

## The EU's self-representation as a normative power and its relations with China – the old debate or the beginning of the new one?

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### **Abstract**

The development and deepening of relations between the EU and China has been accompanied with the growing literature on this topic, including the questions pertaining to the EU's values, such as human rights and democracy. More particularly, the commentators frequently label the EU's self-representation with reference to values as an 'empty speech' that has nothing to do with the reality on the ground. They criticize the EU's policies towards Beijing for fulfilling member states' economic and security interests and indifference to values.

This article argues that the picture of the role of values in relations with China, prevailing in a scholarly world, is fragmentary. It is claimed that values are generally treated as a factor causing or not causing an action, while the other important function of values, i.e. justifying/legitimizing, has been neglected. In order to advance this argument, the article starts from the stock taking of the approaches to values in the literature on EU-China relations. This is followed with the discussion about the possible future methods for the analysis of the role of values in EU's relations with China in particular and EU's external relations in general, which would allow for the inquiry into the communicative processes in which the justifying/legitimizing functions of values manifests itself. It is suggested that the more interpretative approaches, including discourse analysis may offer the fruitful avenue.

*Keywords:* EU in the world, EU-China relations, values, normative power, discourse analysis

## **Introduction: the EU's self representation in the scholarly assessment of the EU's relations with China**

The European Union describes itself as an actor whose foreign policies are conducted in agreement with certain principles (principles and ideas will be used interchangeably with values). It applies a long list of different values, including civil, political, economic, social and cultural rights to construct its own identity on the international stage. The European Union External Action Service points to promotion and defense of human rights as one of its main goals and labels human rights, democracy and the rule of law as its 'core values'.<sup>1</sup> In Lisbon Treaty, it is underscored that the 'Union's action on the international scene shall be guided by (...) democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principle of the United Nations Charter and international law' and those values are considered as the principles 'which have inspired' the creation and development of the Union (The Lisbon Treaty, Art. 21).

This declaration made by the European Union with respect to its normative qualities in foreign policies, has received great attention in scholarly circles. Scholars entered the debate whether the EU can be described as a normative power (I. Manners 2000, 2002). According to the most articulate proponent of this notion, Ian Manners, the EU's external relations are 'informed by, and conditional on, a catalogue of norms' (I. Manners 2002: 241). In the analysis of the Treaty on European Union (TEU), he suggests that the 'EU is founded on and has as its foreign and development policy objectives the consolidation of democracy, rule of law, and respect for human rights and fundamental freedoms' (I. Manners 2002: 241). In other place, the same author lists the nine principles 'which both constitute, and are promoted by' the EU, including: sustainable peace, freedom, democracy, human rights, rule of law, equality, social solidarity, sustainable development and good governance' (I. Manners 2008: 66). Besides a small group of proponents of the notion of normative power, the EU's self-representation with reference to values in most instances meets with severe criticism. It is particularly the case when it comes to the EU's relations with China. The commentators criticize the EU's policies towards Beijing for fulfilling member states' economic and security interests and indifference to values.

The objective of this contribution is twofold. The first section, after the short introduction to the arms embargo issue, will offer a brief overview of the literature on the role of values in EU-China relations. The goal would be to demonstrate that the assessment of the role of values in EU's policies towards Beijing is based mostly on the set of popular assumptions about the role of values in international relations and does not result from the in-depth analysis of the work of values. As the examination of the rich body of literature on this topic is beyond the scope of a single article, I will look at the treatment of values in the studies dedicated to one issue in the EU-China relations – the arms embargo on China. The questions whether to lift the European ban provides a valuable case study for our purposes as it sparked a number of hot international debates on the role of values and norms in EU's relations with China. In the second section, I will propose the analytical framework that will supply the traditional approaches to values with the new insights. Additionally, I will demonstrate

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<sup>1</sup> European Union External Action Service, Human Rights, Available at: [http://eeas.europa.eu/human\\_rights/index\\_en.htm](http://eeas.europa.eu/human_rights/index_en.htm), last visited: 7 March 2012. 2 The Lisbon Treaty, Chapter 1: General Provisions on the Union's External Action, Article 21. 3 European Union External Action Service, Human Rights, Available at: [http://eeas.europa.eu/human\\_rights/index\\_en.htm](http://eeas.europa.eu/human_rights/index_en.htm), last visited: 7 March 2012.

several directions in which the analysis of the embargo may develop if we attempt to examine the work of values instead of making assumptions on their role in international relations.

### **Background: the arms embargo debate**

The European Council imposed an embargo on arms sales to China at meeting in Madrid on June 27, 1989 (European Council 1989). With the ban, and other sanctions, it condemned the use of force by Chinese government against demonstrations calling for political reforms on Tiananmen Square. The reestablishment of relations between Brussels and Beijing began already from the beginning of the 1990s and by 1992 they were fully normalized (J. Hellström 2010: 14). All the sanctions imposed on China by Madrid Declaration of 1989 were gradually lifted, except the arms embargo.

In 2003, the French President Jacques Chirac and the German Chancellor Gerhard Schröder proposed lifting of the ban (J. Dempsey 2005). The issue became the topic of intense discussions among the EU's member states, as the agreement of all of them was required to overturn the embargo. Sweden, Ireland, Denmark, the Netherlands and the European Parliament were concerned about China's human rights record and stability in the area, especially in the Taiwan Straits. Germany, France, the UK, Italy and the Commission were mostly supportive for the initiative of lifting in the beginning of the debate, while Czech Republic, Poland and, in the later stage of the debate, the UK expressed their objections. The debate turned into a contentious international issue where not only China and Taiwan but also the US and Japan tried to influence the EU decision makers. It continued to be a hot topic on the EU's agenda in the following year. On 26 January 2004, EU foreign ministers opened initial talks aimed at lifting the ban (General Affairs and External Relations Council 2004). During the European Council's meeting on 16-17 December 2004, the European leaders reasserted their intention and announced that it should be lifted in the spring of 2005 (European Council 2004). However, since mid-2005, the debate silenced and the EU's arms embargo on China (called further: arms embargo, embargo) remains in place till today (S. Weisman 2005).<sup>2</sup>

The issue of arms embargo hardly ever is treated as solely of strategic and military importance for the European Union.<sup>3</sup> The hot debate whether to lift the ban that took place among the politicians and public evolved around the question of 'European values' in EU's relations with China. Americans criticized the lifting of the ban not only because it meant relaxation of the arms export policies, but also because it was recognized as a step towards abating human rights policies (K. Archick, R.F. Grimmett, S. Kan 2005: 2). The Representatives of the Congress stated clearly that leaving of the arms embargo in place would mean that the EU sticks to its human rights policies, while lifting of the ban, would have the opposite effect and additionally would 'support China's military buildup and threaten U.S. security interests' (H. Hyde 2005). In public discussions, the termination of the embargo became synonymous with the sacrifice of European values in exchange for economic benefits. For commentators in Europe, the EU's decision whether to lift the ban, mainly involved choice between promotion of values of human rights and democracy towards China on the one hand and economic interests in relation with the powerful Asian partner on the other. As one of the Members of the European Parliament (MEPs) put it, lifting of the

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<sup>2</sup> Jerker Hellström notes that the embargo became a sensitive issue to the extent that the European side avoids it to a great extent unless it is brought up by China, in: J. Hellström 2010: 34.

<sup>3</sup> For the in-depth analysis of the arms embargo within the framework of EU – China strategic and military relations, see: I. Anthony 2005.

embargo was for the public opinion like “telling the Chinese, ‘You are making a wonderful job of things. Carry on arresting people for speaking their minds; it doesn’t bother us a bit. We are prepared to do any kind of business with you!’” (Daniel Cohn-Bendit 2003).

While the embargo issue sparked hot international debate on the role of values and norms in EU’s policies towards China among the politicians and in media, the scholarly approach to this topic seemed to downplay the role of values. The following paragraphs identify the main points made by scholars in their studies on arms embargo with regard to (a) the motives standing behind the decisions and policies on China made by the member states and the EU and (b) the channels through which values ‘make it’ into the EU’s policies on China.

### **Stock taking of the approaches to values in the literature on arms embargo**

#### *(a) The motives: do values serve as an explanatory factor?*

There is a general agreement in the scholarly accounts of the debate that when it comes to the EU’s relations with China, the economic interests of the member states prevail over values. In the case of arms embargo, this claim is supported by three arguments. First, the authors point, that the arms embargo, even it established to protest against the violations of human rights and democracy, does not stop member states from selling their arms to China.<sup>4</sup> Thus, the Europeans realize their economic interests instead of standing for their values. The scholars agree that the embargo is ‘weak and largely symbolic’ (K. Archick, R.F. Grimmett, S. Kan 2005: Summary; J. Hellström 2010: 7). In their opinion, as long as defense-related exports to China from the EU’s member states take place, and the statistical data shows that exports of military equipment have increased from the EU to the PRC since the establishment of the embargo, the ban cannot be considered as an effective measure (G. Austin 2005: iii).<sup>5</sup> They explain that it was imposed in the form of declaration, which is not binding under international law but has the form of recommendation (J. Hellström 2010: 7). Its language is rather general and it does not specify the arms banned from sale (R.F. Grimmett 2005: 1; J. Hellström 2010: 7). Consequently, each member state interprets the Madrid Declaration in a different way and usually very narrowly to cover only limited number of items (J. Kreutz 2004: 5; K. Archick, R.F. Grimmett, S. Kan 2005: 20; R.F. Grimmett 2005: 1, S.C. Tang 2005: 318). Additionally, there are no control mechanisms for arms exports on the EU level (J. Hellström 2010: 39).

The commentators demonstrate, that the impact of the arms embargo on the European arms sales to China is not impressive either when compared with other EU’s mechanisms to control trade in arms, such as embargoes imposed on other states, which are legally binding and regularly reviewed. Additionally, the arms embargo cannot be counted as a principal mechanism to govern member states military sales to China. Instead, the export licensing of member states on arms sales to Beijing is regulated by a number of rules, including the national rules or the European Code of Conduct on Arms Exports transformed into the legally

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<sup>4</sup> With the exception of Greg Austin suggests that ‘as far as the restriction of arms exports to China goes, the EU has been rigorous’. However, author seems to suggest that this rigor is not a consequence of arms embargo. Instead, he explains that ‘when export licenses sought by China are refused by a member state, there is not always an indication to which set of restrictions the refusing state was applying: either to national legislation, the EU Code of Conduct on arms exports or the 1989 ‘arms embargo’’, in. G. Austin 2005: 9.

<sup>5</sup> For the interpretation of the arms embargo by the UK, France, Germany, Sweden and Czech Republic, see: J. Hellström 2010: 22-25, for the data on increasing arms exports from EU to China, see: J. Hellström 2010: 26-27.

binding EU Common Position in 2008.<sup>6</sup> Among them, the only legally binding EU's document, which regulates arms sales to China is the above mentioned EU Common Position on Arms Exports of 2008 and in opposition to arms embargo, the member states should abide by its criteria (J. Hellström 2010: 20, 38).

Summarizing, the ineffective embargo represents a 'political commitment' with no practical but only a symbolic effect. Greg Austin goes further and denies even the symbolic effect of the ban, while writing that 'the symbolic effect of this last remaining sanction on the attitudes of Chinese leaders to domestic political order has been zero' and claiming that it has no impact on the Chinese human rights policies (G. Austin 2005: iv, 20). The same author states that even if the embargo was supposed to send a signal to Beijing on the stance of Western states on human rights, it did not work mainly due to their 'large-scale and intensive economic relationship' with China (G. Austin 2005: iii). For the author, the ban constitutes a 'pointless policy' (G. Austin 2005: 4).

Second, the authors claim that the proposal to lift the ban was made by some member states and later by the EU's institutions as they had economic gains from the trade with China in prospect. It is suggested that Europeans expected growth of profits from the increased sales of arms and in the longer run, from the lucrative contracts waiting for European firms due to the improvement of relations between Beijing and Brussels in a result of the termination of the ban. For the commentators, those economic considerations within the EU attest to the neglect of 'European values'. The authors additionally highlight that the lifting of the ban constitutes a threat not only to the values promoted by the EU, but also to values shared with the US. As example may serve peace and democracy, which in the South-East Asia and particularly across Taiwan Straits is secured by the US, since the export of the European advanced technologies to China enhances Beijing's military build-up.

Third, the authors explaining the motives standing behind proposal to lift the ban point to the role played by the Chinese side.<sup>7</sup> They observe that Chinese officials refer to the embargo as 'political discrimination', 'a product of the Cold War era and completely outdated'.<sup>8</sup> For Beijing the arms embargo constitutes the source of embarrassment. They highlight that the EU's justified the proposal to re-examine with the claim that the ban does not match the reality of deepening relations between Beijing and Brussels. While the relationship has been described by the EU as a 'strategic relationship', the embargo classifies the PRC in one group with repressive regimes of Zimbabwe, Sudan and Burma/Myanmar as they are also subjected to the EU's embargo (N. Casarini 2006: 31, J. Men 2007: 12). The PRC used every opportunity to express its discontent with the ban and to put pressure on the European counterparts to lift it.<sup>9</sup> According to Shao Cheng Tang, the Chinese started their 'campaign' against the ban in their contacts with Europeans since the issue of the first-ever Chinese 'Policy Paper on the European Union' (S.C. Tang 2005: 318). It is explained that the EU

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<sup>6</sup> Richard Grimmett includes in the list Regulation (EC) no 1334/2000 setting up a Community Regime for the Control of Exports of dual-use items and technology and Common Position 2003/468/CFSP on the Control of Arms Brokering. In: R.F. Grimmett 2005: 4.

<sup>7</sup> Jerker Hellström notices that the first official request to lift the embargo was made by China in 2000 and it was repeated three years later in China's first policy paper on its relations with the EU. Later on during the debate, the increasing number of member states expressed support for a lifting mainly due to Chinese lobbying. In: J. Hellström 2010: 15-16.; China Ministry of Foreign Affairs (2003) *China's EU Policy Paper*, 13 October 2003.

<sup>8</sup> J. Hellström 2010: 41, citation of Premier Wen Jiabao in Xinhua (2004) 6 December 2004.

<sup>9</sup> As for example the 30th Anniversary of EU-China Diplomatic Relations, Press Release (2005) 'EU-China Ministerial Troika in Beijing to mark the 30th Anniversary of EU-China Diplomatic Relations', 11-12 May, IP/05/548, 10 May. In: S.C. Tang 2005: 315.

gives into this pressure exercised by Beijing expecting economic rewards from China in return.

Summarizing, authors of the scholarly literature discern two main motives standing behind the decisions and policies of the member states and the EU with respect to arms embargo: a) gains from the sales of arms and b) economic interests from the improved access to the Chinese market for European firms. Saying this, the authors do not inquire in the role of values. *Instead, they assume, that if the motives standing behind the decision are in the form of economic interests, values do not exercise any influence. In other words, they treat values and interests as mutually exclusive.* In several studies, this treatment of interests and values is stated explicitly. Joakim Kreutz writes about the ‘clash’ between strategic interests and values in the case of arms embargo. The same author writes that ‘since the Tiananmen events, EU policy towards China has been torn between reports of poor Chinese human rights records and an interest in participating in the economic developments in the Far East’ (J. Kreutz 2004: 7). Frans Van der Putten from the very beginning of this article is clear that values should not be taken into account as an explanatory factor. He decides to focus only on ‘those problems in the arms embargo debate that relate to international security’ and thus, not to inquire into human rights on the grounds that they are not important for the security in the area (F. Van der Putten 2009: 5).

*(b) The channels through which values become efficient in the future decisions and policies*

The explanations of the arms embargo debate focuses on decisions and actions of the most powerful participants, including the US, Germany, France and the Council of the European Union. The three most popular explanations given for the silencing of the debate may serve as an example. First, it is argued that Europeans had no choice but to stop the discussion due to the American strong pressure, second, because of the Chinese Anti-Secession law, third, due to the Angela Merkel’s success in Germany.<sup>10</sup> In the first instance, the authors highlight that the United States, from the very beginning of the debate, opposed an end to the embargo for two main reasons. Firstly, the Bush Administration saw the increased sales of Europeans arms as a possible threat to US security interests in the area of East Asia and particularly when it comes to Taiwan (F. Van der Putten 2009: 6). Secondly, Washington expressed concerns that human violations that constituted the basis for the imposition of the embargo in 1989, still take place in China (K. Archick, R.F. Grimmett, S. Kan 2005: 8) According to Jerker Hellström, this pressure from the US constitutes the ‘predominant reason why the EU keeps the embargo (48 J. Hellström 2010: 7). Thus, the reason of certain EU decision on China rests in the pressure exercised by the strong international player – the US or, as in the second reason given for the ending of the debate, in the change in the leadership within the powerful member state – Germany.

Turning to the Anti-Secession law, it was adopted by Beijing on March 14, 2005.<sup>11</sup> It lists the number of peaceful ways in which the Chinese government is to pursue economic and political contacts with Taiwan and in one article sets out the conditions under which it would resort to force. It stipulates that the application of ‘non-peaceful means’ would be necessary in the case of Taiwanese secession from China. The authors, who point to the ‘anti-secession

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<sup>10</sup> See for example: J. Hellström 2010: 17-18. Shao Cheng Tang as one of the reasons for silencing of the debate additionally considers the ‘failures of the constitutional referenda in France and the Netherlands in June 2005’, in: S.C. Tang 2005: 313.

<sup>11</sup> ‘Anti-secession Law Affects E.U. Lifting of China Arms Ban’, ROC Central News Agency, published on 8 April 2005, available at: <http://www.globalsecurity.org/wmd/library/news/taiwan/2005/taiwan-050408-cna02.htm>, visited: 2008/3/23.

law' as the cause for the ending of the debate, explain that the Europeans could not propose lifting of the ban on sales of arms, which could be used against the American ally in the South East Asia. Thus, again the preferences that count are those of the most powerful players and additionally, they are security interests.

The other participants of the debate, such as for example, the European Parliament (EP) are scarcely mentioned. Although the EP's strong opposition against the lifting of the ban is noticed among commentators, it is not treated seriously. Greg Austin, for instance, mentions that the EP in its resolution of 14 April 2005, called the European Council not to lift the ban. However, while analyzing the factors that have an impact on the developments in the arms embargo issue, he does not consider the MEPs voice. Instead, he focuses on the importance of the pressure exercised by Washington (G. Austin 2005: 2). One of the explanations for this choice may be the fact that the EP generally used to be perceived as too weak in the area of foreign policy and particularly with respect to arms embargoes.

Besides the EP, several member states were opposed to the lifting of the embargo mainly on the grounds of the poor record of human rights and democracy in China.<sup>12</sup> Additionally, Joakim Kreutz observes that the NGOs, such as Amnesty International and Unrepresented Nations and Peoples Organization (UNPO) were involved in the debate and initiated public campaigns against the lifting of the ban. However, Joakim Kreutz does not develop the topic of the public debate and the input of NGOs and by doing so, he relinquishes the opportunity to examine their impact. (J. Kreutz 2004: 15). Neither the role of the member states that are against the termination is analyzed in the literature on embargo. Instead, the attention is given to the strongest players, including the US, Germany, France and the UK.

On the basis of this short overview of the literature on arms embargo, we can discern three assumptions about the world of international relations, which scholars applied in their studies of the arms embargo debate. First, the authors offer the materialist explanations of world politics. More particularly, they focus on the economic and strategic interests and on this basis evaluate the role played by values. In other words, counting the number of arms sold or pointing to the contracts signed by the German or French companies in China, they make assessments about the causative force or rather lack of the causative force of values. Second, they treat values and interests as mutually exclusive. Third, they take for granted that only preferences of the most powerful actors shape the final decisions of the European Union.

It becomes clear that the authors are informed by realists' traditions in two respects. First, they see the impact of ideas as secondary to material causes. The outcomes of world politics are ultimately dictated by economical and political interests of the states, since their main goal is that of utility maximizing for the realization of their interests (K. Waltz 1979, R.O. Keohane 1986, J. Goldstein and R.O. Keohane 1993: 5). Second, the scholars accept that preferences of actors, including the member states and the EU, are formed by those actors individually outside of the interaction context, and they enter the international stage with fixed preferences.

Those assumptions bring about considerable consequences for the understanding of the role of values. They oversimplify the agency of ideas and of human behavior. Starting from the agency of values, they force cannot be inferred solely from the observance of overt behavior, i.e. compliance or non-compliance (F.V. Kratochwil 1984: 686 and 1989: 32 and Chapter 4).

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<sup>12</sup> For the various positions among the member states, see: J. Kreutz 2004: 12.

Accordingly, the ideational factors cannot be treated only as ‘variables – be they independent, dependent, intervening, or otherwise’ – which impact is deducted from the examination of actors behavior (F.V. Kratochwil and J.G. Ruggie 1986: 768). Instead, they are more than only ‘causes’ for action. The role they play is more complex. Besides ‘causing’ or ‘not causing’ certain behavior as material factors do, they are relevant when politicians ‘make demands, rally support, justify action, ascribe responsibility, and assess the praiseworthy or blameworthy character of an action’ (F. Kratochwil 1984: 686). Thus, they serve for explaining and justifying actions (F. Kratochwil 1984: 705).

If we turn to human behavior, the assumption about ‘fixing’ of preferences before the actors interact on the international stage suggests that politicians within the EU do anything else but act according to the prerogatives established in the national forum beforehand. However, if we consider them to be rational in the sense that they wish to attain their goals and realize that they are never alone on the international stage, especially in the organization, such as the EU, we must admit that they also need to communicate. They have no choice, but to consider other participants of the game, including their plans, ideas, decisions, and at last but not the least, to seek others’ acceptance for their own plans. Regardless of how egoistic, deceiving and self-calculating politicians are, international politics is about interaction. As for the most part this interaction takes form of communication, it is in their best interest to become reflective and flexible to the degree of changing their own preferences. They do not only act together, but also need to explain their policies and actions to each other or express their opinions about decisions of other actors (J. Torfing 2005). And this is where they need values.

Thus, ideas do not ‘cause’ or ‘not cause’ actions, but fulfill the function not exploited by the above analyzed studies, which manifests itself in the communication. As long as power of values is decided through communication, their analysis should focus on dialogue between speaking and listening members and institutions of the EU.

Instead, the authors of the analyzed studies, due to the realists’ ontology of the social world, apply the positivist view on how to study it. They observe so called ‘facts’ about the embargo such as the material consequences of certain actions and decisions, but do not inquire into values, since they are not verifiable and cannot be observed. Instead, may serve politicians to manipulate and deceive. Consequently, even though the EU’s politicians in their argumentation for lifting of the ban avoid the reference to economic and strategic interests, scholars do not look at their justifications.<sup>13</sup> Instead, they seem to know better than politicians themselves what were they motivations, and claim that the proposal was made simply to increase arms sales to China or in hope for the improvement of economic relations with Beijing in general (J. Hellström 2010: 25).

In order to observe the work performed by values when the authors negotiate, bargain, justify or explain their actions, this work suggest that the discourse analysis would offer the most fruitful avenue for the analysis of the role of values in the debate on arms embargo. The choice of discourse analysis is highly justified as it provides a valuable method of obtaining strong insights into the social world within the organization, particularly into the processes, which lead actors to common decisions. It is believed that through directing our focus towards the analysis of communication, we should be able to inquire into the complicated process of ‘decision engineering’. The goal should be to show not *if* and *to what extent*, but *how* the values ‘work’ when they constrain actors and at the same time enable, when actors avail

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<sup>13</sup> The EU’s politicians try to assure the public that ‘the result of any decision should not be an increase of arms exports from EU member states to China’, in: Presidency Conclusions 2004: 14.



themselves of values. The argument is that the study of the communicative processes in which values are molded and interpreted can greatly enhance our comprehension of the intersubjective quality of values and of their role in the social world of the European Union.

In the following I will comment on several points made by the commentators on the issue of arms embargo with two goals in mind. First, I will demonstrate that they supply only fragmentary picture on the role of values. Second, I will shed the light on the possible new understanding of the debate that we can acquire with application of the discourse analysis.

### **The new perspective on the arms embargo debate**

*The embargo might not be as ineffective as many commentators claim.* First, the symbolic meaning of the ban cannot be neglected. For the authors, it is symbolic due to the fact that some member states sale their arms to China. Thus symbolic equals with ineffective. However, if we take the discourse perspective, we may understand symbolism in a very different way. If we remind ourselves that Beijing was quite successful in creating its identity as a ‘peaceful power’, the arms embargo reminding the violations of human rights and democracy by the Chinese government may constitute an obstacle faced by China to promote its peaceful face. Actually, in the Joint Statement from the 7<sup>th</sup> EU-China Summit of 2004, the Chinese side called the arms embargo a form of ‘political discrimination’, which should be ‘immediately removed’ (Council of the European Union 2004). Chinese Foreign Minister Li Zhaoxing while calling for lifting of the ban, labeled it ‘irrational’. Beijing frequently demonstrated its determination to see the end of the ban in between 2003 and 2005, even though it was not legally binding. Additionally, the general examination of the media reports shows, that Gerhard Schröder and Jacques Chirac started to express favor for a lift during their meetings with the Chinese politicians - the German Chancellor mainly during his visit to China between 1<sup>st</sup> and 3<sup>rd</sup> December 2003 and the French President, during his visit to China in October 2004 and during the Chinese President Hu Jintao three-day visit to Paris in January 2004.<sup>14</sup> This demonstrates that the government in Beijing pressed for lifting of the embargo, which constituted the source of its embarrassment. It can be thus recognized as the main addressee of the proposal to lift the ban. It thus means that the proposal to end the embargo was made due to its particular meaning created within the EU as well as within the Western public and would support the importance of its symbolic meaning for the actions of the EU’s decision makers towards China. Even if President Jacques Chirac and Chancellor Gerhard Schröder proposed the lifting having French and German economic interests in mind, in the first place, it was possible for both politicians to use the issue of arms embargo in attempt to achieve such interests due to the values associated with the ban. We can risk the statement that if not the symbolic meaning of the ban, the debate would have never taken place.

Even if Jerker Hellström (J. Hellström 2010) notices Chinese efforts to strengthen its own image as a responsible international actor, he does not acknowledge the existence of the link between such efforts and violations of human rights and democracy associated with the arms embargo. Instead, he points that China takes steps to improve its image in order to have the embargo lifted and in a longer perspective to limit the military gap between itself on one side and NATO and the US on the other. In other words, he focuses only on the material goal of

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<sup>14</sup> For the report on the German Chancellor’s visit to China in December 2003, see: *Deutsche Welle* (2003). ‘Schröder Calls For End To Arms Embargo Against China’, available at: [www.de-world.de](http://www.de-world.de), last visited: 17 October 2008, for the visit of the French President Jacques Chirac in Beijing in October 2004, see: *China Daily* (2004) ‘French Alstom signing US\$1.23 billion deals’, available at: [www.chinadaily.com.cn/english/doc/2004-10/10/content\\_380974.htm](http://www.chinadaily.com.cn/english/doc/2004-10/10/content_380974.htm), last visited: 17 October 2008.

the purchase of high- technology military equipment, but does not consider Chinese attempts to be recognized by others as a responsible international actor as important factor.

Greg Austin also agrees that the goal of embargo is to punish the target state by shaming it in the eyes of international community (G. Austin 2005: 3). However, it seems not to be the adequate reason to recognize the importance of certain values that make shaming possible or to ask about their effect when the embargo is imposed, because the author concludes, that the European ban on China is a ‘pointless policy’. He adds that the only effect it has is that it makes the imposing state ‘feel good’ or ‘appease domestic opinion’. The question arises, whether those two effects are as pointless as he claims. In the case of the arms embargo it can be suggested that the voice of the public opinion was crucial. German Chancellor was unable to persuade domestic opinion and immediately after Angela Merkel - who was against abolishment of the ban – took over his post, Germany definitely ceased support for his initiative.<sup>15</sup>

The only study of the embargo that takes the symbolic meaning seriously is the article by Pascal Vennesson. The author applies “a conceptual framework inspired by the work of Barry O’Neill on the symbolic dimensions of international politics” in order to explain the development of the debate (P. Vennesson 2007).

*The fact that the EU proposed to lift the ban, does not necessarily mean that due to the Chinese pressure, it abandons its own values in exchange for economic and political gains from Beijing.* There is the agreement in the literature that the embargo might not fit well into the present EU’s approach to China usually described as a ‘strategic partnership’. For many commentators, the proposal to remove the ban is compatible with the recent situation of EU-China relations and particularly with the ‘strategic partnership’. Greg Austin stresses that the ban was ‘out of kilter with the high level of EU-China economic and political cooperation’ (G. Austin 2005: 10). He adds that it was inconsistent with the EU’s strategy to engage China internationally on such issues as climate change and weapons proliferation or shared vision of the multi-polar world. The embargo may be considered by proponents of the lifting of the ban as a barrier to the closer EU-China relations.

At the same time, the organization is blamed for not being strong enough to stand for its own values and ideas and as giving up to Chinese pressure. It appears that both claims are contradictory, when we realize that the idea of the ‘strategic partnership’ is based on certain values, such as cooperation and dialogue instead of coercion and punishment. They are promoted in Union’s external affairs and particularly with respect to China. The statement that the EU does not stand to its own values implies that scholars recognize cooperation, partnership and dialogue as less important than human rights and democracy or not EU’s values.

The commentators have the right to expect the EU’s to promote human rights and democracy since those values became part of the organization’s social identity in a long and continuing process of representation of itself versus other countries, including China. However, there is no fixed hierarchy of values within the EU. Which set of ideas is considered as crucial depends on a given situation. And it is not to be assessed solely by scholars. Instead, it has to be negotiated among all the interested parties and particularly within the EU’s institutions and member states. As long as this assessment takes place in the process of communication, instead of making assumptions, which values are more important from the point of view of

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<sup>15</sup> The German federal government was against abolishment of the ban.

the author of the scholarly article, we may learn more from the inquiry into the argumentation proposed by the involved actors themselves. And in the case of the arms embargo, it would mean analysis of the references to the narrative about the partnership with China made by politicians and institutions in their debates.

This leads us to another point made by the authors of the analyzed articles about the prevalence of strategic interests over values and about the mutual exclusiveness of values and interests. For example, Frans Van der Putten in his study of the ban, admits that ‘human rights play a major part in the controversy’, but at the same time decides to ‘focus only on those problems in the arms embargo debate that relate to international security (...) it is the security dimension that relates directly to the question of the EU’s role in East Asian security’ (F. Van der Putten 2009: 5). Thus, he assumes that values are not important for the security, even though, the European Union in its documents on China and on Asia considers values of human rights and democracy as crucial for peace in the region. Such assumption thus, deprives us of the chance for serious consideration of the role of values and disregards the perspective accepted by the EU. *Therefore, I would suggest reconsideration of the question ‘what if the values are not mutually exclusive’?*

*Not only these EU’s actors, who enjoy the decision making prerogatives when the embargo is concerned, decided about the issue.* It is common to look at the embargo from the perspective of decision making powers. Joakim Kreutz explains that when it comes to arms embargoes power rests with the member states. Although the same author admits that the ‘European Parliament, the Commission (...) can influence the decision directly or indirectly’ and that the policy process very often brings about the final results, which are a far cry from the interests of member states, he does not develop this line of reasoning (J. Kreutz 2004: 17). I would suggest that the detailed analysis of those policy processes would shed light on whether and why decisions may differ even from the objective of the most powerful states and institutions. Moreover, if we can demonstrate how the institutions and actors that do not possess decision making powers when it comes to arms embargo may have significant input into the debate, it will mean that the EU is a robust regime, where various voices contribute to its policies. Without the detailed examination of the contribution from the actors frequently perceived as irrelevant for the EU’s decisions in some areas of foreign policy, such as the European Parliament or public, the fact that European actors have difficulties with reaching common decision testifies solely to the Union’s weak foreign policies. While long time needed for decision to be taken may be read as a sign of indecisiveness and weakness, it also might indicate inclusive way of decision making, where various actors are heard and take part in negotiating, bargaining and persuading.

Finally, one of the answers to the question why the debate silenced is the issue of the Anti-Secession law by Beijing on March 14, 2005.<sup>16</sup> The law lists the number of peaceful ways in which the Chinese government is to pursue economic and political contacts with Taiwan and in one article sets out the conditions under which it would resort to force. It stipulates that the application of ‘non-peaceful means’ would be necessary in the case of Taiwanese secession from China. The commentators agree that it was this particular article that silenced the debate on the lifting of the ban within the European Union. However, they did not go any further to ask, why this statement, even though it did not present any drastic change in Beijing’s policy towards Taiwan, but even as Greg Austin observes, that it actually represented a stronger

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<sup>16</sup> ‘Anti-secession Law Affects E.U. Lifting of China Arms Ban’, ROC Central News Agency, published on 8 April 2005, available at: <http://www.globalsecurity.org/wmd/library/news/taiwan/2005/taiwan-050408-cna02.htm>, visited: 2008/3/23.

‘commitment to peaceful resolution of the [Taiwan’s] problem’, had such a powerful impact on the discussion.<sup>17</sup> Again, I would suggest, that only a detailed inquiry into the argumentative strategies of the proponents of the lifting would explain why the Chinese law cut short their endeavors.

One may point that some authors, like for example May-Britt Stumbaum in her excellent study of the arms embargo issue, have already inquired into the processes of decision-making (M.U. Stumbaum 2009). However, Stumbaum applies the rational-choice approach and focuses all her efforts on demonstrating how the causation flows from actors to decisions and on the decision-making procedures and is not interested in explaining the role of values, beliefs and perceptions.

We cannot overlook the fact that the first attempts to look at the issue of the ban from the perspective of values has been already made. The very recent study of Scott Brown on arms embargo gives serious consideration to ideas and moreover, treats them as closely linked to interests. Scott Brown focuses on ‘perceptions’ and in his definition interests and preferences are the product of perception. The author similarly distances himself from the studies, which take perceptions for granted (fixed). His goal is to inquire into the transformation of perceptions of external reality and their impact on policy outcomes (S. Brown 2011: 25). However, the author is interested in the subjective perceptions of selected member states and does not look into the communicative processes in which the values are redefined in the intersubjective sphere among the actors on the European level. Moreover, Brown is not consistent with his own definition of perceptions, according to which perceptions construct the interests and preferences, since he treats perceptions as contradictory to interests. For example, he summarizes his observations on the debate with ‘economic interests might not have been fundamental to policy preferences’, since ‘the gains from lifting the embargo were relatively slim’ (S. Brown 2011: 31).

## **Conclusions**

The analysis of the selected studies of the arms embargo on China demonstrated that values in the scholarly literature on this topic are treated as causes of action, while their other important function, i.e. justifying / legitimizing is neglected. This approach produces only a fragmentary understanding of the role of values in EU’s relations with China. Thus, it was suggested that in order to acquire better understanding of the work of values, we should avail ourselves of other approaches that will fill in this gap by focusing on the legitimizing function of values. As long as this function manifests itself in the communication, discourse analysis was suggested as the most promising theory and method. The final part of the article provided several examples of new questions that can be asked and perspectives that can be taken on the debate with the application of discourse analysis.

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<sup>17</sup> Shao Cheng Tang writes that China ‘has never renounced the use of force against the island in case of its formal independence’. In: S.C. Tang 2005: 313.

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