MIXING INTERGOVERNMENTALISM AND GOVERNANCE IN BRUSSELS AND BEIJING

A comparison of the impact of China and of the EU in world affairs

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Abstract

While both the European Union and China engage with their partners in world affairs through a mix of intergovernmental bargaining and governance mechanisms, typically the EU is perceived as exercising its power through governance, especially by rule and norm projection (the so-called Brussels effect). By contrast, China's power is generally understood as intergovernmental in nature (reference is often made to Chinese attachment to traditional notions of sovereignty). But are the EU and China truly as different as conventionally understood? This research project explores this question by comparing the modalities of EU and Chinese engagement with other countries. It examines their use of intergovernmental methods, both bilateral and multilateral, and the use of governance methods, such as norm and regulatory diffusion or the engagement of non-governmental actors, in external relations. The main finding is that there is enough of intergovernmentalism and governance in the EU and Chinese strategies to make it difficult to classify the one as a primarily intergovernmental actor and the other as one that uses primarily governance. Hence even though their specific modalities may vary, China and the EU are not fundamentally different.

Introduction

The European Union and the People's Republic of China are conventionally understood as two very different entities, yet they use surprisingly similar methods to influence the behavior of other actors in international affairs. On the one hand, they both bargain with national governments in intergovernmental organizations and fora. For example, the EU plays a key role in the World Trade Organization (Stone 2011), and it participates actively in the Group of Seven (G7), while China is active in the Shanghai Cooperation Organization and the Asia Pacific Economic Cooperation (Christiansen 2016). Both partake keenly in the United Nations (Junbo & Zhimin 2016). And, on the other hand, both use governance mechanisms (Risse 2011) to affect change in other countries. For example, the EU is known for deliberately trying to spread the acquis communautaire and its values to its immediate neighborhood through projects and initiatives that engage sub-national governments (Freyburg 2014; Sandra Lavenex 2014) and civil society organizations (Kourtikakis & Turkina 2015; Turkina & Kourtikakis 2015) in partner countries, while the literature has also recorded Chinese attempts to spread its own norms in the Mekong region, where it has not been very successful (Yao, Qiao-Franco, & Liu 2021), and in Africa, where it has been relatively successful (Hodzi 2018).

While intergovernmental and governance mechanisms are used by both the EU and China in their external relations, there is a commonplace assumption that China prefers intergovernmentalism more than governance, and the EU governance more than intergovernmentalism. China's insistence on the respect for the principle of national sovereignty in its foreign policy (Chen 2016; Junbo & Zhimin 2016) and the EU's normative (Manners 2002) and market power (Bradford 2020; Damro 2012) are conventionally presented as evidence of these fundamental tendencies. This paper explores how accurate

this assumption is. Hence, the paper compares the impact of these two world powers on their immediate and global external environment rather than explore the relationship they have with each other, which understandably has been the emphasis of the literature on China and the EU so far (Van der Hast & Halbertsma 2017; Wang & Song 2016b). This comparison can help us better understand how the EU and China wield influence, so it is of potential interest both to scholars who study the EU and scholars who study China.

There are three similarities between the EU and China that make this comparison justified. First, the source of their power is their importance for the global economy. The EU represents the third largest economy on earth in purchasing power standards, while China is the first, and it is considered the "workshop of the world." The second similarity is that both are known for representing distinct values, which they are willing to defend and promote rigorously in international affairs. In fact, the EU and China have been described as cultural communities (Jorgensen & Wong 2016). Indeed, the EU is seen often as a leading proponent of free markets and liberal democratic values while China as a defender of more statist and, as critics would put it, authoritarian values and practices. The third similarity is that neither relies heavily on its miliary capabilities to project power – at least not yet. For example, EU member-states have been struggling with integration in defense and they continue to depend heavily on NATO and the USA for their security, despite all the loud French calls for strategic autonomy. And China, despite major investments in military equipment and technology, is still far from being the dominant militarily power in the Pacific Ocean, let alone in other parts of the word. This may change as China is strengthening itself militarily, and it is possible that stronger military cooperation is upcoming in Europe because of the security concerns raised by Russian-Ukrainian war. Yet in the absence of overwhelming defense capabilities China and

the EU still rely primarily on intergovernmentalism and governance to shape developments in their immediate region and beyond.

The EU, China and Intergovernmentalism

The existing literature has not attempted a direct comparison of Chinese and EU deployment of intergovernmentalism and governance methods. Yet, we know enough about these two powers and their external relations practices to discuss them comparatively. Let us begin with intergovernmentalism, which refers to interactions between national governments, such as bargaining in multilateral fora or negotiating bilateral agreements. First, we know from the literature that both China and the EU are committed to multilateralism, a core principle of the current global order. There was, of course, never any doubt about the EU's commitment, since the EU was one of the main authors of this order along with the United States. China's position is more nuanced. While it is committed to multilateralism in principle, it is simultaneously challenging the way it is currently being practiced. China wants a "multifaced" order in which non-Western countries play a more salient leadership role by, among other things, promoting international organizations that better align with their interests (Eilstrup-Sangiovanni & Hofmann 2020). For example, China is more supportive of the G20 (in which it participates) than of the G7 (in which it does not participate, while the EU does), it is suspicious of the Bretton Woods institutions, it set up the Asian Infrastructure Investment Bank, and it is a member of several multilateral organizations that exclude the EU, such as the Shanghai Cooperation Organization and Asia Pacific Economic Cooperation (Christiansen 2016). In fact, the perceived weakening of the EU as a result of the sovereign debt, migration and rule of law crises has created a strategic opportunity for the Chinese political elite to promote multilateral institutions that reflect Chinese preferences,

rather than to dismantle the global order altogether, as China has benefited from this order (Chen 2016).

Second, China's challenge of existing multilateral practices is not only strategic but also principled. There is a fundamental normative difference between China and the EU. Junbo and Zhimin (2016) sum up this difference as a contrast between EU support for a *rules-based order*, in which rules often take precedence of sovereignty, and Chinese support for a *sovereignty-based order*, in which national sovereignty is sacrosanct. Christiansen (2016) further elaborates that for the EU multilateralism is a method of proactive engagement with multilateral institutions and endorsement of binding rules, while for China it is a more traditional diplomatic approach for working with other countries, often with the aim of balancing the United States.

Furthermore, both China and the EU employ bilateralism, another form of intergovernmentalism, in their relations with national governments in their respective regions and around the world. Bilateral relations are a key element of every country's foreign policy, so it is not surprising that China has an extensive web of bilateral relationships with other governments, but Hammond and Jing (2017) argue that bilateralism is one of the three *core* Chinese strategies of engaging with the world, alongside the depoliticization of its external policies (by, for example, focusing on trade matters rather than on controversial political issues, such as human rights) and setting clear red lines on issues it has strong preferences about.

The EU has also developed a wide range of bilateral relationships with countries around the world in the form of trade agreements, strategic partnerships, or security agreements, even though it is not a nation state and despite its strong commitment to multilateralism that we discussed earlier. Moreover, the original European Commission

Delegations in national capitals around the world, and the eventual establishment of the European External Action Service, have been pivotal developments for managing bilateral relations between the EU institutions and the governments of partner countries. Lastly, it worth noting that bilateralism has taken an interesting twist in EU external relations, as it often takes the form of interregional agreements that establish bilateral relationships between the EU and regional organizations in other parts of the world, such as Mercosur in Latin America (Meissner 2018) or ASEAN in Southeast Asia (Heiduk 2014).

Hence, in a world where intergovernmental relations are in flux, with some scholars arguing that multilateralism is still a prevalent feature of the global order (Eilstrup-Sangiovanni & Hofmann 2020) and others that the world in moving in a direction where bilateral relations are becoming the norm (Copelovitch, Hobolt, & Walter 2020) the EU and China have both multilateral and bilateral strategies in place for dealing with upcoming challenges.

The EU, China, and Governance

Let us now shift our attention to governance mechanisms. In this section, we explore how the EU and China employ them in their external relations. Before we proceed with this exploration, however, it worth taking a step back to discuss what governance is, as the concept has been used to explain political interactions in a variety of settings, in each one of which it manifests in different ways that may seem disparate. For example, Peters and Pierre (2016) and Kooiman (2003) have examined governance primarily in the domestic politics setting, while Zürn (2013); (2018) in a global setting. The literature on the EU is also replete with explanations of European integration from a governance perspective (Hooghe & Marks 2001; Kohler-Koch & Rittberger 2006; Sabel & Zeitlin 2010).

Risse (2011) provides a definition of governance that best encompasses the diverse variations of the concept. More specifically, he approaches governance as an arrangement that emerges in instances of limited statehood. These "instances" can take three main forms: geographic areas, policy areas or periods of time. The important common thread that makes all those instances part of the same genre is that in all these cases governments experience loss of sovereignty. Those instances, Risse argues, are so prevalent that they constitute, in fact, the norm, and they can emerge in a national, regional, or global setting.

The common challenge governments face in all these instances of limited statehood is delivering public goods or creating binding rules. To overcome this challenge, they work with private actors, which can be either for-profit or non-profit organizations. This can happen either in the "shadow of hierarchy," namely under government regulation, and, interestingly, even without any type of government involvement and supervision. Alternatively, collective goods can be delivered through transgovernmental collaborations among sub-national government actors, such as government agencies (Bach & Newman 2010; Raustiala 2002). And lastly, national governments can work with other national governments in a regional or global governance framework.

Risse's definition encompasses the concepts of multilateralism and bilateralism that we discussed earlier in the paper: multilateralism and bilateralism are variations of what governments do under conditions of limited statehood to deliver public goods at a regional and global level. Since we already examined how China and the EU use multilateral and bilateral channels to work with other governments and international organizations in the context of global governance, it is worth exploring here how much they rely on governance mechanisms that involve synergies with non-state actors and among sub-national governmental actors for delivering collective goods. For this reason, and to avoid confusion,

when we use the term governance mechanisms, we refer to this type of governance. Furthermore, we need to clarify that in this case that the collective good is the accomplishment of a foreign policy objective.

There is one potential issue that we need to address before we proceed any further: while for European political systems the distinction between state and private/non-state actors is generally clear, in the case of China, as well as in many other countries of the developing world, this distinction is not always easy to make (Risse 2011). To be sure, the distinction can be difficult to make even in some European political systems, but it is especially challenging in the case of China, where the border between the public and private sphere is especially fuzzy. For example, in a recent article, Stone, Wang, and Yu (2022) find that China uses foreign direct investment by its state-owned enterprises as an instrument of foreign policy, to influence other countries' political decisions in the United Nations General Assembly and Security Council.

Yet, since the use of governance mechanisms in foreign policy involve some type of cooptation of non-state actors by state actors, the difference between what China does and what the EU does can be understood as one of degree of cooptation, rather than a fundamental difference of strategy. To understand this further, let us consider previous research on EU external relations, which has demonstrated that EU institutions deliberately engage non-governmental organizations (NGOs) in EU partner countries by financing networks that connect those NGOs with European ones. In this way, EU institutions accomplish several EU external relations goals, such as spreading European norms and practices to neighboring countries (Kourtikakis & Turkina 2015; Turkina & Kourtikakis 2015) or to coordinate on economic policy (Kourtikakis, Turkina, & Postnikov 2020).

Is what the EU is doing with those networks fundamentally different from what China does with foreign direct investment by state-owned enterprises? One can argue that it is not. The degree of cooptation by the state is undeniably different in the two cases. European NGOs are not state-run or state-owned. But the recruitment of what would generally be considered as actors that would be active in the private spheres of the market or civil society is a strategy, which we can call a governance mechanism, that the EU and China have in common. Hence, the mechanism is similar, but the degree of cooptation differs significantly.

With the above definitions and caveats in mind, we can now proceed with the examination of governance mechanisms the EU and China employ in their external relations. How much do they use non-state and sub-state actors in their external relations? Let us begin with the EU. There is an extensive literature on what has been termed external EU governance (Börzel & Risse 2015; Sandra Lavenex & Schimmelfennig 2009; Schimmelfennig & Wagner 2004), which analyzes the methods through which the EU fosters synergies with a variety of sub-state actors in partner countries, some of which are private and some public. The literature on NGO networks that we referenced a little earlier in this paper falls under this line of research (Kourtikakis & Turkina 2015; Kourtikakis et al. 2020; Turkina & Kourtikakis 2015), and so does the literature on transgovernmental relations, that is, relations among a variety of subnational governmental actors (Freyburg 2011; Freyburg, Lavenex, Schimmelfennig, Skripka, & Wetzel 2009; Sandra Lavenex 2015; Sandra Lavenex, Lehmkuhl, & Wichmann 2009).

A common thread in this literature is that the EU relies on these synergies to shape the domestic political and economic environment in partner countries. It does so by encouraging substate actors in those countries to adopt institutions, policies, and norms from the EU. A very powerful resource for the EU in this effort is the *acquis communautaire*, which

codifies EU norms and practices. The EU then uses some type of conditionality, which includes some type of access to the single market in exchange for reforms. Or it can involve some process of learning and persuasion, by which actors in the partner countries are socialized in European norms, institutions, policies, and practices.

The use of these governance mechanisms in EU external relations is not surprising. It fits well with the practices of European integration, which constitutes a deliberately engineered system of limited statehood: inside the EU, member states *share sovereignty* with each other and with EU institutions. Hence, over the years governing inside the EU has relied increasingly on the engagement of EU institutions with a variety of societal and subnational actors and on the development of practices of coordination and compromise among national governments, rather than on a top-down, command and control hierarchical system of authority with EU institutions at the top of the hierarchy. This system of governance supports and encourages the transfer of norms, institutions, and policies among the state and non-state actors involved (Böhmelt & Freyburg 2015; Héritier 1996; Kourtikakis 2010). External governance is a natural extension of these internal EU practices.

Yet, the EU's external governance powers are limited by geography and by sector. More specifically, the EU's power to influence its international partners with governance mechanisms is restricted to countries that surround it geographically, which the EU has tried to engage with its European Neighborhood Policy. By sectoral limitation we mean that this influence tends to be restricted to the economic sectors, as for example when the EU signs partnership agreements with third countries or negotiates in the World Trade Organization, all of which involve access to the EU single market, rather than other areas of policy, such as military security or law enforcement.

What about China? There is evidence that governance mechanisms as understood in this paper are deployed inside China in several sectors, including in urban and regional development (Lizhu, Fung-Shuen, & Guicai 2014; Luo, Shen, & Gu 2014), healthcare (Nie & Fan 2021), and education (Dong, Maassen, Stensaker, & Xu 2020). In these cases, the Chinese national government encourages partnerships and collaborations between regional governments and several types private or semi-private actors, such as hospitals and universities, in delivering public goods. However, these governance mechanisms tend to be employed on a much more limited scale than in the EU, as the Chinese state tends to centralize its functions. Also, there is no involvement of civil society organizations in Chinese internal governance. Consequently, the use of governance mechanisms inside China is quantitively and qualitatively different from governance inside the EU.

The different experience with governance internally in China is reflected on its external relations. Yet, there are reasons to believe that it could exercise external influence through governance mechanisms, and that it might follow the EU regional and sectoral patterns. That is because, when we think about collective action at the global or regional level, governance is less intrusive for the resolution of collective action problems than the creation of common regional institutions and therefore more palatable to Asian countries (Murray 2010). In fact, Asian countries, including China, are less likely to commit to military alliances, like NATO, or to authorize supranational institutions to make collective economic decisions, like EU institutions do. In other words, generally governance fits well with what Jetschke and Murray (2012) call "cognitive priors" in Asia, such as non-interference, respect for sovereignty and territorial integrity. Therefore, the regional conditions are conducive to the deployment of Chinese governance mechanisms. Yet, China has been unable to create its version of the European Neighborhood Policy or other similar regional initiatives, mainly because of its

involvement in a number of territorial disputes with neighboring countries, including India, Japan, the Philippines and Vietnam (Wang & Song 2016a). As a result, it has focused its efforts on the countries of the developing world more broadly, with a particular focus on Africa. This strategy has been successful in Africa, at least from a public perception perspective, as China has managed to be better known among African populations in a short amount of time and despite the EU's decades long engagement in the continent (Keuleers 2015). Hence, China also exercises governance regionally like the EU, but unlike the EU its focus has not been its immediate neighborhood, but rather further afield.

Let us now consider the type of governance practices used by China in its external relations. There are some similarities but also significant differences with the EU in this respect. As a volume edited by Wouters, Defrainge, and Burnay (2015), which examines the relationships between China and the EU with different parts of the developing world in detail, makes clear, Chinese influence is exercised primarily through three methods: trade, foreign direct investment, and development aid. While these methods are also used by the EU to engage with partner countries, the biggest difference between the EU and China is that the former uses conditionality, as we discussed earlier, while the latter doesn't. China also does not try to teach its partner countries its own values and practices, at least not in an overt way. Motivated by the principles of non-interference and respect for national sovereignty, which have deep roots in Chinese politics due to its own painful experience with colonialism (Defrainge 2015), China consistently refrains from attaching normative or other conditions to its trade agreements and aid or investment commitments.

Yet, the absence of conditionality from Chinese investment, aid, and trade relations does not mean that Chinese ideas and interests do not affect practices inside China's partner countries. Chinese investment and aid affect the domestic political and economic

environment inside those countries in more indirect ways. For example, we know that the extensive investments by Chinese companies in sub-Saharan Africa affect labor standards and practices, usually by lowering them, even though that depends on the country and the sector (Ofosu & Sarpong 2021). Also, the flagship Belt and Road Initiative, which involves the investment of Chinese capital in an increasing number of countries in the developing world, can spark regulatory and institutional reforms as governments try to attract funds (Khan, Weili, & Khan 2022) and it can lead countries to adjust their carbon emissions strategies (Sattar, Hussain, & Ilyas 2022).

Hence, we can draw two main conclusions from our comparison of the use of governance mechanisms as instruments of foreign policy by the EU and China. The first is that the EU tends to apply those mechanism primarily to its immediate geographic neighborhood, while China is open to engaging with the developing world more broadly. And second, while market access, transgovernmentalism and civil society engagement constitute the pillars of the EU's governance strategy, China relies heavily on investment to effect change and accomplish its goals. Instead of encouraging city officials and civil society leaders to work with each other or including good governance provisions in free trade agreements, as the EU does, China employs the economic weight of its corporate champions and the legion of other companies that invest in projects and initiatives around the developing world. China does not include language on environmental, labor or good governance standards in its investment and trade agreements, but interestingly partner countries adapt to Chinese preferences through the market.

Conclusions

In this paper, we set out to find out how China and the EU mix two ingredients in their external relations: intergovernmentalism and governance. The overall conclusion is that, as most scholars and analysts would expect, China relies more on intergovernmentalism, both in its bilateral and in its multilateral variation, than on governance, while the opposite is true for the EU. As we sought to demonstrate, this reflects these two actors' own history of institutional development, their values and their preferences for engagement with their partners.

But there is enough of both ingredients in both the EU's and China's strategies to make it difficult to classify one as an intergovernmental actor and one as a governance actor. Both ingredients are important for both actors. This is consistent with recent research on how countries decide between intergovernmentalism and governance. As Grigorescu and Baser (2019) have found, intergovernmentalism, such as joining international organizations, give governments more say in producing collective goods, while governance allows them to have a more hands off approach and let non-state actors take a more active role. Hence, instead of thinking that China or the EU need to select the one or the other, it is perhaps more useful to think of intergovernmentalism as two items on a menu that actors choose to combine in different quantities depending on what they want to accomplish in their foreign policy. The EU and China are not different from each other in this sense.

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