

Managing the conceptual gap on sovereignty in China–EU relations

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Abstract While, historically, sovereignty is what Europeans invented and what the Chinese were forced to accept, today it is what Europeans try to bury and what the Chinese hold dear. A conceptual gap on sovereignty clearly exists between China and Europe which more often than not exerts a negative impact on their relationship. It breeds misunderstandings and disputes, makes it more difficult to reach agreements on many bilateral issues, and complicates China–Europe cooperation in third countries. But the conceptual gap on sovereignty does not prevent China and Europe from building a strategic partnership. Given that strengthening or weakening national sovereignty means totally different things to China and Europe, the two parties should jointly and proactively manage their divergence on sovereignty issues by mutual avoidance, mutual assurance, and mutual accommodation, in order to unlock sovereignty-related impasses in China–Europe relations.

Introduction

Misunderstandings between China and the Europe Union as well as its Member States can be ascribed to many factors: the perceptual gap on key concepts, such as sovereignty, human rights, democracy, and stability, is one such crucial factor. It is widely accepted that the same concept can often be interpreted and applied in very different senses by different people. And any such a conceptual gap could breed misunderstandings in international communication, sometimes without the awareness of those involved, leading to problems and possible conflict in their bilateral relations. Sovereignty appears to be one such concept in China–Europe relations.

This analysis does not focus on Chinese–EU misunderstandings in general, but instead on how the conceptual gap on sovereignty impacts on China–EU relations in

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particular. How both China and Europe perceive the concept of sovereignty and what major differences there are in their perceptions deserves in-depth academic study. These two key questions are considered in the following sections. By examining various relevant and reliable surveys, including the World Values Survey, BBC World Service poll and Globescan, a personal conclusion from a Chinese perspective is presented that reflects upon how the conceptual gap on sovereignty influences China–EU relations. Several cases, Taiwan, Tibet, the arms embargo, Africa, and Iranian unclear issue, are examined. Finally, policy recommendations for both China and Europe on how to manage their conceptual divergences are suggested.

Background

The concept of sovereignty was a creation of Western Europe during the sixteenth to eighteenth centuries. Continuous bloody wars in Europe provided the context that gave birth to the principle of sovereignty. The Thirty Years War (1618–1648), in particular, drove people to conclude that intervention and interference in the affairs of another state was the greatest threat to international peace and security. Thus, the ensuing 1648 Peace of Westphalia recognized sovereignty as a new principle of international relations (Caporaso 2000). This principle later spread from Western Europe to the rest of the world and has been broadly enshrined as the cornerstone of international peace and security. The United Nations gives credit to both the principle of sovereign equality and its corresponding principle of non-intervention in its Charter which proclaims that “[T]he Organization is based on the principle of the sovereign equality of all its Members” (article 2.1), and that “[N]othing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state” (article 2.7).

The concept of sovereignty has two dimensions, external and internal. Externally, sovereignty implies independence from outside interference. A sovereign state should be recognized by its peers as a juridically independent territorial entity. As a consequence of its sovereignty, a state has the right to independently make both foreign and domestic decisions. Sovereignty entitles a state to be exempt from any interference in its internal affairs by any other state(s). In the terms of sovereignty, all states are equal. Non-interference and sovereign equality are thus essential denotations of the principle of sovereignty in international relations. Internally, sovereignty means supreme authority over jurisdiction: in any single territorial entity there is only one final and unlimited decision-making center that is unquestioned within state borders. Internal sovereignty signifies the right of a nation state to determine its own political system and authority structure. The central authority enjoys autonomous supremacy in dealing with domestic affairs. While external sovereignty is based on equality and implies anarchy in international politics, internal sovereignty is based on supremacy that signifies hierarchy in domestic politics. Nonetheless, external and internal sovereignty are not incompatible but mutually complementary. Internal sovereignty is a premise to external sovereignty: “[A]s seen from inside a state, sovereignty is paramount authority, and as seen from outside it is self-governing authority” (Jackson 1999). In other words, “they are the

inward and outward expressions, the obverse and reverse sides of the same idea” (Hinsley 1986).

According to seventeenth century European political philosophers, sovereignty is a central and indivisible principle that governs international relations. Hugo Grotius, one of the fathers of the modern conception of sovereignty, claimed that “sovereignty is a unity, in itself indivisible” (Keene 2002). Jean Bodin, Thomas Hobbes, and Samuel von Pufendorf among others, either explicitly or implicitly conceived of sovereignty to be “all or nothing,” either absolute or nonexistent. A state is either sovereign or is not a state at all. This view is still echoed by some political theorists of today. For example, Kalevi Holsti (2004) maintains that “a state either is sovereign or it is not. It cannot be partly sovereign or have ‘eroded’ sovereignty no matter how weak and ineffective it may be”. However, the indivisibility and absoluteness of sovereignty as well as its specific meanings is far from monolithic. The norm of sovereignty is not universally honored in practice. On the contrary, it has been frequently violated through numerous international wars throughout history. The principle of sovereignty can also be challenged in theory. Unprecedented processes of globalization and epochal integration in Europe are two recent prominent phenomena that have prompted various efforts to redefine the concept of sovereignty. While some theorists argue for modification of its meanings, others simply claim the death of sovereignty itself (Schrijver 2000). Against this background, and based upon their respective historical experiences, China and Europe interpret the principle of sovereignty quite differently.

Chinese views on sovereignty

In China's political discourses, the concept of sovereignty has been a key word for many decades and will continue to be so in years to come. China's first encounter with the concept of sovereignty was in the nineteenth century when it was invaded by Western powers. After being defeated in the First and Second Opium Wars (1840–1842 and 1856–1860, respectively), China of the Qing dynasty was forced to sign unequal treaties, cede territories to invaders, and accept the extraterritoriality of foreigners within China's borders. The misery of the “loss of sovereignty” during the “century of humiliation” saw China turn from victim to a seeker of its own sovereignty. After the People's Republic of China was founded in 1949, the Chinese spared no efforts to establish its sovereign status both internally and externally, albeit with mixed results. Internally, till today, national unification has not yet been fully achieved. Externally, not until 1971 when its membership was finally restored in the United Nations, was China recognized as sovereign by the majority of countries in the world. Today, China still places great emphasis on the principle of sovereignty. Chinese views on sovereignty can be categorized into four aspects.

First, the Chinese prefer to interpret sovereignty as entitled rights. With regard to the exact meaning of the concept of sovereignty, the Chinese hold very traditional views. They usually and persistently argue that sovereignty is the right of a state to be independent externally and supreme internally. Unlike academics, Chinese political leaders, as well as the public and media, seldom bother to give the concept of sovereignty a clear explanation: the concept is casually treated as if its meaning is

both clear-cut and well-known. With this said, however, many speeches, made by the Chinese leadership in particular, can help to shed light on this interpretation of sovereignty. Territorial integrity, non-interference, independence, and equality as four substantial rights have been frequently mentioned in China's political discourse on sovereignty.

The Chinese generally relate sovereignty to territorial integrity. Mao Zedong and Zhou Enlai coined the "Five Principles of Peaceful Coexistence," in which territorial integrity was mentioned as a major aspect. This idea has been inherited by the following generations of leaders and taken for granted by the majority of the Chinese public and media. The Chinese have continued to associate respect for national sovereignty with respect for territorial integrity. As shown by China's sovereign claims over Taiwan, Tibet, South China Sea, etc., China regards territorial integrity as a fundamental part of sovereignty.

The Chinese also see sovereignty as the right to autonomously handle domestic issues free from external interference. Deng Xiaoping emphasized the necessity to exercise national sovereignty in an independent way, pointing out that "China will never allow other countries to interfere in its internal affairs" (Deng 1993). China always argues that any external interference in a country's domestic affairs is an encroachment on its sovereignty. Referring to the principle of non-interference, China usually decries foreign countries' criticism of its management of such issues as Taiwan, Tibet, and human rights as unacceptable interference in its national sovereignty.

China signifies sovereignty as the right to be independent in international society. Thus, sovereignty means that a country is not only free from foreign interference in its domestic affairs, let alone the invasion of its territory by force, but is also beyond external restraint when making foreign decisions and conducting international activities (provided that these do not constitute a violation to the sovereignty of other countries). Deng Xiaoping coined the term of "gouge", i.e., the nationality of a state or national character and dignity, analogous to "renge", the personality of a man or individual's character and dignity. When talking about this concept, Deng (1993) stressed that, "without national dignity (gouge), disregarding national independence, a country, in particular the third world developing countries like China, cannot stand up". It is therefore very common for the Chinese to juxtapose the term independence with the concept of sovereignty.

China believes that sovereignty entitles all countries to be equal, regardless of their other differences. In official documents, China states that "all countries, be they big or small, strong or weak, rich or poor, as members of the international community, are equal." The Chinese see the principle of equality as a logical corollary and the epitome of the principle of sovereignty. To be sovereign is to be equal with the peers. Without equality, nobody can talk about real sovereignty. Partially based upon this understanding, China has pushed for the "democratization of international relations."

Second, the Chinese prefer to see sovereignty as inseparable and non-transferable. China supports the original meaning of sovereignty, and maintains that sovereignty is the most important inherent attribute of a state that distinguishes it from all other social groups. Sovereignty is thus the absolute, sacred, and inseparable character of a state. A state cannot be really sovereign if it does not fully enjoy the rights of

supremacy internally and independence externally. Partial sovereignty is not possible according to the Chinese interpretation. China takes the national right of territorial integrity, non-interference, independence, and equality as expressed by sovereignty as an integral whole. These rights are concomitant and mutually supportive. While not blind to both the practical and theoretical challenges to the principle of sovereignty, China insists on the indivisibility and absoluteness of sovereignty. With regard to the experiment of European integration, although many people—including some Chinese—tend to argue that the EU results from a voluntary intergovernmental transfer of sovereignty by its Member States (Dai 2003), many others disagree. Mainstream Chinese sovereignty scholars contend that what Member States have given up to the EU is not their sovereignty, but some of their governing power, a process which is not irreversible. However, the debate over sovereignty in China is mainly limited to within academic circles: Chinese officials almost unanimously dispute the transferability of national sovereignty, particularly when China's own sovereignty issues are under discussion. Deng Xiaoping, when discussing the return of Hong Kong to China with then British Prime Minister Margaret Thatcher, even asserted that the “sovereignty issue is not negotiable” (Deng 1993).

Third, China asserts that the principle of sovereignty remains the guiding principle of international relations. As noted already, in the 1950s China articulated the “Five Principles of Peaceful Coexistence” and while these have been accepted as the framework under which Chinese foreign policy is conducted, they have also been proclaimed as the guidelines upon which the international order should be renewed, an argument which has special appeal for the developing world (Pan 2008). This policy line has been followed by all Chinese leadership—from Deng Xiaoping, to Jiang Zemin, to Hu Jintao. Deng stressed the importance of developing international political and economic relations under the “Five Principles” in his UN assembly speech in April 1974, for instance.¹ After the end of the Cold War, China promoted the process of multi-polarization under the same five principles. Contrary to various Western theories that challenged the continued relevance of the principle of sovereignty, Jiang once argued that “so long as there are boundaries between states, and people live in their respective countries, to maintain national independence and safeguard sovereignty will be the supreme interests of each government and people.”² We must always “give top priority to safeguarding our national security and sovereignty” (Jiang 2006). Hu also reiterates that the “Five Principles of Peaceful Coexistence” can serve very well as the political foundation for world peace and security.³ Despite the debate over whether the sovereignty principle has become obsolete, mainly held within academic circles, Chinese officials have been steadfast to argue for the positive role that the norm of

¹ The full text of Deng Xiaoping's speech as Chairman of the Delegation of the People's Republic of China at the Special Session of the UN General Assembly on April 10, 1974, is available at: <http://www.marxists.org/reference/archive/deng-xiaoping/1974/04/10.htm> (Accessed 28 Jun 2010).

² Statement by President Jiang Zemin of the People's Republic of China at the Millennium Summit of the United Nations, 6 September 2000, <http://big5.fmprc.gov.cn/gate/big5/www.mfa.gov.cn/eng/wjdt/zyjh/t24962.htm> (Accessed 25 Jun 2010).

³ Hu, Jintao, “Unite as One and Work for a Bright Future,” speech at the General Debate of the 64th Session of the UN General Assembly, September 23, 2009. The full text is available at: <http://www.mfa.gov.cn/ce/ceun/eng/zt/hu2009summit/t606150.htm> (Accessed 25 Jun 2010).

sovereignty plays within international politics. China is committed to preserving the place of sovereignty, regarded as a tool that weak nations can employ to secure independence and equality within the international arena, and as a check on the expansion of hegemonic powers within the international system.

Fourth, the Chinese hold sovereignty dear as the mother principle that directs China's foreign policy: as mentioned above, the "Five Principles of Peaceful Coexistence" were initiated as such. They were outlined initially as the guiding principles of China's foreign policy, and then extended to apply broadly in international relations. Any Chinese foreign policy initiative—such as the "new security concept," the "democratization of international relations," and "building a harmonious world"—is derived from China's insistence on the principle of sovereignty. In concerns over Taiwan's inclination towards independence, separatist movements in Tibet and Xinjiang, and territorial disputes with several neighboring states, China directly recognizes the importance of sovereignty. Recognizing China's sovereignty, especially the "one China principle" countering Taiwan independence, has always been a non-negotiable precondition for developing foreign relations. In this way, the Chinese leadership maintain their legitimacy over ruling domestically and pressure other countries to acknowledge Chinese concerns in their international considerations. This emphasis on sovereignty as its foreign policy guideline is consistent with China advocating sovereignty as the guiding principle of international relations. The experience of China–Africa cooperation shows that China fully respects other countries' sovereignty and expects the same respect from others. Some may argue that China's involvement in UN peace keeping operations shows its flexibility on issues of sovereignty (Fravel 1996): however, for China the consent of the host country government is a necessary prerequisite for its involvement in any peacekeeping operations (International Crisis Group 2009). As China's national defense white paper in 2000 unequivocally states, "[N]o UN peace-keeping operations should be launched without the prior consent of the countries concerned."⁴

European views on sovereignty

In European political discourses, the significance of sovereignty has varied over time and between countries. As noted already, Europeans were the first to conceptualize and codify sovereignty as an agreed general principle for regulating relations among nations (Morgenthau 1985; for challenges to this argument, see Osiander 2001). While major European powers by and large abided by the principle on their continent for much of the nineteenth century, they did not do the same abroad. European countries extended their competition to the outside world by colonial expansions in Africa, America, and Asia. The same principle of sovereignty was not applied to their colonies: on the contrary, the brutal violation of non-European countries' sovereignty was the norm. This was not without consequences. With the rest of the world having been almost entirely divided up, conflict between European

⁴ The full text of China's National Defense in 2000 is available at: <http://china.org.cn/e-white/2000/index.htm> (Accessed 29 Jun 2010).

countries returned to their own continent. The two world wars originating in Europe in the first half of twentieth century severely questioned the principle of sovereignty, and it was Europeans who were first in practice to compromise the principle of sovereignty that they had themselves invented. This changing paradigm was then used by Europe's colonies as a weapon to fight against European colonialism. Most developing countries, including China, gained independence under the auspice of the principle of sovereignty and acquired sovereign status through membership of the United Nations. In the post World War II period, European countries did not simply return to Westphalian sovereignty. Instead, they started to carve out a new way finally leading to the European integration process that we see today. Based upon their own experiment, Europeans begin to re-conceptualize sovereignty (Bartelson 2006), with some even proposing to bury the principle. Following the four-way categorization used to examine the Chinese perspectives on sovereignty, this framework is now applied to Europe in order to facilitate comparison.

First, Europeans prefer to interpret sovereignty more as accountabilities than as rights. Europe does not see sovereignty as a term with fixed meanings. As Lassa Oppenheim (1905) a century ago expressed it: “there exists perhaps no conception the meaning of which is more controversial than that of sovereignty. It is an indisputable fact that this conception, from the moment when it was introduced into political science until the present day, has never had a meaning which was universally agreed upon”. His comments still hold today. In Europe, what both politicians and scholars tend to agree is that, as a socially constructed norm, sovereignty needs to respond to changing historical circumstances. That is, the concept of sovereignty needs to be redefined. But there is no consensus on the question of how the redefinition should be done. Generally speaking, with the norm of human rights being increasingly prominent, Europeans are more inclined to redefine the concept of sovereignty through the so-called “responsibility to protect” other than through national rights against external interference. If traditionally Europe viewed the notion of sovereignty as indicating the absolute right of its holder to govern within certain territory, nowadays they view sovereignty more as an inescapable responsibility to govern in a certain manner (Bills 2008).

From a European point of view, sovereignty requires the national authority of a state to protect the economic well-being, basic human rights, and physical security of its population. This kind of responsibility constitutes the main source of governing legitimacy of a state. As some European scholars argue, “domestically, only a legitimate authority can be considered sovereign”, and “the legitimacy of sovereignty has changed from sovereignty as control to sovereignty as responsibility” (Gandois 2008). Many European countries, such as the Czech Republic, Germany, Greece, Hungary, Italy, and Spain, among others, attribute sovereignty to the people in their constitutions. The legitimacy of a sovereign state thus lies in the active consent of the governed. Democracy thus matters. This view, to a certain degree, is also shared by other European countries that attribute sovereignty to the nation (e.g. Belgium, Poland), or to both the people and the nation (e.g. France) (Griller 2005).

Among various responsibilities a sovereignty state is supposed to shoulder, Europeans put great emphasis on the protection of human rights. Equating sovereignty to human rights is a tendency that looms large in European efforts

towards sovereignty reorientation. Since the concept of “responsibility to protect” emerged (and recently endorsed by the UN Secretary-General’s 2005 report “In Larger Freedom: Towards Development, Security and Human Rights for All”), Europeans have gone a long way to link sovereignty to it. Kofi Annan (1999), then UN Secretary-General, argued that “the sovereignty of states must no longer be used as a shield for gross violations of human rights”. This statement has been frequently quoted by Europe to back its redefining of sovereignty as responsibility to protect. Protecting its populations from genocide, war crimes, ethnic cleansing and crimes against humanity has been assumed as the primary responsibility of a sovereignty state. If it fails to do so (because it is unable or unwilling to fulfill its responsibility to protect), then humanitarian intervention by the international community is justified, the conventional non-interference principle becomes invalid, and the sovereign status of the state is illegitimized.

As a result of this redefinition, sovereignty signifies more accountabilities than rights. Europeans do not simply deny the rights of a state that sovereignty entitles, including territorial integrity, non-interference, independence, and equality. But rather they favor the responsibility explanation of sovereignty and put sovereign rights contingent on sovereign responsibility under international scrutiny.

Second, Europe prefers to see sovereignty as relative and transferable. As discussed above, sovereignty is perceived not as absolute, but as limited and conditional. They generally reject the definition that sovereignty is the right of supremacy in domestic politics, which can permit a central state authority to behave in an irresponsible way towards its citizens without punishment. Accordingly, the interpretation of sovereignty as absolute immunity from external intervention in a state’s domestic governance is unwarranted. As Thomas Risse (2003) contends, “The EU... has rejected the notion of unitary sovereignty”. And, to Europeans, sovereignty is neither indivisible nor non-transferable. In the light of their own post-war experience, many Europeans assert that the EU is a result of voluntary sovereignty transfer by its Member States, which gives rise to the notions of “pooled”, “shared”, or “perforated” sovereignty. Irrespective of the controversy over whether the EU is already a sovereignty entity or whether the Common Foreign and Security Policy does “give shape to an emergent EU sovereignty” (Lepsius 2000; Stetter 2004; Chen and Geeraerts 2003), it is widely perceived that the idea that sovereignty can be shared or divided at a transnational level serves as the theoretical basis underpinning European law and legal order. To a certain extent, however, conventional sovereignty rules, while having been modified by the European Union, have not been ultimately abandoned. After all, the Member States of the EU do not lose their legal personality as sovereign entities under international law (Werner and de Wilde 2001). Moreover, according to Nicole Gnesotto (2002) “national sovereignty is still, or is still perceived to be, an essential constraint on future European political integration”.

Third, Europeans argue that the role of sovereignty as organizing principle of the international system is declining. Those who ask for a redefinition of the concept of sovereignty may differ, in many ways, from those who claim its obsolescence, or demise, but they share at least one point of view—that sovereignty is no longer significant, because it is neither conducive to European integration nor productive in ordering international relations. The role of sovereignty has been under attack from

both politicians and scholars in Europe. In 1998, at a symposium on the continuing political relevance of the Peace of Westphalia, then NATO Secretary-General Javier Solana said that “the principle of sovereignty... produced the basis for rivalry, not community of states; exclusion, not integration.”⁵ In 1999, just after the birth of the single currency, then German Chancellor Gerhard Schröder declared that “the introduction of the euro is probably the most important integrating step since the beginning of the unification process.... This will require us to finally bury some erroneous ideas of national sovereignty.”⁶ In 2000, then German Foreign Minister Joschka Fischer indicated that the notion of sovereignty had been rejected by European countries by the transfer of their nation-state sovereign rights to supranational European institutions.⁷ While European politicians see sovereignty as an obstacle to be removed in the process of integration, scholars have questioned the relevance of sovereignty in a broader sense. For example, Neil MacCormick (1999) has argued that Europe is entering a “post-sovereign” era, where sovereignty as such is outdated. As he graphically illustrates, sovereignty is “like virginity, something that can be lost by one without another’s gaining it.” He suggests that we simply ignore and dismiss the concept of sovereignty. Henkin et al. (1993) recommends that “we might do well to relegate the term (sovereignty) to the shelf of history as a relic from an earlier era”. Although there are still some people who defend the principle of sovereignty by arguing its continuing relevance in theorizing European integration and in international political, social, economic and even cultural relations (e.g. Werner and de Wilde 2001), critics dispute this by arguing that sovereignty may actually be linked to unilateralism, and this means that a dominant power will attempt to impose its formal or informal political attitude on other international actors (Radler 2004). The pro-multilateralism Europeans, with this potentially destructive linkage in mind, are skeptical about sovereignty as a principle for ordering international politics. Therefore, the reformists want to completely re-conceptualize sovereignty, transforming the traditional and absolute notions of sovereignty into the notions of accountability to one’s domestic constituency and to the international community at large (Chayes and Chayes 1995).

Fourth, Europe generally takes sovereignty as its foreign policy tool. Many Europeans use the principle of sovereignty as useful tool to say “no” when they are disappointed with decisions at the EU level. Note various referenda defeats in France and the Netherlands over the Constitutional Treaty and in Ireland at its first consideration of the Lisbon Treaty. In the latter case in particular, popular concerns over national sovereignty figured strongly in the “no” campaigns.⁸ Continuous rivalry between intergovernmentalism and federalism indicates that sovereignty has been transformed from an absolute right to be defended at all costs into a negotiating chip to be placed upon the international bargaining table (Chayes and Chayes 1995). For many European countries, being in the EU is not an abdication of national

⁵ Javier Solana, “Securing Peace in Europe,” speech on November 12, 1998.

⁶ Gerhard Schröder, “New Foundations for European Integration,” speech on January 19, 1999.

⁷ Joschka Fischer, “From Confederacy to Federation—Thoughts on the Finality of European Integration,” speech on May 12, 2000.

⁸ The Irish people voted against the Lisbon Treaty in the first referendum on June 13, 2008. They changed their mind and said “yes” to the Treaty more than 1 year later in the second referendum on October 2, 2009.

sovereignty, but actually a more effective way of exercising national sovereignty. Not only at the EU level, but also at global level, Europe uses sovereignty as a tool to win competition, manage interdependence, and gain influence (Veen 2007). But generally speaking, sovereignty does not serve as a guiding principle of European foreign policy. It is only one of many useful tools in their foreign policy toolbox. And it is used selectively when seen appropriate.

Contrasting Chinese and European views on sovereignty

Clearly, then a conceptual gap on sovereignty exists between China and Europe. With regard to the basic definition, fundamental traits, comparative relevance in international system, and practical efficacy in national foreign policy, Chinese views towards sovereignty present a striking contrast to those of Europe. The Chinese interpretation on what sovereignty really signifies could be labeled as fundamentalist, while the European conceptualization reformist. The former retains the original meaning of the concept (rights explanation), while the latter tries to redefine it through responsibilities descriptions. The Chinese see sovereignty as absolute and thus take a comparatively absolutist view on the character of national sovereignty. By contrast, Europeans are relativist and thus regard sovereignty as relative. As to the relevance of sovereignty as an ordering principle of international relations, China is an activist and sanguine in campaigning for it. To the contrary, Europe takes a negative and skeptical view, even claiming sovereignty's demise. Finally, to some extent, the Chinese are idealists as they remain adamant in regarding sovereignty as an enduring guiding principle for China's foreign policy, with hope of receiving reciprocal respect for China's sovereignty concerns from others. In contrast, Europeans are too pragmatic to use sovereignty as a general guideline for foreign policy, but rather employ it as an optional tool both within and outside Europe.

To summarize, China is more sovereignist than Europe. No matter how ironic this may seem, it is quite understandable that China, a country has been imposed upon by the principle of sovereignty, has now become one of its staunchest advocates and defenders. Before China ultimately secures its sovereignty, it is not expected that China will relinquish or modify the understanding of sovereignty in its political dictionary. Comparatively speaking, China's stance on and interpretations of sovereignty have been constant. What also seems ironic—but understandable in European case—is that Europe as the initiator and beneficiary of the principle of sovereignty is now one of its most formidable challengers and attackers. However, not all Europeans should be cast in this single mold. Until the EU gains full sovereignty (like a sovereign state), we should not expect its Member States to renounce their sovereignty, the Lisbon Treaty notwithstanding. European positions and views on sovereignty vary from country to country and from issue to issue and are subject to greater change, diversity and complexity than those of China's.

This conceptual gap on sovereignty between China and Europe has been demonstrated in different surveys, of which the World Values Survey (WVS) deserves close attention. Three questions from the WVS questionnaire offer some

insights, though indirectly, on different Sino-European attitudes towards sovereignty.⁹ First, turning to the “aim of country (V69)” variable, although a substantial percentage in both China (45.3%) and Europe (57.0%) gave “a high level of economic growth” the highest preference, their considerations of “strong defense forces” as important priority diverged markedly, with 22.7% Chinese and 6.7% European support, respectively. Second, for the question on the “willingness to fight for country (V75)”, again the responses were distinct: 86.9% of Chinese compared with 62.3% of Europeans answered “yes”. Third, when asked the question “who should decide: human rights (V183)”, the Chinese displayed a much stronger preference for national governments than Europeans: 60.9% of Chinese believed human rights issues were better handled by national governments than by the United Nations or regional organizations. The corresponding figure for Europeans was only 34.8%, with 47.4% preferring United Nations involvement. If preference for strong defense forces, for willingness to fight for home country, and for national governments to decide on human rights is a proxy for a strong belief in protecting sovereignty, we can assume from the survey data that the Chinese are more sovereignist than Europeans.

Nonetheless, this does not mean China and Europe have nothing to share on the principle of sovereignty. For example, China and Europe agree that the sovereignty of each should be respected, international recognition is a vital source of legitimacy for national sovereignty, and the United Nations is an indispensable guardian of sovereign equality. Given that China, Britain and France constitute three of the five permanent members of the UN Security Council, the general publics in China and Europe expressed high levels of confidence in this international body. Thus the results for the question “of confidence in the United Nations” (V147), 66.2% of Chinese and 50.6% of Europeans replied “a great deal” or “quite a lot”.

Since both the Chinese and Europeans seem preoccupied with sovereignty issues, their difference is in degree, not in kind. Even though many European politicians and scholars have called for the abrogation of sovereignty, this appeal has not been fully embraced by European citizens. According to the WVS data, responses to the group of questions “who should decide”, with the exception of the “human rights” issue (V183), were broadly similar: 54.3% of Europeans and 64.4% of Chinese believed that the mission of “international peacekeeping” (V179) rests with the United Nations. Similar proportions of European and Chinese public opinion thought that the UN should shoulder the main responsibility for providing “aid to developing countries” (V181; 51.1% and 55.9%, respectively) and of taking care of “refugees” (V182; 42.3% and 49.6%). But somewhat counter-intuitively, on “protection of the environment” (V180), they both (with 46.0% Europeans and 57.4% Chinese) preferred national governments to take charge. Perhaps the most revealing test of Europe's perception of sovereignty can be found in how they identified themselves. To the statement “I see myself as citizen of the European Union” (V213C), 65.6%

⁹ Here after, my analysis is based on the “online data analysis” of WVS, with the fifth wave (2005–2008) WVS explored, at <http://www.worldvaluessurvey.org/>. On the Chinese side, the corresponding data is gathered in 2007. On the European side, there are available data for 14 Member States of the EU. The EU-14 and corresponding year of survey are Bulgaria (2006), Cyprus (2006), Finland (2005), France (2006), Germany (2006), Great Britain (2006), Italy (2005), Netherlands (2006), Poland (2005), Romania (2005), Serbia (2006), Slovenia (2005), Spain (2007), and Sweden (2006).

Europeans agreed or strongly agreed: however, this percentage varied by country, with, for example, only 43.2% of Germans agreeing. On the question of “confidence in: the European Union” (V146), only 43.9% of Europeans gave a positive response. The picture was bleak for the “EU3”: 74.1% in Britain, 69.4% in Germany, and 61.0% in France were “not very” confident or “not at all” confident in the EU. Clearly, many European publics still strongly identify with their own countries, even if they appear less sensitive to the sovereignty issue than the Chinese.

Impact of the conceptual gap on sovereignty on China–EU relations

Since both China and Europe are concerned about sovereignty, their different views on the concept are central to the development of Sino-European relations. A conceptual gap between the two parties more often than not exerts a negative impact on their relationship. On issues such as Taiwan, Tibet, the arms embargo, Africa, and Iranian unclear issue, sovereignty concerns are always behind the controversies between China and the EU. The conceptual gap on sovereignty gives an important clue in explaining why the relationship sometimes hits turbulence. However, the consequences of the conceptual gap should not be over-exaggerated, because sovereignty is not all that China–Europe relations are about, and in many areas there is general consensus and agreement.

First, this lack of a shared understanding of sovereignty breeds misunderstandings and fosters tension in China–EU relations. One of the most contentious issues is Tibet, the profile of which was heightened by the March 14th 2008 incident. China defines the Tibet Issue as one of sovereignty asserting that China's territorial integrity is at stake. The Chinese have made strident endeavors to convince Europe and others elsewhere that the Dalai Lama is actually seeking independence and not just more autonomous rights as often alleged. But the EU sees the issue differently and tends to interpret the Tibet as a human rights issue. Although generally the EU does not challenge China's sovereignty over Tibet (even the UK has given up its long-standing position on Tibet and finally recognized China's full sovereignty over the territory in October 2008¹⁰), Europe contends that China should do more to improve human rights in Tibet in order to legitimize its sovereignty and in this regard have launched vociferous criticism on China's handling of the Tibet issue. As a result, China blames the EU and individual European states, in the name of human rights, of interfering in China's domestic politics, undermining China's sovereign independence, and exploiting the Dalai Lama's separatism to impede China's peaceful rise. The Europeans blame China for manipulating sovereignty as an excuse, abusing Tibetan human rights, destroying Tibet's distinctive culture, and dividing European unity.

Different understandings of sovereignty and its applicability to the Tibet issue brought the China–EU relationship to a historical nadir in 2008. Europe reacted to the unrest in Tibet by publicly denouncing Beijing's policy, passed condemning parliamentary resolutions, attempted to boycott the Olympic Games, and received

¹⁰ The relevant statement by British Foreign Secretary, David Miliband, can be found at: <http://www.fc.gov.uk/en/newsroom/latest-news/?view=PressS&id=8299838> (Accessed 30 Sep 2009).

the Dalai Lama at high political levels notwithstanding China's opposition and warning. These actions confirmed for China that Europe does not respect China's sovereignty. In response, the Chinese boycotted the Carrefour supermarket chain in China, called off the scheduled 11th EU–China Summit in France in December 2008, and excluded France from a tour of several European states by Chinese Prime Minister Wen Jiabao in January/February 2009. In return, the Europeans were embarrassed, feeling their sovereignty was also being disrespected by China. Partially because of the Tibet issue, mutual perceptions and images between China and Europe (which were perhaps at an all time high previously as demonstrated by other articles in this Special Issue) underwent substantial decline (Holslag 2009). Over the past year, according to the BBC World Service poll and the international polling bureau Globescan's corresponding analysis, Europeans have become increasingly negative toward China (from 46 to 70% in France, 50 to 68% in Italy, 59 to 69% in Germany, and 32 to 54% in Spain), while in China negative views towards the EU have risen from 16 to 28% (with antagonism towards France particularly heightened where positive views dropped from 64 to 44%).¹¹

Second, the question of sovereignty makes it more difficult for China and Europe to reach agreements on many bilateral issues. Beside Tibet (as well as Xianjing, human rights, etc.), Taiwan is another issue on which China and Europe cannot reach full consensus. For China, Taiwan is an absolute sovereign concern, and the “one China principle” is an important political cornerstone underpinning China–EU relations. In a 2003 EU Policy Paper, China requested the EU prohibit official contacts with Taiwan authorities, not to support Taiwan's membership in international organizations that require statehood, and not to sell any weaponry to Taiwan.¹² The EU accepts the validity of China's sovereignty claim over Taiwan, is committed to the “one China principle,” and opposes Taiwan's referendum on UN membership. However, Europe usually follows an American policy line on cross-strait relations and generally regards the Taiwan issue as a security concern.

While China defends its stance from a sovereignty perspective, it is frustrated because it has been unable to recruit European support for reunification. Furthermore, while some EU Member States (the Netherlands in the 1980s and France in the 1990s) would like to sell arms to Taiwan, the EU continues with its 1989 arms embargo against China. Both Taiwanese security and human rights concerns are cited as reasons for maintaining the ban, although American pressure is another factor (Chen 2006). For China, the EU is too stubborn to move beyond a human rights perspective when dealing with China: for the EU, China is too stubborn to renew its outdated notion of sovereignty. The divisive rhetoric that is exchanged around sovereignty has impeded progress in negotiating a Partnership and Cooperation Agreement (PCA) to replace the 1985 EU–China Trade and Cooperation Agreement.

¹¹ BBC World Service poll, “Views of China and Russia Decline in Global Poll,” February 2009, http://www.globescan.com/news_archives/bbcenryview09/ and Globescan, “Backgrounder: Country-by-Country Results,” January 2009, http://www.globescan.com/news_archives/bbcenryview09/backgrounder.html (Both accessed 11 Nov 2009).

¹² The full text of China's EU Policy Paper (October 2003) is available at: <http://www.fmprc.gov.cn/eng/topics/ceupp/t27708.htm> (Accessed 1 Oct 2009).

Third, sovereignty complicates China–EU cooperation in third countries. Africa presents the most obvious example. The authors of the controversial policy report “A Power Audit of EU–China Relations” wrote that “no other issue highlights the clash between the EU’s and China’s approach to world affairs as harshly as Africa” (Fox and Godement 2009). They, accuse China of undermining the EU’s influence and efforts to bring good governance to the continent. But the clash between China and Europe in Africa is not just about different policy approaches, but also about diverse policy concepts. Since China adheres to traditional notions of sovereignty and non-interference, it is unwilling to align itself with the European concept of good governance, indifferent to demands of human rights as precondition for aid, and reluctant to vote for UN resolutions critical of the Sudanese government over Darfur, for instance. In contrast, the EU sees the sovereignty of African countries in the terms of human rights, opposes so-called “no-strings-attached” economic aid,¹³ criticizes cooperation with repressive regimes in Zimbabwe and Sudan, and rejects arms sales to unstable states. Partially due to their conflicting notions of sovereignty, only limited progress has been made in the China–EU dialogue on Africa, as well as on global governance and development issues. Only where China’s sovereignty position is not threatened, is it willing to work collaboratively with the EU, as in south Sudan, Chad, or anti-piracy initiatives off Somalia.

Fourth, the antagonistic approaches to sovereignty do not prevent the construction of a strategic partnership. The conceptual gap notwithstanding, China–EU relations have not been plagued by their divergent positions. Europe does not pose a real challenge to China’s claims over Taiwan, Tibet, Xinjiang, or other territories, and China remains silent on the EU’s sovereignty sharing or on domestic separatism in individual Member States. Furthermore, both agree that the United Nations should be the ultimate guarantor of sovereignty and all such unresolved bilateral disputes should be settled by the UN Security Council. In defending their respective political values, neither seeks to undermine the legitimacy of the UN as a forum for global governance.

Excluding sovereignty and human rights issues, China and the EU can usually find common language. Many factors contribute to the comprehensive and strategic partnership, as articulated by both sides at the 11th China–EU summit on May 20, 2009.¹⁴ Bilaterally, close economic interdependence is the backbone of the relationship. The EU is China’s largest trade partner, while China is the EU’s second trade partner after the USA. China is the EU’s leading source of imports and its fourth export destination. This economic exchange underpins their strategic rapprochement despite periodic political tensions. The principle of multilateralism championed by the EU also serves a building block of the partnership. As Grant and Barysch (2008) noted: “it is true that China—in contrast to the EU—has traditionally taken a realist view of international relations. It has been strongly attached to the Westphalian principles of national sovereignty and non-interference.... But in recent decades many Chinese leaders have begun to talk positively about multilateralism as

¹³ This is a misperception given that China usually requests African countries to adhere to the “one China principle” and also wants African governments to support it in the UN on Tibet and human rights issues.

¹⁴ The full text of the Joint Press Communiqué of the 11th China-EU Summit (May 20, 2009 in Prague) is available at: <http://www.fmprc.gov.cn/fra/wjdt/gb/t563994.htm> (Accessed 1 Oct 2009).

a concept, and China has joined increasing numbers of international institutions”. Consequently, a comprehensive and strategic partnership between China and Europe is taking shape despite their opposing views on sovereignty.

Conclusions: managing the conceptual gap on sovereignty

While the conceptual gap on sovereignty is well entrenched and unlikely to be bridged, it is likely to be managed. This is because both the Chinese and Europeans value the principle of sovereignty, albeit from different perspectives, respect each other's sovereign status, and favor the UN as a preferred resolution mechanism. Diverging approaches to sovereignty make reaching a consensus implausible: but their convergence facilitates mutual accommodation in practice. However, if the conceptual gap on sovereignty between China and Europe defies easy solution, past experience indicates that most issues of sovereignty are manageable. Based upon above analysis, the following three general recommendations are offered.

First, mutual avoidance Both China and Europe should prevent their conflicting notions of sovereignty from destabilizing their strategic partnership. China should continue to support European integration. Europe, both its Union and its individual members, should continue to recognize China's sovereign independence and territorial integrity, and avoid instigating potential separatist movements.

Second, mutual assurance Both China and Europe should confirm their respect of each other's sovereignty claims and concerns, if possible in official ways. They should agree not to allow sovereignty-centered controversies to dominate the China–EU agenda, nor deal with them in a confrontational manner. As the Chinese Premier Wen Jiabao commented on the G2 proposal at the Prague summit, China should reassure the EU that its relationship is a strategic and enduring one, irrespective of any sovereignty issues. Europe in turn should continue to engage China in a positive and constructive way, and refrain from challenging China by receiving the Dalai Lama.

Third, mutual accommodation Both China and Europe should be tolerant towards different policy stances on sovereignty and accommodate their respective approaches both bilaterally and multilaterally. Bilaterally, China should adapt to European concerns on the human rights, while Europe should adapt to China's traditional concerns over its sovereignty status. Multilaterally, China should accommodate Europe's call for more responsibilities and work to promote multilateralism and multi-polarity. Europe should accommodate China's insistence on non-interference and coordinate on global challenges, be that the economic crisis, climate change, nuclear proliferation, protectionism, piracy, or regional instability. China and Europe should both be willing to compromise, seek consensus while shelving differences that emanate from their conceptual gap on sovereignty.

The conceptual gap on sovereignty—as well as on democracy, stability, and human rights—seems destined to cast a shadow over China–EU relations in the foreseeable future. The maturity and stability of the relationship is contingent on

how both sides manage their views on sovereignty. It would be wishful thinking to expect that the relationship will easily overcome the current hurdles associated with their conceptual gap on sovereignty. But it would also be unnecessarily pessimistic to conclude that China and the EU continue to clash. It is not over the concept of sovereignty but the claim of sovereignty that China and Europe dispute. It is crucial that both jointly manage their divergence on sovereignty issues by mutual avoidance, mutual assurance, and mutual accommodation. Political wisdom is needed.

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References

- Annan K (1999) Two concepts of sovereignty. *Economist* 352:49–50
- Bartelson J (2006) The concept of sovereignty revisited. *Eur J Int Law* 17(2):463–474
- Bills CI (2008) Europe and the changing notions of sovereignty. Paper presented at the annual meeting of the ISA's 49th Annual Convention, Bridging Multiple Divides, Hilton San Francisco, San Francisco, CA, USA. Available via All Academic Inc. http://www.allacademic.com/meta/p254095_index.html. Accessed 30 Jun 2010
- Caporaso JA (2000) *Continuity and change in the Westphalian order*. Blackwell, Malden
- Chayes A, Chayes A (1995) *The new sovereignty: compliance with international agreements*. Harvard, Cambridge
- Chen Z (2006) Oumeng de youxian zhanlue xingwei zhuti texing yu zhongou zhanlue huoban guanxi: yi jiechu duihua junshou jinling weili (The impact of the EU's limited strategic behavior on EU-China relations: the case of the arms embargo). *Guoji Guancha (International Review)* 5:1–10
- Chen Z, Geeraerts G (2003) Ouzhou lianmeng duiwai zhengce yitihua: bukeneng de shiming? (Foreign policy integration in the European Union: mission impossible?). Shishi Chubanshe, Beijing
- Dai B (2003) Guanyu zhuquan wenti de zaisisuo (Reflections on the sovereignty issue). *Ouzhou Yanjiu (European Studies)* 5:25–27
- Deng X (1993) *Deng Xiaoping wenxuan (Selected works of Deng Xiaoping) (Volume III)*. Renmin Chubanshe, Beijing
- Fox J, Godement F (2009) *A power audit of EU-China relations*. The European Council on Foreign Relations, London
- Frael T (1996) China's attitude toward U.N. peacekeeping operations since 1989. *Asian Surv* 36 (11):1102–1121
- Gandois H (2008) Sovereignty as responsibility: theory and practice in Africa. Paper presented at the annual meeting of the ISA's 49th Annual Convention, Bridging Multiple Divides, Hilton San Francisco, San Francisco, CA, USA. Available via All Academic Inc. http://www.allacademic.com/meta/p250558_index.html. Accessed 30 Jun 2010
- Gnesotto N (2002) European security and defence policy: a European view. In: ESF Working Paper (no. 8) *European security and defence policy: taking stock*, EU-ISS, Paris
- Grant C, Barysch K (2008) *Can Europe and China shape a new world order?* The Centre for European Reform, London
- Griller S (2005) The impact of the Constitution for Europe on national sovereignty. In: Zemanek J, Pernice I (eds) *A constitution for Europe: the IGC, the ratification process and beyond*, ECLN-Series, Vol. 5, Baden-Baden, 151–182
- Henkin L et al (1993) *International law: cases and materials*, 3rd edn. West Publishing Group, St. Paul
- Hinsley FH (1986) *Sovereignty*, 2nd edn. Cambridge, New York
- Holslag J (2009) The elusive axis: evaluating the EU-China strategic partnership. *BICCS Asia Paper* 4 (8):1–32

- Holsti KJ (2004) *Taming the sovereigns: institutional change in international politics*. Cambridge, New York
- International Crisis Group (2009) *China's growing role in UN peacekeeping*. Asia Report N°166, 17 Apr 2009
- Jackson R (1999) Sovereignty in world politics: a glance at the conceptual and historical landscape. *Polit Stud* 47:431–456
- Jiang Z (2006) *Jiang Zemin wenxuan (Selected works of Jiang Zemin)*, vol III. Renmin Chubanshe, Beijing
- Keene E (2002) *Beyond the anarchical society: Grotius, colonialism and order in world politics*. Cambridge, New York
- Lepsius MR (2000) The European Union as a sovereignty association of a special nature. *Harv Jean Monnet Work Pap* 7:3–4
- MacCormick N (1999) *Questioning sovereignty: law, state, and nation in the European commonwealth*. Oxford, Oxford
- Morgenthau HJ (1985) *Politics among nations: the struggle for power and peace*, 6th edn. Revised and edited by Kenneth W. Thompson. McGraw-Hill, New York
- Oppenheim L (1905) *International law: a treatise*. Longmans, New York
- Osiander A (2001) Sovereignty, international relations, and the Westphalian myth. *Int Organ* 55:251–871
- Pan Z (2008) China's changing image of and engagement in world order. In: Guo S, Blanchard JMF (eds) *Harmonious world and China's new foreign policy*. Rowman & Littlefield, Lexington, pp 39–63
- Radler D (2004) National sovereignty—a burden on the shoulders of European members? *The Sphere of Politics* 112:28–32
- Risse T (2003) Sovereignty puzzles: a comment on Keohane. In: Weiler J, Begg I, Peterson J (eds) *Integration in an expanding European Union: reassessing the fundamentals*. Blackwell, Oxford, pp 335–338
- Schrijver N (2000) The changing nature of state sovereignty. In: *The British year book of international law 1999*. Clarendon, Oxford, pp 69–70
- Stetter S (2004) Cross-pillar politics: functional unity and institutional fragmentation of EU foreign policies. *J Eur Public Policy* 11(4):720–739
- Veen E (2007) The valuable tool of sovereignty: its use in situations of competition and interdependence. *Bruges Political Research Papers* (no. 3)
- Werner WG, de Wilde JH (2001) The endurance of sovereignty. *Eur J Int Relat* 7(3):283–313