Chapter 1

INTRODUCTION

Framework of the Study

The post-Cold War period marked a significant shift in the nature and form of political organizations at the global level. The establishment of global regimes over the last few decades, whereby states could come together to sort out the common problems, could be characterized as one of the most important aspects of the changing world order. With the decline of old ideological conflicts and power rivalries in the post-Cold War period, the relations across the nation-states have exhibited such intense level of collaboration and adjustment that it helped in the growing institutionalization of world politics through the formation of an increasing number of global regimes. In recent times, the efforts towards multilateral cooperation and coordination among the states for deliberating upon various issues and setting common standards in more areas have increased. Specifically, through the module of global regimes and other such multilateral mechanisms a new system of global regulation has evolved ensuring the participation of more states in the system of global governance. Though the global regimes pertain to specific issue areas and constrain the choices of participating states, they have created space and opportunity for the states to reach at commonly agreed upon solutions through dialogue, discussion, and negotiation. Thus, as a dominant wave of world transition in the 20th century, the current phase of globalization has made sure that the states coordinate their behavior and associate their policies and standards to a generalized principle of conduct and this has become possible through the establishment of various global regimes and multilateral organizations. While some states have actively and positively responded to these changes, a few others have made efforts to hold back the influence of global regimes, viewing them as a threat to social stability, state sovereignty, and national and cultural identity. However, China shows a dual response to this challenge. While it welcomes global regimes as a way to
enrich national competitiveness and enhance economic growth, it remains wary of
t heir impact on social, cultural, and political spheres. China remains unsure about
the extent of adaptation to global regimes it should opt for as it fears that any
dilution of state sovereignty would lead to political problems on the domestic front.
This research seeks to explore the nature and level of adaptation of China to
different global regimes and the impact of such adaptation on the governance
structures and processes at the domestic level. It is concerned with two key
questions. The first, a theoretical one, relates to the emergence of global regimes and
its effect on the principles of governance, closely associated with the nation-state.
Second, a more empirical one, deals with China’s participation in global regimes
and its compliance with the norms, principles, and the conventions dictated by these
regimes.

The Context

China’s relationship with the global regimes has undergone a complex
evolution. Since the establishment of the People’s Republic of China, the links
between China and major global regimes starting from the UN have experienced
completely different stages- from rejection to acceptance, from condemnation to
active participation, and from playing an ordinary role to seeking an important say.
Such paradigmatic shift in China’s approach towards the global regimes is closely
related to not only to the changes in the international context but also to China’s
domestic situation and demands. In the post-Cold War period, when China tried to
integrate itself into the global economy after initiating a series of economic reforms,
there was considerable pressure on China to adhere to global regimes and
agreements not only in the economic sphere, but in the political and strategic spheres
as well. By participating in global regimes and introducing reforms in its domestic
institutions, policies, and decision-making mechanisms, the Chinese leadership
attempted to cope with the pressures of an international order in transition. While
China’s increasing involvement in the global regimes helped in enhancing its image
and stature internationally, it also further bound the country to the international
community and thereby constrained its choices.
In the context of growing interdependence and multipolarization of world politics, it is imperative to analyze the complex nature of relations between China and global regimes. It not only constitutes a key part of China’s foreign policy, but also remains a necessary channel for world community to engage China. As China has emerged as a major player in world politics based on its economic capabilities and military strength, there is intense international pressure on it to shoulder more responsibilities and sincerely fulfill the obligations of different global regimes. China’s involvement in global regimes has increased quite substantially in the post-Cold War years. It has also made significant changes in domestic laws, regulations, and decision-making mechanisms to meet the requirements of regimes (such as WTO). However, there is still skepticism about the extent to which China’s adaptation to global regimes has resulted in the application of international legal standards at the local level. While China’s aspirations to acquire the status of a ‘big’ power has pushed it towards greater adaptation to global regimes, such adaptation remains contingent on unilateral assertions of national interests and the use of political power to achieve these interests. China has made efforts to balance the norms and conventions of global regimes with the local regulatory imperatives. This involves a complex process of selectively adapting global norms to local needs. Instead of total convergence of global and local institutional practices, China has opted for selective adaptation of those global norms that would prove beneficial for domestic development. Thus, selective adaptation is a useful perspective to analyze the Chinese government’s efforts to reconcile global norms with local imperatives in the field of economic, political, and strategic regulation.

China’s Adaptation to Global Regimes: A Study of Three Regimes

A study of the process of China’s adaptation to the UN, the WTO and the non-proliferation regimes (notably NPT, CTBT) is relevant to understand the dynamics of China’s participation in the global regimes. Following Arthur Stein’s formulation, this study considers the UN as a global regime. Scholars like Laura Zannoti have described the UN as the ‘governmental international regime’ taking into account the significant increase in its importance in managing global affairs in
the post-Cold War period. Kazimierz Krzysztofek also qualifies the UN as the most ‘universal political regime’ both in its scope and in functions, that is based on the sovereign will of the states to enforce the observance of international rules being empowered to intervene in the internal affairs of the member states.

The post-Mao era, especially the post-Cold War period, has witnessed the acceleration—and—intensification—of—Sino—UN—linkages— and—interactions—as—China’s membership and participation in UN-related regimes, Chinese accession to UN—sponsored multilateral treaties has been touted as both a source, and a mark of China’s expanding influence. Moreover, the post-Cold War period witnessed a rapid increase in Beijing’s involvement in UN peacekeeping operations (UNPKOs). An indicator of Beijing’s greater commitment to UNPKOs has been the establishment and expansion in China of training programmes for peacekeepers – the office of peacekeeping in China, located under the PLA’s General Staff Headquarters. Another indicator is that in May 1997, China decided in principle to take part in the UN’s standby arrangements for UNPKOs. In January 2002, China actually joined the Class-A standby arrangements system. China’s active participation in two major UNPKOs – Cambodia and East Timor suggests a range of situation-specific factors at work: geographical proximity, initial involvement with the authorization of the Security Council, and host-nation consent. As long as these conditions are present, along with the absence of Taiwan-related factor, Beijing’s slow yet steady support for UNPKOs is likely to continue unabated in the coming years. To showcase Beijing’s growing interest and willingness in expanding its influence globally, China announced on February 10, 2003 that it will send 218 peacekeepers – 175 engineers and 43 medical personnel – from the PLA to the Democratic Republic of Congo in support of the United Nations Peacekeeping Mission (MONUC), thus more than doubling the number of its peacekeepers from its previous total of 137 to 355. Thus, Beijing is demonstrating its desire and willingness to boost its international role and reputation as a responsible great power at a time when the US is challenging the world organization to demonstrate its “relevance” by keeping silent when it waged the so-called preemptive war against Iraq.
In the case of WTO, it took 14 long years of difficult negotiations for China to gain entry into the organization. In 2001, China finally became a member of the WTO after agreeing to not so easy terms and conditions dictated by some of the Western countries, under which it committed to open up long-closed sectors such as telecommunications, banking and insurance. In some important areas, China assumed obligations that exceed normal WTO standards – the so-called WTO-plus commitments. Beijing’s determination to gain entry into the WTO at any cost reflected a paradigmatic shift in China’s engagement with the global community. China’s leadership realized that participation in the WTO would provide one of the most important channels to take part in economic globalization and at the same time would allow the country to exert its influence on the management of economic globalization. The drive for status, not as a hegemonic or revisionist power but as a responsible great power, seems to have been influenced by a belief of mutual legitimation: The WTO needs China, China needs the WTO. As revealed in Jiang Zemin’s major speeches since 1997, the forces that most define China’s national identity at the turn of millennium are those associated with global regimes.

China’s growing adaptation to global regimes is also evident in the sensitive domain of arms control and non-proliferation. The post-Cold War period saw China’s deeper integration into the international arms control process. China acceded to the Non-proliferation Treaty (NPT) in March 1992; it offered written assurances twice in 1992 and 1994 respectively to follow the guidelines of Missiles Technology Control Regime (MTCR); it signed the chemical weapons convention in 1994; and it committed itself to signing the Comprehensive Test Ban Treaty (CTBT) in 1996. It is an indication that China has accepted, though with much reluctance, that its nuclear programmes have to develop within the constraints of multilateral arms control regimes. It also shows that China has begun to appreciate security gains and benefits it could derive from signing and acceding to those multilateral treaties. Although there is little evidence in the Chinese strategic thinking to suggest that China no longer regards nuclear weapons as critical in enhancing its international status in post-Cold War international relations, it does suggest that China believes now that its commitment to multilateral arms control and non-proliferation regimes
and treaties, many of which are ‘discriminatory’ and ‘unequal’ in nature, also enhance its reputation in international community.

It is significantly noteworthy that despite its initial reluctance, once involved in negotiations of arms control treaties, China had to respond to the international pressure in its policy choices, and its behaviour had been shaped by the existing norms and rules. China’s participation in the NPT and CTBT represents its ‘deeper integration’ into the international arms control and non-proliferation regimes not only in the sense that it has made unprecedented commitments, but also because, in the negotiations particularly for the extension of the NPT and to a lesser extent for the CTBT, China has been actively participating, rather than passively pushed, for compliance.

Hypotheses

1. China’s entry into important global regimes in the post-Cold War period has provided it both challenges and opportunities to make significant changes both in its foreign policy formulations as well as domestic policy mechanisms.

2. Domestically, China’s compliance with various international norms and conventions will be interlinked to the gradual evolution of a ‘rule of law’ regime in China. Externally, China will not be able to stay away from global regime networks even if they constrain its independent decision-making power in certain areas.

3. China will be compelled to comply fully with the global regimes to achieve the goal of economic modernization. Without full adaptation to global regimes, China will remain a rather dissatisfied and unpredictable player in international governance.
Scope and Objectives of the Study

This study seeks to examine the nature and level of adaptation of China to different global regimes in the post-Cold War period, specifically in the case of the UN, the WTO, and the arms control regimes. Apart from analyzing the theoretical underpinnings of such adaptation, the impact of global regimes on China's domestic policies and decision-making mechanisms would also be examined. The main objective of this study is to understand the dynamics of China's adaptation to global regimes and to explore how far has China succeeded in integrating itself into the changing world order.

Research Questions

The study seeks to answer the following questions.

1. What is meant by global regimes and what is their impact on the structures and processes of international governance?

2. What were the factors responsible for China's increasing adaptation to global regimes in the post-Cold War period?

3. How far China has actually complied with the norms and conventions of the global regimes?

4. What changes did China bring in its domestic and international policies to fulfill its obligations to the global regimes?

5. Do global regimes exercise any restraint on the PRC?

6. What kind of role does China play in the international legal order?

7. What is China's attitude towards the UN in managing global affairs?

8. What is China's approach to UN peacekeeping operations and humanitarian interventions?

9. What kind of policy adjustments did China make to accede to WTO?

10. What is the level of compliance of China with the WTO obligations?
11. What are China’s policies towards arms control and disarmament and controversies associated with them?

12. How far China is committed to abide by the norms and conventions of arms control and non-proliferation regimes?

13. Is China’s adaptation to global regimes full or partial?

Chapterization

Chapter 1: China’s Adaptation to Global Regimes: A Theoretical Debate

The first chapter defines the concept of ‘global regime’ and discusses the emergence of new governance practices at the international level after the establishment of global regimes and the significance of these regimes in contemporary world politics. While delineating China’s adaptation to global regimes, the study locates it in the broad theoretical framework of neo-realism.

Chapter 2: Global Regimes: A New Phase in China’s Adaptation

The second chapter analyzes the differences between the old phase (1949-1977) and the new phases (1978-1991, 1991-to the present) in terms of China’s adaptation to global regimes. Apart from providing a historical overview, this chapter examines the dynamics of paradigmatic shift in China’s approach to the global regimes and more importantly the changes that China has brought in its domestic institutions, policies and decision-making mechanisms to be able to conform to various global norms and conventions. It also attempts to assess the importance of global regimes to China, the rationale behind China’s increasing adaptation to global regimes in the post-Cold War period, the complex process of mutual adjustment, influence, the existing impediments and the future implications of the engagement between China and the global regimes.
Chapter 3: China and the UN

This chapter delineates the kind of role China plays within the UN to pursue its goal of the establishment of a multipolar world order. China’s participation in the UN sponsored peacekeeping operations and humanitarian interventions in different countries, its adaptation of UN covenants, the problems being faced by it while implementing the UN treaties have also been discussed in this chapter. The role of China as a Security Council member, its stand on global terrorism and the UN’s role in contemporary international order, its involvement in the war against terror and the response of China towards the efforts for reforming the functioning of the UN are some of the important issues considered here.

Chapter 4: China and the WTO

This chapter, besides providing a historical overview of China’s negotiations with the WTO, examines the complex process of China’s adaptation to the WTO and discusses China’s commitments to the WTO, the nature and level of compliance with these commitments, and the obstacles that China faces while complying with the WTO obligations. It also critically assesses the implications of China’s entry into the WTO for both China and the global economy and most importantly the extent of China’s integration into the global economy and the influence of the accession on China’s economic, political, legal, and administrative structures.

Chapter 5: China and the Arms Control Regimes

The fifth chapter focuses on Chinese participation in different arms control regimes based on three perspectives- legal standing, broad multilateral participation, and the level of compliance. Besides, it discusses in detail China’s adaptation to arms control regimes such as the NPT, CTBT, FMCT, MTCR and analyzes the post-Cold War shift in China’s policies towards arms control and nonproliferation and the controversies associated with them. The chapter looks at China’s role in global
efforts in the field of non-proliferation and how it has responded to international pressures to fully comply with the arms control obligations that it has undertaken in the post-Cold War period.

Chapter 6: Conclusion: An Assessment of China's Adaptation to Global Regimes

The concluding chapter analyzes how far China has moved forward in integrating itself into the global political, economic, and strategic order and how far it has complied with the norms and conventions of the global regimes.

Research Methodology

The study defines the concept of global regimes and locates China within the framework of global regimes from a neo-realist perspective. According to neo-realist school of thought, power remains a key variable, although it exists less as an end in itself than as a necessary and inevitable component of a political relationship. Also known as structural realism, neo-realism is mainly identified with the writings of Kenneth Waltz, and particularly the writings of Hans Morgenthau. Neo-realism, a modern variant of broader realist tradition emerged during the Cold War years as a response to the challenges of interdependence theory. Scholars like Stephen Krasner and Robert Gilpin delineated concepts like 'regimes' and 'hegemonic stability theory' to demonstrate the continuing importance of the nation-state in the world economy. This theory implies that, in its present form, the nation-state would continue to be the most significant aspect of the international system and that the probability of nation-state being replaced by alternative forms of political community is quite limited. The neo-realists argue that even in the era of globalization, it is the nation-state which has the exclusive authority to bind the whole community to international law and not all the constituent parts of the nation-state are equally vulnerable to globalization. Thus, neo-realism becomes an important tool to study the impact of global regimes on domestic politics (in this case China) and the ability of institutions to promote rules and norms without
undermining the role of the study. A neo-realist perspective that focuses on the structure of the international system and the importance of institutions as promoters of norms and values provides a valuable framework to understand and explain contemporary international politics.

**Review of Literature**

In the era of global interdependence, to be able to interact effectively with the global community, China brought about some significant changes in its foreign policy and diplomacy. Apart from economic interaction, it sought an active engagement with the outside world on various issues. Books such as *China and the World: Chinese Foreign Relations in the Post-Cold War Era*, (Oxford: Westview Press, 1994) edited by Samuel S. Kim focused on the phenomenal growth and intensification of Sino-global linkages in the post-Mao era. *China in International Society since 1949: Alienation and Beyond* (New York: Martin’s Press, 1998) by Yongjin Zhang specifically investigated the perspective of China’s continued quest for its full membership and rightful place in the family of nations and the response of the international society as a whole to China’s quest.

In the sphere of trade, China’s entry into the WTO marked its intent to be part of the multilateral trade regime even if it required fundamental revision to virtually all aspects of its legal and regulatory systems including revision of the constitution, *China and the Long March to Global Trade: The Accession of China to the World Trade Organization*, (London: Routledge, 2002) edited by Sylvia Ostry, Alan S. Alexadroff and Rafael Gomez examines the behavior of Chinese legal authorities, China’s administrative legal system which operates quite differently from that of Western judicial systems and familiarizes readers with the debates concerning, under what terms, China was permitted to accede to the WTO. This is an examination and overview of China’s integration into multilateral trading system.

There are various books and articles, which deal with China’s participation in specific international regimes and conventions such as WTO, NPT, CTBT etc without linking it to the broad system of global governance. But from the point of
view of our research, it is essential to focus on China’s behaviour in different international regimes to examine its level of compliance with the norms and conventions of these regimes. China, Arms Control, and Non Proliferations (London: Routledge Curzon, 2004) by Wendy Frieman analyses various aspects of China’s participation in seven international non-proliferation arrangements like the NPT, CTBT, the Biological Weapons Convention, the Chemical Weapon Convention, the Missile Technology Regime etc. The book provides a background to each treaty, a discussion of China’s relationship to the treaty, standards for measuring treaty compliance and an assessment of Chinese compliance with the treaty. This gives us crucial inputs for understanding how far China is committed to abide by the norms and conventions of these non-proliferation regimes or whether China’s participation in these regimes were only instrumentalist. “Foreign and Domestic influences on China’s Arms control and Non Proliferation policies”, (China Quarterly, No. 161, March 2000) by Bates Gill and Evan S. Medeiros analyses the foreign and domestic influences in Chinese decision making related to arms control and non-proliferation. In conducting this analysis, the article considers several specific questions and which factors best explain the shifts and changes in China’s nuclear non-proliferation policies.

There are many other useful books like The Making of Chinese Foreign and Security Policy in the Era of Reform, 1978-2000, (Stanford, California: Stanford University Press, 2001) edited by David M. Lampton; China Joins the World: Progress and Prospects (New York: Council on Foreign Relations, 1999) edited by Elizabeth Economy and Michael Oskenberg and China and International institutions: Alternate paths to Global Power (New York: Routledge, 2005) by Marc Lanteigne which have analyzed China’s participation in multilateral institutions and international organizations in great detail and have thoroughly discussed many case studies, but from the Western perspective. Construction Within Contradiction: Multiple Perspectives on the Relationship Between China and International Organizations (Beijing: China Development Publishing House, 2003) edited by Wang Yizhou is one of the most notable works, which has provided a clear exposition of Chinese views on the country’s relations with various international
organizations. Besides discussing the evolution of the relations between China and the international organizations and regimes, it has analyzed case by case China’s entry into eight international mechanisms— the UN, arms control, human rights, trade (the WTO), finance, telecom, energy, and environmental protection. This book has also examined the changes in China’s behavioural pattern after its involvement in various global regimes and multilateral organizations. However, this book has failed to explore the impact on the global regimes and international legal order after they accepted China into their fold. Moreover, the book lacks in theoretical analysis.

Global regimes have been established in various spheres—social, cultural, political and economic pertaining to different issues and concerns. However, the focus of our study is on how the concept of ‘global regime’ has challenged the traditional notions of “sovereign or self-governing nation-state” by creating a normative regulatory framework through the establishment of global regimes and thus regulates the behavior of almost all modern states. In fact, the growth of global regimes in post-Cold War years has led many to doubt that the nation-state should be the dominant political actor in an era of mounting global problems such as environmental devastation. In the most recent phase of globalization, emphasis has shifted from ‘economics’ to issues of governance such as health, trade, environment and security. *Governing Globalization: Power, Authority and Global Governance*, (Oxford: Polity Press, 2002) edited by David Held and Anthony McGrew examines the broad implications of globalization for the institutional development and politics of global governance. It explores some of the most urgent issues of global public policy, assessing the limits and possibilities for effective global governance and develops a series of critical reflections on the main descriptive and normative approaches to the study of global regimes.

The continuing emphasis on ‘governance’ in the post-Cold war period led to the emergence of an international system in which global policymaking has been undertaken not just by intergovernmental organizations, but by a variety of networks, coalitions and regimes. These international coalitions or regimes have become the object of academic research and analysis.
As a result, different theoretical approaches to regimes have been developed by liberal institutionlists and realists. Thus for example, *International Regimes* (New York: Cornell University Press, 1983) edited by Stephen D. Krasner is a seminal text setting out the main theoretical issues related to international regimes. It discusses in detail how regimes are created, maintained and what leads to the demise of a regime. Again, *Regime Theory and International Relations* (Oxford: Clarendon Press, 1993) edited by Volker Rittberger, Peter Mayer, and Michael Zurn examines regime theory from European and American perspectives.

Though various books and articles have tried to define China’s changing foreign policy goals, the increasingly active role played by it in various global forums such as UN and international legal and political arrangement, no work has yet located China in the broad framework of global regimes. Further, there is little literature that particularly deals with the issue of the incorporation of global norms and conventions into the domestic institutional practices of China and the consequent changes in its domestic institutions, policies and decision-making mechanisms. Through this work, I have endeavoured to fill this lacunae by studying the impact of global regimes on China’s domestic and external policy making, China’s adaptation to global regimes especially the UN, the WTO, and various arms control regimes and, most importantly the change in China’s role in international legal order. In doing so, the study locates China’s adaptation to the global regimes. The next chapter defines the concept of ‘global regime’, discusses its significance in the evolving system of ‘global governance’ and provides a theoretical understanding of the process of China’s adaptation to global regimes.