reluctant to the use of force. More than half of German polled respondents did not regard military intervention in Libya as a feasible option or the best solution to the problem (Rousseau 2011). Considering the financial

¹⁶⁵ After the World War II, the UK had shortly occupied Tripolitania and Cyrenaica, while Fezzan was occupied by France.

contribution to the EU military operation, as the German people ‘want their money back’ in the context of Euro Crisis, thus was naturally unwilling to sponsor another remote European military adventure led by the UK and France (Renard 2011).

Table 13 Germany and other MS’ reasons for the objection of military intervention

Reasons	Germany	Most Member States
General idea of using force	Unwilling to use force for historical reasons	Less permissible than France and U.K
Calculation of the consequence	Sensitive to the casualty risks of their soldiers; Doubting the effect of air-strikes on the ground	
Geopolitical concerns	Less concern in Libya	Less concern in Libya (except the southern MS)
Financial concerns	Unwilling to cover the common costs	To a less extent
Election consideration	Intensifying the resistance	Less clear

Therefore, any military CSDP mission required the unanimous accord of all Member States, was difficult to pass within the EU. A concept of ‘military-humanitarian mission’ was put on the table on 12 March. Member States generally accepted the idea of the plan while Sweden was persisting (Pop 2011). Sweden was in charge of the EU’s Nordic Battlegroup (one of the two Battlegroups on the standby at that time), which could be deployed in Libya (Bloching 2011). The only EU military intervention plan was finally proposed on 1 April and Italy was given the main responsibility for organizing the operation.¹⁶⁶The EUFOR Libya, a 1,000 troop EU operation in support of the UN humanitarian assistance in particular to bring aid to

¹⁶⁶ EU Council, Decision 2011/210/CFSP, 1 April 2011

the besieged city of Misrata, was ready to deploy, but required the call of the UN Office for the Coordination of Humanitarian Affairs (OCHA). However, the UN was not enthusiastic about the offer from the EU and only considered it as the last resort. The UN humanitarian chief Valerie Amos said they were able to boost assistance through civilian measures at the moment, claiming that the lines between humanitarian and military operations should not get blurred.¹⁶⁷

Following the formal abortion of EUFOR Libya on 10 November, the EU's intervention in the 2011 Libya Crisis was limited to the civilian means: issuing declarations, implementing sanctions and providing humanitarian assistance. In fact, the EU's reluctance or impotence to apply military capabilities in crisis intervention has been clearly demonstrated in its pre-existing CSDP missions, most of which were discrete civilian measures. First, Member States still dominate the EU military policies by making all important decisions on the basis of unanimity after the Lisbon Treaty. The Union has to stand on the sidelines when leading Member States disagreed on military actions. Second, even the EU institutions could not speak with one voice regarding the military intervention. For example, HR Ashton was blamed in European Parliament as contradicting President Van Rompuy, who had 'made it clear' that the aim of the military intervention was 'regime change'(Banks 2011). The creation of EEAS had not changed the inter-institutional squabbling significantly, for the lack of its expertise in crisis management and the coordination with the Commission and the Council (Koenig 2011:8-9). While Member States like France might pursue the reputation of 'norm carrier' or 'value defender' through military means, the principles did not motivate the Union and most of Member States to adopt military intervention in Libya.

¹⁶⁷ EU Observer, *UN says EU soldiers could endanger aid workers*, 21 April 2011, <http://euobserver.com/foreign/32224>

China tolerated, but soon against the military intervention

Beijing's position on the military intervention was unclear as its ambiguous abstentions on Resolution 1973 in the Security Council. On the one hand, China's abstention was viewed by numerous observers as a significant move further away from its longstanding principle of non-interference (see Zambelis 2011). In the past 20 years, China had not approved of any forcible interventions in the Security Council without the consent of the target state, unless the state invaded another country like the 1990 Gulf War. Instead, China had used twice (on Zimbabwe and Burma) and more frequently threatened to use its veto power to dilute Security Council interventions for human rights violations alone. But this time Beijing did not block the Resolution 1973 which was solely justified in humanitarian terms. On the other, Beijing denied any major alteration of its position on intervention. China reiterated that its long-standing respect for the principles enshrined in the UN Charter such as the sovereignty and the non-use of force. Chinese representative Li Baodong said it was the firm position of the Arab League on the no-fly zone had made China to reconsider the special circumstances and opted to abstain in the end.¹⁶⁸ Beijing's explanation was largely believable. In other word, China perceived the case of Libya as an exception, rather than setting a precedent for military practice of R2P.

For Beijing, the abstention on Resolution 1973 was a middle course—avoiding being isolated while sending a message of disapproval. Unlike the long-term civil conflicts in Sudan, Zimbabwe or Burma, the Libyan civil war suddenly flared up and was deteriorating rapidly. In March the pro-Gaddafi force won a series of victories and was marching to Benghazi. The rebel force was teetering on the brink of defeat

¹⁶⁸ UN Security Council, S/PV.6498, 17 March 2011

without any foreign military backup. Therefore, there was a growing demand within the Security Council for enforcing a no-fly zone in Libya, in particular from some Arabic and African states which also had strong economic ties with China. The intense pressures during a short period of time left little time for Beijing to bargain but follow the mainstream. China finally compromised after some consultations with these traditional South-South allies, in order to avoid being isolated in the UN Security Council.¹⁶⁹ After all, Beijing had no reason to risk for saving the Gaddafi regime which was hardly China's friend. The relations between Beijing and Libya had often been awkward. For instance, in 2009 the Libyan foreign minister Musa Kusa once criticized some aspects of China's increasing presence in Africa as invasion and colonialism.¹⁷⁰ Besides, The Gaddafi regime had a close relationship with Taipei that surely annoyed Beijing.

China's initial attitude to the no-fly zone and some clauses in the draft resolution was highly reluctant. As the ambassador Li Baodong said, "China has serious difficulty with part of the resolution."¹⁷¹ There are three key reasons that explain China's reluctance. First, to be consistent with its long alleged principle of non-interference, China usually questions military intervention against the will of the acting government of a sovereign state. Secondly, due to its strong preference to the domestic political stability, Beijing was unwilling to support the Libyan rebel. Thirdly, China refused to take sides because its economic interests in Libya might be threatened by supporting the wrong side. Steering a neutral course could be a more

¹⁶⁹ Consensus view of several Beijing-based Chinese foreign policy experts, personal communication, Beijing, October 2013

¹⁷⁰ 'Q & A with Libyan Foreign Minister Musa Kusa', *Asharq Al-Awsat*, 10 November 2009, <http://www.aawsat.net/2009/11/article55252921>

¹⁷¹ China's mission to the UN, "Explanation of Vote by Ambassador Li Baodong after Adoption of Security Council Resolution on Libya", 17 March 2011, <http://www.china-un.org/eng/gdxw/t807544.htm>

pragmatic option toward the Libya Crisis when the final outcome was uncertain. Therefore, Beijing followed the customary practice to apply the principle of non-interference. China talked about the respect of sovereignty and no use of force, finally abstained from voting in UN Security Council as usual.

Comparing to its dubious attitude to the rebels, Beijing unequivocally opposed the Western military intervention by undercutting its legitimacy and result. China's diplomatic criticism was intensified during the course of the NATO campaign. When the airstrike started Beijing said that the future of Libya should be determined by the Libyan people in a peaceful way rather by the forcible foreign intervention. The foreign ministry spokesperson Jiang Yu pointed out the aim of Resolution 1973 was protecting civilians, whereas the ongoing military intervention was causing civilian casualties.¹⁷² When asked whether China's criticism of the airstrike was inconsistent with China's abstention on Resolution 1973, again Jiang Yu justified China's abstention as a combination of the consideration of regional organizations and the reservation on the use of force.¹⁷³ China's condemnation of NATO's misusing the UN mandate was clearly declared on 30 March when President Hu Jintao met Nicolas Sarkozy in Beijing. Hu Jintao cautioned that the military operation would violate the original intention of the UN resolution if it results a bigger humanitarian disaster.¹⁷⁴

China's criticism of Western military intervention was even harsher in its domestic media reports, directly questioning the sincerity of Western intentions. An article in People's Daily directly condemned the NATO's airstrike was using 'humanitarianism'

¹⁷² China's Ministry of Foreign Affairs, regular news conference, 22 March 2011, http://www.fmprc.gov.cn/mfa_chn/fyrbt_602243/jzhsl_602247/t808563.shtml

¹⁷³ China's Ministry of Foreign Affairs, regular news conference, 29 March 2011, http://www.fmprc.gov.cn/mfa_chn/fyrbt_602243/jzhsl_602247/t810580.shtml

¹⁷⁴ China's State Council, *President Hu Jintao met French President Sarkozy in Great hall of the people*, 30 March 2011, http://www.gov.cn/ldhd/2011-03/30/content_1834930.htm

as a disguise (Tang 2011). The author, an analyst from the Chinese official think tank China Institutes of Contemporary International Relations (CICIR), was claiming that the international ethic was usually an excuse for the Western intervention which aimed at pursuing their own economic interests (in particular oil) or political interests (regime change). When the military intervention came to the end in August and the outcome was certain, another analyst from CICIR published his comment in People's Daily, emphasized that the negative effect of the Libyan war outweighed the positive ones (Tian 2011). According to the author's arguments, the greatest negative aspect of the war was that NATO's air campaign might break the international law by overstepping the mandate of relevant UN resolutions.

China's complaint of the abuse of the resolution 1973 was echoed by Russia and the Africa Union. Beijing and Moscow found a consensus against NATO military operation. The Kremlin also had accused Britain, France and other NATO participants as going beyond the scope of the UN resolution 1973. In June Hu Jintao and Russian President Dmitry Medvedev signed a joint declaration on global affairs, which called for all parties involved in the Libya Crisis do not "allow the wishful interpretation and expanded application" of the UN resolutions.¹⁷⁵ More importantly, African leaders, who were playing an essential role in adopting the resolutions 1970 and 1973, expressed their dissatisfaction with the NATO's military campaign. South Africa was one of three African members which co-sponsored and voted in favour of Resolution 1973 in March of 2011, mainly considering the principle of R2P that had been adopted by the AU and the emergent need to protect civilians in Libya (Mckaiser 2011). However, ten months later in the same hall president Zuma claimed that the

¹⁷⁵ China's State Council, *China-Russia Joint declaration on current international situations and major global issues*, 16 June 2011, http://www.gov.cn/ldhd/2011-06/16/content_1886233.htm

resolution was largely abused in some specific respects and the AU's political effort was completely ignored in favour of bombing Libya by NATO forces.¹⁷⁶

Table 14 China's calculations regarding the military intervention in Libya

Policy options	Benefits	Costs
Supporting the military intervention (Voting in favour Resolution 1973)	Pleasing military interveners and Libyan rebels	Breaking its principles; Drawing domestic criticism of compliance with the West
Acquiescing the military intervention with criticism (Abstaining Resolution 1973)	Avoiding being isolated or taking sides, while maintaining its principles	Annoying interveners and rebels to a less extent
Obstructing the military intervention (Vetoing Resolution 1973)	Pleasing the Gaddafi regime	Drawing fierce criticism Being isolated from the international society

Now we can clearly see China was never a proponent of the military intervention in Libya, in particular a NATO-led operation. China's abstention on Resolution 1973 was only a reluctant compromise, mainly the outcome of an ad hoc coordination with regional developing countries. In fact, Beijing had the full knowledge that the resolution containing the phrase of 'all necessary means' might be a pretext for regime change achieved by a partial Western military intervention. This was clearly against the principle of non-interference and China's political preference, thus China would not go so far as to vote in favour of such a resolution. But besides that, China

¹⁷⁶ The Presidency of South Africa, *Statement by President Jacob Zuma on the occasion of the UN Security Council Summit Debate*, 12 January 2012, <http://www.presidency.gov.za/pebble.asp?reid=5564>

had no geopolitical or economic motivations to save Gaddafi regime by a veto, which would undermine China's reputation in international community and risk Beijing's relations with Africa and Arab world. China, like other major actors in the world, did not have a purely ideational foreign policy.

(III) Political Recognition of the NTC Libya and the aftermath

The EU embraced the NTC

The link between the Libyan new authority and the EU was forged step by step. France recognized the NTC as the legitimate representative of Libya in March, which was criticized by the spokesman of the EU foreign affairs chief as 'the unilateral rush into recognizing groups'.¹⁷⁷ The EU opened a liaison office in Benghazi on 22 May. Catherine Ashton called the move as "the EU putting words into action", by supporting the Libyan people and the process of democratization led by the NTC.¹⁷⁸ Along with the Arab League and NATO, the EU was a participant of the Libya Contact Group, an *ad hoc* international collective formed in March. In the fourth meeting of the Libya Contact Group in July, the participants agreed to deal with the NTC as the legitimate governing authority in Libya, henceforth and until an interim authority is in place.¹⁷⁹ Then the EU officially acknowledged the essential role and responsibilities of the NTC as a representative of the aspirations of the Libyan people, including for the transition process, and readied to provide financial assistance for the NTC and resumed the exports.¹⁸⁰ In November, Catherine Ashton visited Tripoli to inaugurate

¹⁷⁷ BBC, *Libya: France recognizes rebels as government*, 11 March 2011, <http://www.bbc.co.uk/news/world-africa-12699183>

¹⁷⁸ European Commission, P/11/625, 22 May 2011

¹⁷⁹ TEXT-Excerpts from Libya Contact Group Chair's Statement, Reuters, 15 July 2011, <http://www.reuters.com/article/2011/07/15/libya-meeting-excerpts-refile-idAFLDE76E0W120110715>

¹⁸⁰ The Council of the EU, Council Conclusions on Libya, 18 July 2011, http://consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/123915.pdf

the new Delegation of the European Union in Libya, after the NTC declared the liberation of the country.

As the rebels gradually took the power of Libya, the end of deposed Muammar Gaddafi became an international concern. The case of Libya was referred to the ICC by UNSC Resolution 1970, largely due to the strong political lobbying and outreach efforts of the EU Member States (Kreissl-Dorfler 2011: 17). On June 27, the International Criminal Court (ICC) Pre-Trial Chamber I issued an arrested warrant for Gaddafi, his son Saif al-Islam, and his military intelligence chief Abdullah Senuss on charges of crimes against humanity. Gaddafi was the second sitting head of state under the indictment of ICC, after the Sudanese president Al-Bashir. Notably, the AU refused to cooperate with the ICC warrant, arguing this warrant dispelled the option of Gaddafi's being in exile peacefully, but also complaining that ICC disproportionately concentrated its actions against African leaders. On July 18, the EU called the international community for more cooperation with the ICC on the arrest warrant, after a meeting of EU foreign ministers.¹⁸¹ After Muammar Gaddafi was killed by the rebel fighters on 20 October, the EU urged the NTC to cooperate with ICC on the captured Gaddafi's son Saif al-Islam. The case of Libya proved again that the EU has been a principled supporter of the ICC, no matter whether the ICC's indictment is helpful in practice or accepted by other actors.

The West was overoptimistic about the consequences of the regime change, as the replacement of the Gaddafi regime did not better the situation in Libya, as well as the EU's security or economic interests at least in a short-term. After Gaddafi's dictatorship Libya has stepped into chaos rather than peace and prosperity. The

¹⁸¹ Xinhua, EU urges cooperation with ICC on Gaddafi arrest, 19 July 2011, http://news.xinhuanet.com/english2010/world/2011-07/19/c_13993177.htm

country faces a series of serious challenges in the process of reconstruction such as economic decline, border control and democratic transitions. Meanwhile, many political actors in Libya have further complicated the situation. The chaotic situation in Libya thus has been a great matter of concern of the EU, as southern Member States in particular Italy and Malta are potentially threatened by the Libyan illegitimate immigrants and uncontrolled arms trafficking. The situation became pressing when the conflict escalated in northern Mali which may trigger new flows of refugees and the return of fighters into Libya (Hatzigeorgopoulos and Fara-Andrianarijaona 2013:11). In order to assist the Libyan authorities to improve their border management, the EU launched a civilian CSDP mission EUBAM Libya on 22 May 2013. In 2014, the widespread conflicts in Libya further proved the failure of the 2011 military intervention.

Beijing's belated recognition

As the Libyan rebels taking over Tripoli with the NATO's air cover in August, the outcome of the Libyan civil war became clear, the Gaddafi regime collapsed. China would deal with the NTC in the future, in particular regarding China's unfinished projects in Libya and the country's potential reconstruction contracts in future. In fact, Beijing had already made tentative attempts to contact the rebels since June. China's Ambassador to Qatar, Zhang Zhiliang, met with the NTC Chairman Mustafa Abdel Jalil in Doha on June 2. Li Lianhe, a Chinese diplomat in Egypt, visited the rebels' headquarters in Benghazi, where he met with Jalil and inspected the humanitarian situation and Chinese properties. When Chinese foreign minister Yang Jiechi met Mahmoud Jibril in Beijing, China recognized the NTC as a rising important political force in Libya and an 'important interlocutor'.¹⁸²

¹⁸² China's State Council, "Yang Jiechi met the chairman of the executive board of 'National Transitional Council'", 22 June 2011,

Nevertheless, due to Beijing's ambiguous attitude to Gaddafi regime, and its reluctance to support rebels during the civil war, China was under the risk of being excluded in the Libya post-war reconstructions. The rebels stated that they would remember their friends and foes, and negotiate deals accordingly. Abdeljalil Mayouf, the information manager at Libyan rebel oil firm AGOCO, threatened on August, "But we may have some political issues with Russia, China and Brazil."¹⁸³ On 12 September, China became the last permanent member of UNSC to recognize the NTC, while other significant economic stakeholders in Libya such as France and Italy had recognized rebels months ago. Worse still, a rumour said that China continued to sell arms to the Gaddafi regime until as late as July and thus broken the UN arms embargo.¹⁸⁴ Beijing denied the accusation, but admitted that state-owned weapon manufacturers met Gaddafi's envoy in Beijing in July without the knowledge of the government.¹⁸⁵

By contrast, Chinese analysts did not worry about China's business prospect in post-war Libya. Yin Gang, an Arab world expert at the Chinese Academy of Social Sciences (CASS), doubted whether the warning from a middle-ranking official of the rebel camp (Abdeljalil Mayouf) represented the official position of the TNC, "They would not dare change any contracts".¹⁸⁶ Regarding potential reconstruction contracts,

http://www.gov.cn/gzdt/2011-06/22/content_1890480.htm

¹⁸³ Reuters, "ENI leads Libya oil race, rebels warn Russia, China", 23 August 2011.

<http://www.reuters.com/article/2011/08/22/ozatp-libya-oil-idAFJ0E77L0DN20110822>

¹⁸⁴ The source was Canadian Newspaper *The Global and Mail*, Graeme Smith, "China offered Gaddafi huge stockpiles of arms: Libyan memos," 2 September, 2011,

<http://www.theglobeandmail.com/news/world/africa-mideast/china-offered-gadhafi-huge-stockpiles-of-arms-libyan-memos/article2152875/>

¹⁸⁵ China's Ministry of Foreign Affairs, regular news conference, 5 September 2011,

http://www.fmprc.gov.cn/mfa_chn/fyrbt_602243/jzhsl_602247/t855515.shtml

¹⁸⁶ Reuters, "China urges Libya to protect investments", 23 August 2011,

<http://ca.reuters.com/article/topNews/idCATRE77M0PD20110823?pageNumber=1&virtualBrandChannel=0>

Chinese analysts believed that China would have greater opportunities, because Chinese companies' business in Libya had mainly been in the areas of infrastructure, in which China's cheaper labour and comprehensive experiences make it more competitive than the Western companies in a fair tendering (Jian 2011). The fact proved the new Libyan authority did not exclude Chinese companies from the reconstruction but offer new contracts. In May 2013 China State Construction Engineering Corporation (CSCEC) signed an agreement in Benghazi to resume work on 20,000 housing units in the Gwarsha and Khadra districts of the city (Fornaji 2013). Nevertheless, the Chinese companies still faces serious challenges in the return of Libya. By 2013, thousands of apartments being built by Chinese companies remain incomplete throughout Libya as the situation deteriorated again.

(III) Conclusion

Assessing the role of principles and values with respect the EU and China's engagement in the 2011 Libyan Civil War is like an exercise in counterfactuals. What would China and the EU do in Libya if they never adopted such distinct principles and embedded them in their institutions? This chapter discussed the possible factors may influence the EU and China's policies in Libya, including their security considerations, economic self-interests and guiding principles. Without precluding the impact of security and economic concerns, my findings suggest that the EU and China would act differently without their principles.

The EU's material interests in Libya include security (E.g. Immigration and anti-terrorist) and economic interests (E.g. Energy and trade). The pre-existing EU-Libya cooperation proved that the EU could pursue the above interest either with the Gaddafi regime or with NTC. Therefore, the motivation for protecting material

interests did not necessarily lead to an interventionist policy of pro-Gaddafi (Scenario I: Gaddafi held on to power in Libya) or against Gaddafi (Scenario II: the rebels seized the power). What would jeopardize the material interests of the EU was the long-lasting chaos in Libya (Scenario III). As a trade partner of Libya, China shared the similar rationale with the EU at least considering the economic interests. While attempting to mediate the Libyan civil war to avoid the chaotic Scenario III, Beijing was really neutral between the Scenario I and Scenario II thus led to a policy of non-intervention in Libya Crisis.

It was more likely that normative considerations led to the EU's preference for rebels and Scenario II. During the crisis, the rhetoric of the EU and Member States were clearly prioritized the principles of R2P, human security and supporting democracy. Though some Member States like Italy had a closer bilateral economic/political tie with the Gaddafi regime, they had little room to adopt a hands-off attitude to Gaddafi's suppression (as Berlusconi attempted to do at the beginning). Comparing to the EU's day-to-day cooperation with the Gaddafi regime before, the Libyan uprising and oppressing was attracting more attention from abroad and at home as a situation of 'R2P'. Therefore, it increased the public pressures on the EU and national governments to stick to their alleged principles, even the principles were not completely compatible with their interests. In this respect, the institutional ideas had influenced the EU's behaviour in Libya Crisis by setting the baseline of policy options, in particular when the EU's policy-making became a focus of international and domestic society. Moreover, the principle served as the focal point to unite the Member States which have divergent material interests. The overt betrayal of the principles of the Union would be very costly in the multilateral body.

However, the commitment to principles was not the only thing that the EU and Member States need to consider regarding the options of intervention. The EU's response to Libya Crisis could be divided into two parts: civilian and military, in which the influence of principles differed significantly. Principles such as R2P were able to mobilize the EU to adopt an interventionist posture (albeit unevenly) and economic restrictive measures, but inadequate to compel a military operation alone. The Union itself lacks the commanding resources and instruments, rather than principles, to implement military operations and has to rely on Member States in particular the Big 3. However, Paris, London and Berlin did not act in concert this time. Concerning its potential financial and human resource burdens, Germany did not approve of the military intervention in Libya. In the end, France and the UK, which faced less resistance to conduct military operations, collaborated through the NATO framework with the assistance of U.S.

The less influence of principles in military intervention reflected the clear boundary between the domain of 'low politics' and 'high politics' such as security and defence where vital national interests are deeply concerned. First, the policy-makers always need to make careful assessment of the risks entailed in the military intervention. Even though France and the UK were more willing to use force, they selected air strike to avoid the high material costs and causality risks of committing ground forces. Secondly, geopolitical calculations are also crucial for the selection of military intervention, while France, the UK and Germany did not perceive the strategic significance of Libya and the broader North Africa to the same level. Thirdly, domestic public opinions on military operations, and certain doctrines about the use of force should be taken into account by policymakers particularly before elections. After all, the CFSP and CSDP are still based on the intergovernmental approach, in

which national governments could always endorse their national interests and political willingness within the broader system.

The remote Libyan civil war caught Chinese attention by bringing Chinese companies a great amount of loss and threatening the safety of Chinese workers, which became the specific economic and security concerns of the Chinese government in this country. In the absence of strong domestic concerns of human rights and democracy, Beijing could choose a pragmatic approach to protect its interests—sitting on the fence, hedging their bets until the winner was settled—without clear cost of government prestige. This is also China’s usual pattern of dealing with the foreign domestic crisis, which is legitimized by its long-standing principle of non-interference and commitment to state sovereignty.

However, Beijing’s traditional approach of non-interference of domestic affairs has problems. The principle is nearly equal to a *de facto* support for teetering authoritarian regimes, which reduces China’s flexibility in the crisis management and has a potential negative impact on the post-crisis bargain (Sotloff, 2012). In the case of Libya Crisis, although China’s attachment to the principle was not rigid and kept in touch with the rebels, Beijing’s embarrassing position in post-war Libya was regarded as evidence that sometimes the strategy of non-interferences could not secure its burgeoning economic interests in politically volatile regions (Erian 2012). Therefore, it is believed that some Chinese state-owned firms, such as oil companies and China Development Bank, have served as the new interest groups to prompt Beijing to modify the principle of non-interference to give more space for transnational activities (Downs 2011).

Although the principle of non-interference had restricted Beijing's policy options, China will not formally abandon this principle in the near future, as long as Beijing still strongly against the Western military intervention in the third world. During the Libyan civil war, China repeatedly emphasized that Libya's future should be freely determined by the Libyan people. This implied that China would be willing to recognize the Libyan rebels if it defeats Gaddafi's force on its own. However, the Anglo-French campaign and the U.S lead from the behind, which exceeding the authorization of UN Security Council resolution, had totally changed the nature of the Libyan uprising and the course of the civil war. This kind of action has been delegitimized by Beijing's narratives and thus Chinese public opinion as 'Western Imperialism' since the 1950s. Moreover, the realist section of Chinese analysts generally speculates on the Western plots and the domino effect of military intervention – After the West achieved the regime changes in North Africa and Middle East, they might attempt to intervene in Iran or Central Asia, which would further risk China's energy security the stability of Western China. No matter whether the realist analysis is correct, it further toughened Beijing's anti-intervention position. For instance, China was obviously more sticking to its traditional sovereigntist posture in the following crisis in Syria.

Chapter 7: Conclusions and Implications

To answer empirically my research questions and test relevant working hypothesis, the dissertation makes a Small-N design based on the two matching cases. The principal interest guiding the case study is neither the causes of domestic crises, nor the reasons for the success or failure of the intervention. Rather, my main objective is to explain the motivation of international actors to intervene in a crisis in a particular way. In this regard, Darfur and Libya are good cases, including China's prevention and permission in intervention, the EU's consensus and division on intervention, as varied dependent variables. Yet there are also differences between the two cases. Comparing the roles of the EU and China in the two crises, China was a more crucial actor in Sudan where it has outstanding economic interests, while the EU and several member states has played more significant roles in Libya due to the geographical proximity and historical links. Nevertheless, despite of their different levels of concerns in different cases, the lack of broad consensus among great powers is the most important phenomenon in the age of intervention. Although an element of security and economic concerns no doubt has played a part in this outcome, this dissertation argues that normative elements must be taken into account in explaining why the policies the EU and China adopted were usually different from each other while respectively consistent.

The two case studies are motivated by three empirical anomalies in the conventional realist explanation, that intervention or non-intervention policies were solely driven by material factors, i.e. security and commerce. First is the active intervention policy in cases where there was no clear national economic interest or security concern. In this situation, the intervention could not increase interveners' revenues or security

and the inaction would not endanger their economy or security. For example, the EU's intervention in Darfur Crisis was hardly involved with pressing economic motivations or direct security threats. A second anomaly is that, although interveners' security or commercial interests were at stake in certain crises, their non-neutral intervention would not necessarily better their security situation or secure their commercial interests. The France-U.K led military intervention in Libya, as well as the EU's support to rebels over Gaddafi, were such an intervention. A third anomaly emerges when we turn to the non-intervention policy and ask why certain countries are always sceptical of the international intervention, no matter whether its material interests were at stake in that case. In spite of its economic interests and political links varied in Sudan and Libya, China's positions on the two international interventions were similar.

The conclusion chapter proceeds as follows: First, I draw conclusions from empirical case studies, to answer the main research question about how the ideational factors influenced the EU and China's policymaking in crisis intervention. Secondly, I discuss the feasibility and legitimacy of current doctrines of international intervention, and provide some policy suggestions to the EU and China with regard to their practices of crisis management. The dissertation concludes by revisiting the concept of the normative power and rethinking the international roles of the EU and China.

(I) The conclusions of the analysis: respond to theories and hypotheses

In the Chapter 5 and 6, my proposition is that these phenomena cannot be fully accounted for without taking into account the development of a normative support for humanitarian and pro-democracy intervention in the West, as well as the long-lasting normative aversion to the (Western-style) forcible intervention in China.

The first set of norms is essential to explain why the EU is generally active in crisis intervention since the 1990s. Without the strong norms of pro-intervention, a more realist choice for international actors was non-interference in a remote crisis, if the crisis did not endanger them; or, hedging their bets and avoid totally supporting one side over another during their intervention. The second norm is important to understand why China is usually refrained from supporting the international intervention against the wills of target governments, and always opposing the Western military intervention based on the humanitarian ground. Let us address each in turn in this section.

The effects of pro-intervention ideas

It is widely acknowledged today among decision makers and policy analysts that a set of 'pro-intervention ideas', mainly including the Responsibility to Protect (in Darfur and Libya) and democracy promotion (In Libya) exists in the Western societies and at the global level to a lesser extent. The 'pro-intervention ideas' refers to a *de facto* permission and promotion to the non-neutral/non-consensual intervention in humanitarian crises of foreign countries, and the constraint on the activities of preventing such an intervention. In the context of the intervention experience of the European Union, the dissertation summarizes the corresponding permissive, regulative and incentive effects of 'pro-intervention ideas'.

The primary permissive effect of the 'pro-intervention idea' is defining the boundary of acceptable and legitimate policies. For the EU, the oral support to the rebels who represented the people (diplomatic intervention), and imposing sanctions against the dictators committed to human rights violations (economic intervention) are safely within the boundary, while the military intervention without the consent of host

government is not sure. Going the other way, the 'pro-intervention idea' also exhibits several regulative effects, by defining a category of problematic policies, such as preventing diplomatic and economic intervention in a humanitarian crisis, and thus constraining the policy options of actors to a range that can be justified by the idea of human rights and democracy. The permissive and regulative effects of ideas together constitute the 'logic of appropriateness' in institutions, and essential for the formation of actors' general positions on intervention.

European policy-makers usually take the permissive and regulative effects of these ideas for granted—"We just do things like this for historical reasons" —probably due to the path-dependence. Here path dependence means that where they go next depends not only on where they are now, but also upon where they have been. After the experience of the Second World War and the Cold War, the ideas of protecting human rights and supporting democracy were embedded in the institutions of the EU, and the European political systems. In other word, the institutionalized principles of human rights and democracy, was one necessary precursor for the EU's policy preference of pro-intervention, and that antecedent European political/social interaction was necessary for this institutionalized principle. That is why the EU's general positions on the Darfur and Libya Crisis, as well as other crises beyond the content of the dissertation, were similar—to intervene, at least by civilian measures. By contrast, the 'pro-intervention ideas' had little permissive and regulative effects on China's foreign policy makings, since China had different historical experience and such ideas are never embedded in the Chinese political system.

The permissive and regulative effects of ideas also influence the EU's choice of policies. As I discussed in Chapter 3, Member States were easier to achieve unanimity

on diplomatic condemnation and target sanctions. These policy options were legitimated and guided by the EU's pertinent principles, such as the *Basic Principles on the Use of Restrictive Measures*. Although Member States' supports to the interventionist position might be uneven due to their varied economic and security concerns in specific cases, they were refrained from violating the EU's general positions, as required by the Treaty of Union. Meanwhile, coercive military intervention is less permissive in the EU and even constricted in certain Member States such as Germany, which sticks to a pacifist stance (Speck 2011). Member States obviously lack a common standard of right or wrong for the use of force. Launching a coercive military campaign in foreign countries is not a taboo in France and UK, whereas in Germany it is still largely problematic.

Finally, the incentive effect of the 'pro-intervention ideas' relates to the 'logic of consequence'. The 'pro-intervention ideas' could enter as a factor into the cost-benefit calculations of decision makers, through certain vehicles such as public opinions, election campaign and social movements. It would be surprising if a higher level of public concerns and media reports on a humanitarian crisis, had not contributed to a stronger incentive of governments to intervene, through increasing the potential benefits of domestic support and through raising the perceived prestige cost of inaction. Here the incentive effect of ideas serves as an exogenously given factor on the policymaking like other material factors, regardless whether the policy-makers deem the idea appropriate. Therefore, the incentive effect of pro-intervention ideas is not only applied to the EU, where democratic governments are penetrated by public opinions, but also act on China who needs to take the world opinion into account and protect its international image from global mass protests.

While permissive and regulative effects are longstanding in institutions, the incentive effect of pro-intervention ideas usually relies on the window of opportunity. First, the crisis must catch the attention of the international community and should be high on the agenda. Both the Darfur and Libya Crisis met this requirement. Secondly, potential interveners should be in a situation in which it was particularly advantageous to intervene or the inaction would be particularly risky at the time. Let us remind two examples. The positive incentive: Sarkozy’s election consideration in 2007 and 2011 had contributed to the French leadership in the two military interventions in Darfur and Libya, as leading a robust intervention was supposed to increase the domestic support to the government. The negative incentive: The anti-Beijing Olympic campaigns during 2007-2008 had increased China’s potential prestige cost of inaction in Darfur, thus urged China to take a tougher stance to intervene in Sudan.

Table 15 Three types of effects of the pro-intervention ideas

Effects	Definition	Mechanism	On the EU	On China
Permissive Effect	Defining legitimate policies	The Logic of appropriateness, Longstanding effect on institutions	Formatting positions	N/A
Regulative (constraining) Effect	Defining problematic policies		Restraining violations of MS	N/A
Incentive Effect	Entering into the calculations as a factor of ‘cost and benefit’	Logic of Consequence, The window of opportunity	Calculations of domestic supports and international prestige	Calculations of international image

The effect of non-interferences ideas

China presents the most interesting case of non-interference actors. Beijing has embraced the principle of non-interferences for 60 years. It usually abstained on proposals of intervention without clear invitations of target countries in the UNSC, and has seriously considered or threatened the use of veto to prevent non-consensual intervention. Correspondingly, a normative prohibition on interference in domestic affairs has developed in the Chinese political system since 1950s, although its level of compliance with the prohibition varied in different periods as I discussed in Chapter 4. Nevertheless, the special stigma attached to Western coercive intervention was re-emphasized by Beijing in the aftermath of the Cold War, especially after the US bombing of the Chinese Embassy in Belgrade in 1999. Without this normative opprobrium, there would be less Chinese abstention and veto in multilateral fora.

The non-interferences ideas, consisting of the principles of sovereignty, non-use of force and the preference of *pro-status quo*, have permissive and regulative effects on China's policymaking. On the one hand, the non-interferences ideas delegitimize coercive forms of intervention against the will of the host government as unacceptable measures of conflict resolution. Due to the regulative effect of non-interferences ideas, Chinese policymakers clearly felt some inhibitions when consider the proposal of non-consensual intervention in the UN. For example, concerning the exceptional situation in Libya, China condoned the coercive intervention against Gaddafi, but Beijing could not vote in favour of the resolution 1973 in UN Security Council. By contrast, for the EU and its Member States, the set of non-interference ideas was not a compelling reason to refrain from intervention. On the other, these ideas permit China's non-intervention policy and even the

obstruction of international interventions. For instance, China's opposition to coercive intervention against Sudan, the strong criticism of the NATO campaign in Libya, and notable vetoes on the UN draft resolutions of intervening Syria, were legitimized by the Chinese government as defending the international justice, sovereignty right of host countries and the UN Charter. I was impressed from interviews with Chinese officials and analysts that China's oppositions were not only statements for public consumption or appeasing others' views, but a genuine belief that "We think the Western-style interventions were wrong", neither desirable concerning outcomes nor justifiable regarding procedures.

The non-interference ideas have incentive effects on China, by decreasing the Beijing's incentive of supporting or leading a coercive intervention. On the domestic level, the public indifference to a remote humanitarian crisis, together with the widespread aversion to the Western-style intervention, presented a serious political obstacle. Ordinary Chinese people would not appreciate China's contribution to the international intervention in humanitarian crisis. As regards the miserable situation in Darfur, there was rare domestic pressure on Beijing to intervene for humanitarian purposes. In the case of Libya, some Chinese nationalists even criticized Beijing's abstention on Resolution 1973 for compromising its principles and giving in to Western demands. On the international level, as China prefers to speak on behalf of the developing countries, which traditionally loathe the foreign intervention against their wills. Therefore, China's behaviour of supporting coercive interventions would raise the speculation about whether China was casting aside its long held non-interference principle, and undermine the very image that Beijing cherishes. We find that China's policies on Sudan and Libya still conformed to its long-term policy with Africa and the broader Third World. It should be noted that the

non-interference ideas also have an incentive effect on the EU to a lesser extent. When seeking the international consensus on intervention in the UN, the EU and key Member States needed to take China and Russia's adherences of non-interference into account.

Table 16 Three types of effects of the non-intervention ideas

Effects	On China		On the EU
Permissive Effect	Legitimizing positions of non-intervention	Permitting China's opposition to intervention	N/A
Regulative (Constraining) Effect	Delegitimizing the option of coercive intervention	Constraining China's support to coercive intervention	N/A
Incentive Effect	Concerning domestic abhorrence of interventions	Maintaining China's international image of the non-intervener	Considering non-interference ideas when seeking international consensus

To conclude, although there were multiple reasons for intervention or non-intervention, political and ideational factors may have been salient in two aspects. First, different principles and norms help the EU and China to define their general positions of through the logic of appropriateness. Both the EU and China had intrinsic policy preferences on international crisis intervention, due to their particular historical experiences and institutional cultures. Secondly, the incentive effect of ideas serves as an independent variable in the policy considerations. For the EU, perceived public desire to humanitarian intervention in Darfur and Libya made it

difficult to evaluate any policy option in a purely security and economic analysis. Meanwhile, Beijing needed to balance the negative domestic attitude to the intervention with the world opinion (especially from regional actors) of pro-intervention in Darfur and Libya.

Finally, regarding the theoretical framework accounting for the policy-making of intervention, the prevalent realist explanation is important but incomplete. While realist arguments are inclined to exclude or marginalize ideational factors, my argument does not exclude material factors such as security concerns and economic interests. The ideational factor alone was usually insufficient to explain the forcible intervention like Unified Protector operation in Libya, since the EU Member States holding similar principles differed significantly about the military campaign. Instead, my research argues that a combination of causes, including the incentive effect of ideas and security concerns of the Libyan turmoil, were jointly sufficient for the use of force in the intervention. Therefore, any sufficient account must synthesize material and ideational factors in the decision analysis process. First, the ideational factor is essential in analysing the formation of their policy preferences, by drawing the legitimate boundary of their positions. Secondly, the ideational factor is consistent with the model of rational choice. To explain their final choice of specific policy options, we need to test at least three main hypotheses: security concerns, economic self-interests and prestige incentives at the domestic and international levels, although not necessarily or equally in every case of crisis intervention.

My approach of analysis definitely has limitations. First, I incline to assume that we can easily distinguish between material and ideational factors. This may not always be the case and sometimes problematic in itself. For instance, material factors such as

security concerns cannot be understood independently of the prevailing normative context. For example, France and the UK made the claim that a democratic Libyan authority would better secure the EU's border than the Gaddafi dictatorship, thus conducting regime change in Libya could be explained by security reasons. However, this calculation actually reflected their particular causal belief that democracy would bring about peace, which was unfortunately not realized in Libya so far. This implies that ideational factors may have an indirect impact on the perception of security and economic interests. The EU and China obviously disagreed about whether the regime change would benefit the regional security and prosperity. Because the 'objective' prediction of the long-term consequence of coercive intervention in Libya was difficult, the EU and China's calculations were probably influenced by their political values and causal beliefs.

Secondly, the dissertation may only provide scant evidence to the rival material explanations, as unrevealed interests concerns or strategic reasons of interveners may exist. Conspiracy theories would claim that the reason why the rebels in Darfur and Libya challenged the governments is they expected the support from foreign intervention. Hence, it was the interveners deliberately encouraged the rebellion movement in the first place, in order to achieve their policy-goals behind the scenes. For instance, a widespread conspiracy theory said that Gaddafi was toppled because he planned to introduce a single African currency made from gold that would threaten the U.S dollar and Euro. To answer this kind of question definitely would require evidence not yet available, as relevant archives remain classified and key participants have yet to write or tell their story. However, considering the small scale of Libyan economy and the limited feasibility of the plan, the dissertation does not discuss such argument based on anecdotal evidence.

(II) Reassessing the principles of intervention: Implications for the EU and China

The interventions in crises over Darfur and Libya were belonged to a series of international intervention after the Cold War justified on the humanitarian ground. They were also two notable cases after the UN embraced the concept of 'Responsibility to Protect' in the Outcome Document of the 2005 World Summit. Many experts cited the intervention in Darfur as the first test of R2P practice, while the international community was largely failed to protect Darfur people in a timely fashion (De Waal 2007, Badescu & Bergholm 2009). With regard to the case of Libya, however, several commentators hailed the robust intervention in Libya as the model of implementing R2P, which quickly eliminated a major threat to civilians within the framework of R2P (Patrick 2011, Daalder & Stavridis 2012). Meanwhile, critical accounts of Libyan intervention and its inimical impact on R2P also existed (Kuperman 2013). After reviewing the EU and China's responses in the two crises, this section will rigorously assess whether such interventions have achieved the humanitarian objective of R2P, and briefly discuss the question of what principles should underpin the future international intervention.

As regards the intervention in Darfur, the input/outcome ratio of UMAMID and EUFOR Chad/CAR operations was questionable. It could be argued that actions to protect Darfur civilians were belated and inadequate. When the international community eventually managed to muster political supports and spent huge money to implement military interventions in 2008, the climax of the slaughter in Darfur was long gone. The complicated situations on the ground were the proxy-conflict between Sudan and Chad, the rebel groups against the authoritarian regimes in Khartoum and N'djamena, and the displaced people in a desperately poor region. It reflected the limitations of the peacekeeping operation as a means of international

intervention on the humanitarian ground. Neither the UN nor the EU mission had the mandate of political transformation and further resources of development aid to resolve these problems. Without a national reconciliation and balanced economic development, the humanitarian improvement and relatively peaceful situation in today's Darfur and its neighbouring regions are still reversible in the future.

While the intervention in Darfur was criticized as too slow and less robust, the problem of intervention in Libya was too hasty and overacted. Although Gaddafi was unambiguously committed to atrocities thus left little uncertainty for applying the R2P doctrine, the NATO's military implementation of the Security Council's mandates in Libya became mired in political controversy. France, the UK and U.S were comprehensively assisting the rebel side which repeatedly rejected cease-fires offers, and ignoring the original mandate of protecting civilians in the process. Contrary to the original intention of UN resolution 1973, NATO'S intervention actually escalated the Libyan civil war and prolonged the civilian sufferings to some extent. Without the NATO intervention, the Libya civil war would probably ended in victory of Gaddafi by the end of March. In short, it was clear that the purpose of the NATO military campaign was helping rebels for regime change. Moreover, the long-term outcome of insecurity and instability in post-war Libya has further rejected the NATO intervention in Libya as the model of R2P implementation. To date, the country is suffering from turf battles between rival tribes and commanders, as well as the growing radical Islamist groups, which were suppressed under the Gaddafi regime.

Due to the excess of force in NATO intervention and the attendant international dispute, the R2P has not reached *opinio juris* in customary international law (Francioni & Bakker 2013). Already during the war, the 'BRICS' (Brazil, Russia, India,

China and South Africa) explicitly complained that the France, the UK and U.S exceeding the limited mandate of the UN and abusing the doctrine of R2P in Libyan intervention. The subsequent international divides in Syrian crisis further dampened the early optimism on the legal status of R2P. Chinese and Russian vetoes to the coercive intervention in Syria were partly attributable to the perceived misuse of force and the disastrous outcome of military intervention in Libya. The present Chinese Foreign Minister Wang Yi claimed that most of China's vetoes in the UN were against unreasonable external interventions in the domestic affairs of developing countries. He justifies China's veto as an altruistic defence of international justice, legitimate interests of host countries, as well as the UN Charter (Wang 2014:21).

In order to further clarify R2P and bridge the growing gap between Western interventionists and reluctant Russia and China, Brazil articulated the concept of 'responsibility while protecting' (RWP) in the aftermath of Libyan intervention. Brazil's Permanent Representative to the UN, Maria Luiza Ribeiro Viotti, presented the concept note in November 2011.¹⁸⁷ While acknowledging the framework of R2P, Brazil conditioned its support by introducing the RWP to supplement the shortcomings of R2P. The RWP proposed a set of criteria, including a chronological sequencing between three pillars, the last resort, proportionality, and balance of consequences, for the UN Security Council to authorize military interventions. Besides, RWP proposes a multilateral monitoring-review mechanism of the military intervention, to ensure the implementation of UN resolutions is seriously conformed.

As sitting in the middle ground between emerging humanitarian intervention doctrines and the orthodox principle of state sovereignty, the RWP is likely to face

¹⁸⁷ United Nations, A/66/551-S/2011/701, November 9, 2011

resistance from both BRICS and Western powers. Within the BRICS, while the Brazilian-proposed concept was endorsed by India and South Africa, China and Russia had some reservations. Nevertheless, the emergence of RWP reflects the consensus that the emerging powers are not going back to the age of absolute sovereignty and rigid non-interference. Concerning their growing economic and geopolitical weights in the world, the BRICS cannot avoid crisis intervention. Instead, they wish to offer a serious alternative to the established powers' norms, and take more initiatives in multilateral bodies. Not surprisingly, U.S and European powers are sceptical to the RWP that could impede their use of force. During an informal discussion on RWP in the UN, U.S and the EU representatives explicitly against any strict chronological sequencing between different policy options of intervention.¹⁸⁸ In sum, the RWP is also not an easy solution to the dilemma of multilateral intervention, as the change of narratives has not changed the underlying political debates.

What are the underlying political debates? The EU-China divergence on intervention is neither between who respects human rights in an altruistic manner and who disregards human dignity and solely concerns about its selfish interests, nor between who defends sovereignty and who attempts to jeopardize the sovereignty of developing countries. These biased portrayals are harmful to the two actors and the international society as a whole. Rather, the debate is more about the interpretation of the situation, the priority content of human rights, the frontier of sovereignty, and the expected consequence of an intervention. Two contested principles—the Responsibility to Protect, and the Non-Interference in Domestic Affairs—reflect the

¹⁸⁸ Remarks by U.S, <http://usun.state.gov/briefing/statements/184487.htm>, February 21, 2012; The EU's statement, <http://responsibilitytoprotect.org/EU%20speaking%20elements%20Responsibility%20while%20Protecting.pdf>, February 21, 2012

existence of varying interpretations of state sovereignty, human rights, and foreign interventions in the international community. For the proponents of R2P, human rights transcend state sovereignty since protecting human rights is the precondition of respecting state sovereignty. Thus, a foreign intervention is legitimated if the state failed to protect its people. For the advocates of Non-Interference, state sovereignty is essential for social stability and economic development. While the human rights are important, in most cases it should not be the excuse of coercive intervention against the wills of host governments. The debate is not common at the international level, but also existed in European and even Chinese foreign policy-makings.

The EU and China are not at the opposite ends of the spectrum, but have space for working together. For instance, concerning the crises in Darfur and Libya, China and the EU preferred multilateral solutions at either the regional level or global level, to a unilateral military intervention and the pre-emptive doctrine in the wake of the Iraqi War. This is an important consensus between China and the EU in respect of international intervention, as the foundation to further their cooperation in the future crisis managements, in particular in Africa. In the following paragraphs, I will discuss the potential evolving trend of China/EU's principles of international intervention, and provide some policy suggestions for the EU-China cooperation in crisis management and conflict resolution.

China's Constructive Involvement

Today, China enjoys the investment and business opportunities in the developing world, especially the regions where Western firms have shunned, but also has to expose itself to the attendant risk of political instability. It reported that around 5.5

million Chinese overseas workers in 2011, up from 3.5 million in 2005.¹⁸⁹ A large part of them worked in volatile countries and thus under the risk of violent crimes and greater chaos, which are contributing to increasing domestic pressure on the Chinese government to protect Chinese overseas workers. To a certain extent, China's foreign policy and even military deployment will step up their efforts with respect to protect Chinese citizens abroad like the swift evacuation of nearly 36,000 Chinese citizens from Libya. Alongside the protection of citizens abroad, Beijing regarded its economic interests as equally important. Like other major economic powers, China seek to influence the economic policies of the host country in order to promote the interests of Chinese multinational firms, of which large part is state-owned. Beijing could use various advantages over the host countries, ranging from investments to loans and assistances, to ensure the Chinese contracts and energy supplies.

Besides, for security reasons China is also wary of the current spread of the Islamic State in the Middle East, and the uncertain future of Afghanistan after the U.S and NATO withdrawal. The further deterioration of security situation would have potential adverse effects on the stability of bordering province of Xinjiang, where activities of terrorism, separatism and religious extremism have occurred. Drug trafficking in the Golden Crescent is another non-traditional security threat to China. The drug business in Afghanistan is believed as the important sources of funds for terrorist groups. In sum, we can expect that in the future China would adopt a more active foreign policy toward crises in third countries in which Chinese interests are (potentially) endangered.

It should be pointed out that China's efforts of diplomatic mediation, evacuation of

¹⁸⁹ *South China Morning Post*, "Libya a reminder that citizens must come first", 4 March 2011, <http://www.scmp.com/article/739836/libya-reminder-citizens-must-come-first>

nationals and economic influences are carefully within the boundary defined by principle of non-interference, since these behaviours are not coercive and against the wishes of host country apparently. This caution and self-restraint during the Hu Jintao era (2002-2012), sometimes was criticized at home as less determined to protect Chinese national interests. In the meantime, the international society urged China to shoulder bigger responsibilities in global governance, rather than continuing to be a 'free rider' of the international system (Obama 2014). It reflects that Chinese foreign policy has been caught in the dilemma between keeping the low key (non-intervention unless absolute necessary) and doing something (Active intervention even by coercive measures) since the beginning of the century, as its economic strength and international influence are on the rise. Now, it is widely believed that China would adopt a more assertive foreign policy in the Xi Jinping's presidency. To this end, Beijing needs to reconcile its formal established policy of non-interference, with the substantial Chinese economic involvement all over the world. As many analysts (Jakobson 2007, Large 2008) have observed the tension between them, particularly in fragile states such as Sudan (Natsios 2012).

Given this background, new diplomatic concepts regarding China's role in international crisis intervention have been introduced into the discussion in recent years. The work of Wang Yizhou, a prominent IR scholar from Peking University, has been most influential in this regard. He initiated the concept of 'Creative Involvement' (Wang 2011, 2013). Instead of challenging the established principles such as non-interference in other countries' domestic affairs, Wang argues that the idea of 'creative involvement' is a development and enrichment of these policies and principles. It calls on China to actively participate in global and regional affairs, while emphasizes the need of conforming to the UN Charter, acquiring the consent of

target state and the support of regional actors. According to this definition, China's mediation in Darfur and the evacuation in Libya could be categorized as 'creative involvement'. In fact, the main contribution of the concept is not providing new strategy for China's intervention, but explicitly defining the China's global role and diplomacy direction: China should actively involve in foreign issues in particular concerning its vital interests, and the principle of non-interference is not an obstacle in the way. For, as China's involvement has respected the host state and its people, it would not present the interference in domestic affairs (Wang 2013:82-83).

However, almost all Chinese accounts of crisis intervention bashed recent Western military interventions under the banner of 'humanitarian intervention' or 'R2P'. It reflects that China cannot adapt to the idea of foreign powers have the responsibility or right to intervene in a functioning state especially by coercive measures. Beijing would rather believe that once certain powerful countries gain the authority, they tend to abuse it. For example, the military intervention in Libya and the threat of intervention in Syria were denounced by the vice-president of the China Institute of International Studies as 'irresponsible protection' (Ruan 2012). Instead of endorsing the intervention in Darfur and Libya as the precedent of R2P, China continues strictly checking the proposal of international intervention in the UN Security Council on a case-by-case basis. In sum, we should not expect a radical departure from China's previous positions and principles of intervention.

For a long time, the principle of non-interference and the practice of constructive involvement will co-existed. One the one hand, China will constructively participate in the global and regional crisis management by providing initiatives, solutions, rules and arrangements in a friendly manner. On the other, Beijing's traditional adherence

to state sovereignty will probably persist. China's stance of non-interference is not equal to total inaction in foreign crises that affect its interests. What differentiated Chinese approach of crisis management from Western style intervention is that Beijing respects the sovereignty of the host government and restrains itself from coercive action without the UN authorization. Besides, unlike Western powers showing a strong preference for the 'democratic' party in the conflict, China would be more neutral and focus on the conflict resolution rather than the agenda of democratization. This approach is consistent with the UN Charter, which does not impose a certain form of government as the criterion of legitimate members of the international community.

European Responsible Protection

The EU is no doubt at the forefront of international crisis intervention, while the priority of the EU is to increase its effectiveness and credibility in intervention. The experience of Libyan intervention provides important lessons for the EU. First, the EU should insist the prudent restraint in the use of deadly force under the condition of uncertainty. Western leaders, particularly from France, the UK and US, sometimes regard a coercive humanitarian intervention as a promotion to their reputation at the domestic and international level. However, it is a very risky way to do that, as the military intervention in a hostile environment is not guaranteed to be a success, and nor it is uniformly popular among the international community. Even though the interveners could easily achieve the short-term military victory, the long-term consequence on the ground is usually out of their control. As the current chaotic situation in Libya demonstrates, the toppling of the Gaddafi regime has not bettered the living conditions of Libyan civilians in general. This, in turn, decreases the validity of Libyan intervention, and jeopardizes the prestige of France and UK in the

international community.

Secondly, the decision-making on intervention should be aware of the potential misperception and disinformation. In Europe, the public concerns of humanitarian crises, especially took place in countries of geographic proximity or former colonial ties, play an important incentive role in agenda setting of crisis intervention. However, the enthusiastic public in favour of intervention usually did not really know what happened on the ground, they were mobilized by the partial media reports.¹⁹⁰ For instance, the image created by Western media of Gaddafi's forces initiating violence by attacking purely peaceful protesters was largely false. In reality, the rebels aimed to militarize these protests and many Libyan protesters were armed from the first day of the uprising, while the Libya government force mainly targeted the rebels, rather than used force indiscriminately (Kuperman 2013:108-113).

The third problem is that the West-led interventions are often biased in favour of rebel militants and tended to evolve into the regime change. On the one hand, this has spurred rebellion movement that undermines the country's stability and the security of civilians. On the other, the host regime perceived the danger of regime change tends to take an unpromising stance and fight to the end. To mitigate the dilemma, the multilateral intervention should encourage all parties, including the government of the target state, to comply with the UN resolutions, by providing certain guarantees such as no intention of regime change and amnesty deals if necessary. In addition, military intervention against the acting government should be limited to the rare cases where civilians are intentionally targeted, as opposed to where they are the collateral damage of counterinsurgency campaigns aimed at

¹⁹⁰ Author's interview with an expert of Libya from International Crisis Group, Rome, May 2014

rebels (Kuperman 2008). There are prudent reasons for this limitation. After all, sovereignty remains the stabilizing force of the world order. The intervention of supporting rebels in one country might provoke similar rebellion in other countries.

Anchoring the multilateral intervention is essential for overcoming above three challenges exposed in the case of Libya, as well as for the EU-China cooperation in future crisis management. First, the forcible intervention should be authorized and reviewed within the UN framework. The UN Security Council usually sets the bar for military intervention high, which could increase the credibility and legitimacy of intervention. Secondly, the discussion and negotiation in the UN Security Council, is helpful in circulating information from different perspectives. Finally, the UN-authorized coercive intervention could focus its mandate on peace-making and civilian protection, rather than regime change.

However, we need to be aware of the inherent shortcoming of multilateral intervention: The response speed of UN Security Council has often been much slower than the acts of the perpetrators, as demonstrated in the case of Darfur. To avoid the common procrastination in multilateral organizations and the potential delay from any party in the conflict, the proposal of international intervention should include a concrete but flexible time-table depended on the situation on the ground. Besides, as I mentioned in the Chapter 1, the multilateral intervention from the regional organizations is an important supplement to the UN intervention, especially when the Security Council is incapable because of the veto to respond to the crisis. If its purpose is to fulfil pre-existing obligations and to stop or prevent egregious atrocities, the multilateral intervention from regional organizations, such as the NATO and OSCE in Europe, the AU and ECOWAS in Africa, the OAS in America, or the SCO in Central

Asia, could be permissible even without the UN Security Council authorization in advance.

Creating the EU-China cooperation space in Africa

Africa is the key region of crisis intervention where the EU and China have a high level of presence, including in the field of peace and security. As the crises in Darfur and Libya demonstrated, the EU and China's security and economic interests were challenged by the state failure, civil war and mass atrocities in Africa. Hence, both the EU and China have a strategic interest in maintaining stability in the continent. Meanwhile, the heterogeneity of China and the EU's norms and interests in Africa, as the obstacles to the EU-China cooperation in responding African security challenges, is well observed (Hoslag & Van Hoeymissen 2010, Liu 2011). The dissertation argues that in spite of their divergent official rhetoric of African policies, in reality both the EU and China engaged in multilateral crisis management in Africa in a less divergent way. For example, both the EU and China acknowledge and commits to support the regional organizations such as the African Union on local crisis management. Their common support to the 'African solutions to African problems' could create space for the EU-China collaboration in crisis intervention.

For China, the strategy of 'security free-riding' in Africa would become less feasible in the future, considering its all-round engagement in the continent. Involving in the African security governance through the framework of the AU, could dispel the worries of African countries and maintain the validity of its non-interference principle in the Third World. At the present stage, China's support to AU security governance mainly includes financial assistance and training program. Relatively, the potential Chinese military presence in Africa, such as establishing permanent overseas military

bases, is more controversial in the eyes of the African countries that stressed the principle of local ownership. Therefore, the Sino-African military cooperation should develop at a steady pace, and avoid aggravating the geopolitical competition of great powers in the continent.

In contrast to other regional organizations like ASEAN deeply attached to the principle of non-interference, both the EU and the AU have reacted positively to the crisis intervention and the concept of R2P. Through the instrument of the African Peace Facility established in 2004, the EU has funded the AU on peace support operations, capacity building, early response mechanism and other contingencies. By contributing to enable the AU to manage their internal crises, the EU and key members such as France and the UK could share the burden of intervention and temper the criticism of interventionism and neo-colonialism. Moreover, compared to its intrinsic weakness in adopting coercive intervention, the EU could take a more prominent role in conflict prevention and peace building in Africa.

The priority of EU-China cooperation in African security should be given to their complementarities in supporting crisis management. For instance, while China is relatively abundant in human resource, the EU has more experience in multilateral operations and African affairs. Therefore, the EU training program for Chinese peacekeepers could be developed (Stahl 2012:165). Alongside the ongoing UN peacekeeping missions in South Sudan and Mali, an EU-China joint operation was launched off the coast of Africa, to fight against the piracy in in Somalia offshore areas, where a 'vacuum of sovereignty' exists. Leaving aside the long-existing principle divergences, such pragmatic cooperation serves the EU-China common interests. A coordinator of EU-China naval cooperation from ESDP admitted that the

two actors had slightly different working methods the Gulf of Aden, but he is optimistic about the prospect of EU-China security cooperation at the bilateral and multilateral level.¹⁹¹ This prospect was already foreseen in the EU-China 2020 Strategic Agenda for Cooperation in 2013.¹⁹²

(III) Normative power, Hegemony and Status: Rethinking China and the EU's international roles

In the concluding section, let me revisit the concept of normative power in the international relations, since I raised the question of EU-China ideational divergences in the beginning and the study of interventions provides some new reflections on it. As my case study demonstrates, neither the EU nor China is purely 'a power of ideational nature' in Manners's original definition (2002), which would pursue the normative goals without the incentives of its material interests. In fact, the mixture of norms and interests, the tension between rhetoric and action, were common in their foreign policy practices. Apart from the routine challenge to the policy consistence of a so-called 'normative power', an alternative solution is to understand the normative power as an ideational resource of power, that major international actors can access in principle (Keene 2013: 942). Within empirical studies, I argue that the normative power is better being understood as the ability (rather than the actor or unit), to use *given* norms and principles to persuade others and shape what passes for normal.¹⁹³ For instance, the international actor could use their normative power to define what elements constitute a normal and legitimate crisis intervention, and persuade sufficient members of the international society to endorse such an

¹⁹¹ Author's interview with an official in EEAS, June 2014, Brussels

¹⁹² The full text, http://eeas.europa.eu/china/docs/eu-china_2020_strategic_agenda_en.pdf, November 23, 2013

¹⁹³ This approach is in line with Foresburg's distinction (2011) between 'power as a powerful actor' (*puissance*) and 'power as ability to cause effect' (*pouvoir*), and similar to the understanding of normative power as 'the exercise of power' (Larsen 2014)

intervention. In this light, the concept does not only apply to the *sui generis* EU, but also to other traditional international actors such as China.

If the normative power is an ability and a resource of power, how can we distinguish it from the established concept of 'soft power'? Nye (1990) has described the ability to attract and co-opt others to obtain the desired outcomes without the use of coercion and payment. I make the boundary of normative power in two ways. First, different from soft power, my redefinition does not reduce the normative power to a strategic instrument at the disposal of actors. The selection of ideas and values is not free choice, but rather self-bounded by the societal and institutional identities. As the chapter 3 and 4 have shown, the EU and China's principles of intervention are deeply embedded in their institutions and societies for decades, rather than an ad hoc tool picked by policy-makers.

Secondly, the normative power needs to stand up to the challenge from Realists, who would argue that, whether such principles and norms could be imposed on others and enforced to international system solely depends on the military and economic capabilities of their 'norm entrepreneurs'. For example, a hegemon usually provides public goods including norms at the global or regional level. My answer is to understand the conception of hegemony in a Gramscian sense, as 'a relation, not of domination by means of force, but of consent by means of political and ideological leadership' (Simon 1982:21, quoted from Diez 2013: 200). In this way, the redefined normative power, as a power of consensus, has an indispensable place in the hegemony. In sum, the hegemony is composed of military, economic and normative power, although their exact mix varies regarding different actors.

Table 17 A proposed Ingredients of the Hegemony

Sources of Power	Military Strength	The Scale of Economy	Ideas and Values
The Ability to Use	Military Power	Economic Power	Normative Power
Other	Hard (Material) Power		
Categorizations		Civilian Power	

From this perspective, the EU-China ideational divergence is best seen as a nascent contestation of hegemonies on normative power. The issue here is not merely about being a normative power or becoming a hegemon, but also about the (normative) power relations of different international actors, for example, whether one's normative power is recognized or challenged by others. Unlike military power and economic power, the normative power is not 'an intrinsic property of an actor, but depends on the kind of interactions it has in specific contexts' (Kavalski 2013: 250). These interactions usually work through discourses and dialogues at the bilateral or multilateral levels. In practice, the EU is more able to project its normative power in the realm of enlargement and neighbourhood partnership to a lesser extent. However, in the context of the international intervention beyond the European geographic scope, while the EU is applying its normative power based on the human security/R2P doctrines and democracy values, China's reaction is generally negative, which has weakened the EU's normative power in this field.

The fundamental difference between the EU's and China's normative powers is well elaborated. As Kavalski (2013) suggested, the EU's normative power is rule-based, while China elaborates a relationship-based normative power. The EU explicitly emphasizes a series of norms of appropriateness (human rights, democracy, rule of law, market economy, etc.). Brussels often enforces theses (supposed beneficial)

norms and rules in its external relations, such as the enlargement, the neighbourhood policy (ENP) and the Cotonou Agreement. In other word, the EU has a superior position and the others need to learn to adopt these EU-advocated norms, rather than vice versa. By contrast, China has embraced the mutual respect as 'the cardinal virtue of normative relations' (Womack 2008: 266), and generally refrains from imposing its values on others in its bilateral relations. In dealing with global affairs, China respects the consensus of concerned parties and the majority opinion of the international community. The two cases of intervention in the dissertation illustrate the differences again. China's insistence of respecting sovereignty and non-interference, even regarding the pariah states like Sudan and Gaddafi's Libya, was in line with its normative power. For the EU, the partial stance of supporting rebels in the two crises was also an attempt to project its normative power in the international arena and settle the internal disputes over intervention.

In the end, let us ask an interesting question: which side is at advantage in the struggle of normative power now? My tentative answer is the EU. Regarding the EU-China ideational divergences, the EU usually has the advantage of the carrier of 'universal value' like human rights over the China which passively defends its alternative value such as non-interference. At the global level, the Europeans also won some normative battles, for instance, successfully introducing the ICC and R2P into the UN system against the will of China. Here I borrow the three assessment criteria from Keene (2013) to explain why the EU has more of normative power than China so far. The first criterion is the logical validity: whose set of principles and norms is intrinsically better and more reasonable? For last two decades, there is heated debate regarding whether the history is end with the victory of liberal-democracy or China provides an alternative model. However, no consensus

has been achieved and putative 'universal values' remain contestable assertions. The second criterion is the political rhetoric, underscoring the capabilities of 'norm entrepreneurs' to persuade others. Again, the point is whether the capability of persuasion mainly depends on the material resources as realists argue. Certainly, ample resources are helpful for norm diffusion, and also rhetorical skills matter. Regarding this criterion, both the EU and China are relatively strong in money, while each has its merits and demerits regarding the rhetorical skills. Here I have no space to explore this point, but for me it is a very close run between the EU and China.

What finally differentiates the EU from China is probably the third criterion, their status in the international society. As two significant economic powers in the world, both the EU and China have a relatively high *class* position in the world. However, the status of the international actor is not equal to the class situation thus only depends on its wealth, but also regards the state lifestyle, the style of dealing with its domestic and foreign affairs. Here I argue that currently the EU still has a higher status than China in the world society, or has a stronger 'ability to establish itself as a prestigious, high-status actor in international politics (Keene 2013: 949). The status gap, in my opinion, is mainly because the EU comprises of developed countries not only in the economic term, while China is still a developing country on many aspects. As a model of peace and prosperity after 1945, as well as the successor of a world hegemony of past four centuries, the EU is very attractive to many less developed countries and war-torn regions. Besides, by introducing the Neo-Weberian term 'Social Closure', Keene (2013: 947) highlights the attempt of currently superior actors to 'restrict access to social power to a particular group', which may involve exclusion. The particular lifestyle of the EU has distanced itself from other traditional international actors, especially non-Western actors like China.

Regarding the debate over the principles of international intervention, the liberal imperialistic tendency in the international legal system also plays the role of social closure. The liberal imperial project is on a contemporary basis of the unequal status of nations and states, such as the distinction between pre-modern, modern, and post-modern states (Cooper 2002). According to this definition, the intervened states like Sudan and Libya belong to the pre-modern world, where civil conflicts prevail and the efficient governance lacks, while China is a typical case of modern state holding the traditional understanding of sovereignty and the EU represents the postmodern world embraced cosmopolitan values. Based on the hierarchy system, Robert Cooper suggested the postmodern world to get used to the double standard in foreign policy. Therefore, the certain rules can be only applied between 'reasonable' nation-states, especially when the coercive action on the demand of human rights protection is constrained by the current interpretation of international law (Delcourt 2008: 185-186).

As Keene (2013: 948) suggested, in the pre-modern society the social closure was usually based on collective characteristics such as race and religion, while today the form of social closure relies on individual characteristics such as property and credentialism. In this light, the EU is different from the European empires in the 19th century conducted the mission civilisatrice in the barbaric non-white and non-Christian world. Accordingly, China has the hope of 'social mobility' in the international society through continued economic growth and political reforms toward the democratic 'good governance'. However, although China is motivated by a higher international status today, whether Beijing will pursue the status in a Western defined way is highly questionable. As the study on international interventions shows,

China is increasingly confident about its own principles and norms in dealing with global affairs. The increase of China's hard power and the corresponding revival of Chinese exceptionalism emphasizing the 'harmonious inclusionism' (Zhang 2011), undoubtedly pose a challenge to the current domination of liberal values in the international society.

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