

## Who is in Charge?

State Power and Agency in Sino-African Relation

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# Who is in Charge? State Power and Agency in Sino-African Relations

Pádraig Carmody & Peter Kragelund†

Recently, much has been written about the role of African agency in the continent’s emergent relationship with China. Some scholars have argued that previous writing on the subject of Sino-African relations presented an unbalanced picture in which an all-powerful China subjugated weak African states, thereby replicating previous Orientalist tropes about Africa. More recent scholarship by Corkin, Mohan, and others, however, has focused on the significant power of African political elites in shaping the nature of relations with China. This Article seeks to conceptualize the nature of the power relations between China and African states by examining concepts deployed in these scholarly debates. We then test these concepts through case studies of Angola and Zambia—two of the African states with which China has been most engaged and two major commodity exporter monoeconomies.

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## I. Is China an Emergent Hegemon in Africa?

A 2007 paper by Pádraig Carmody and Francis Owusu argued that China was a potential emerging hegemon in Africa, and that it was in competition with the United States to become the most powerful “external” power on the continent.<sup>1</sup> The competition between China and the United

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1. See Pádraig R. Carmody & Francis Y. Owusu, *Competing Hegemons? Chinese Versus American Geo-Economic Strategies in Africa*, 26 POL. GEOGRAPHY 504, 506, 508–12 (2007) (discussing China’s strategic involvement in Africa).

States in Africa has amplified in recent years, as evidenced by the first U.S.-Africa summit, held in 2014 in Washington, D.C.<sup>2</sup> This conference was arguably inspired by The Forum on China Africa Cooperation (FOCAC), a meeting that occurs every three years and alternates between China and Africa in terms of its location.<sup>3</sup>

Recently, however, there have also been some dramatic changes in U.S. relations with oil exporters in Africa—although the commodity previously dominated the bulk of U.S. trade and imports from the continent, this is no longer the case because of the “shale revolution” in the United States.<sup>4</sup> When President Barack Obama visited Africa in 2013, he said that “[f]rankly, we don’t need energy from Africa,”<sup>5</sup> and this comment now seems to be being borne out. For example, the United States did not import any oil from Nigeria in October of 2014, despite the fact that Nigeria was the United States’ fifth largest supplier only a few years earlier.<sup>6</sup>

Additionally, it has been argued elsewhere that the rise of China in Africa undermines the very notion of “the West” and that this is one of the reasons that China’s rejuvenated interest in Africa has elicited such hysteria in the Western media.<sup>7</sup> Aside from the macroeconomic statistics around rates of economic growth, balance of trade, or foreign exchange reserves,<sup>8</sup> in concrete geographic terms China-Africa relations are arguably the canary in the mine of Western power. The question, then, is whether China will become a hegemon on the continent, or whether we are seeing a rise in African agency pointing towards multipolar power structures and orientations on the continent. In order to answer this question, it is first necessary to engage with and define the concept of hegemony.

#### A. From Hegemony to Hegemony?

There are at least two definitions of what constitutes hegemony. From a Gramscian perspective, “hegemony” refers to the acquiescence or consent of subordinate classes or countries to the dominance of the ruling class or power.<sup>9</sup> On the other hand, realists view international hegemons as those

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2. See *U.S.-Africa Leaders’ Summit*, WHITEHOUSE.GOV (Aug. 4, 2014), <https://www.whitehouse.gov/us-africa-leaders-summit>.

3. See generally IAN TAYLOR, *THE FORUM ON CHINA-AFRICA COOPERATION (FOCAC)* (2011) (providing an overview of FOCAC).

4. See Clifford Krauss, *A New ‘OPEC’ Emerges: The U.S.*, N.Y. TIMES, Apr. 23, 2015, at F1; Javier Blas, *Victim of Shale Revolution, Nigeria Stops Exporting Oil to US*, FIN. TIMES: BLOGS (Oct. 2, 2014, 10:12 AM), <http://blogs.ft.com/beyond-brics/2014/10/02/victim-of-shale-revolution-nigeria-stops-exporting-oil-to-us/>.

5. Ed Stoddard, *AFRICA INVESTMENT—Can Obama’s Africa Power Plan Hold a Candle to China?*, REUTERS (July 2, 2013), <http://www.reuters.com/article/2013/07/02/africa-investment-idUSL5N0F821520130702>.

6. See Blas, *supra* note 4.

7. PADRAIG R. CARMODY, *THE RISE OF THE BRICS IN AFRICA: THE GEOPOLITICS OF SOUTH-SOUTH RELATIONS* 137 (2013).

8. See, e.g., Makhtar Diop, World Bank Vice President for the Africa Region, *Lessons for Africa from China’s Growth* (Jan. 13, 2015) (transcript available at <http://www.worldbank.org/en/news/speech/2015/01/13/lessons-for-africa-from-chinas-growth>).

9. See, e.g., STEPHEN GILL, *GRAMSCI, HISTORICAL MATERIALISM AND INTERNATIONAL RELATIONS: AN ESSAY IN METHOD* 21–26 (1993); ANTONIO GRAMSCI, *SELECTIONS FROM THE*

states that are able to set the rules of the game in international politics.<sup>10</sup>

Thus, according to realists, the American state is no longer a hegemon because it has lost the ability to shape international rules and regimes to the degree that it once could, despite the fact that it is still the preeminent state in the international system.<sup>11</sup> Meanwhile, China is busy concluding deals and establishing new institutions on a bilateral or limited multilateral basis.<sup>12</sup> For example, the new Brazil, Russia, India, China, and South Africa (BRICS) development bank will be headquartered in China,<sup>13</sup> and China has also recently announced the establishment of a joint bank with Malaysia that will circumvent the necessity to conduct trade between the two countries in U.S. dollars.<sup>14</sup> China has also agreed to currency swaps with many countries around the world ranging from Switzerland and Russia to Argentina,<sup>15</sup> while in Zambia, the Bank of China uses large-scale billboards strategically positioned in and around Lusaka to advertise its new service, a facility to conduct business in the Chinese yuan.<sup>16</sup>

As the world emerges from the global financial crisis, future historians and international relations theorists will perhaps treat this period as a time of hegemonic transition from the United States to China in the international system, even as rates of economic growth moderate in China. On the one hand, for the first time in over 140 years, in 2013 the United States lost its position as the world's largest economy to China, when measured by purchasing power parity.<sup>17</sup> On the other hand, however, others argue that we are witnessing the emergence of "interdependent hegemony," rather than the emergence of a new singular dominant power or power bloc in the

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PRISON NOTEBOOKS 244 (1971) (describing the state as "the entire complex of practical and theoretical activities with which the ruling class not only justifies and maintains its dominance, but manages to win the active consent of those over whom it rules").

10. See, e.g., John J. Mearsheimer, *Structural Realism*, in INTERNATIONAL RELATIONS THEORIES: DISCIPLINE AND DIVERSITY 71, 72 (Tim Dunne et al. eds., 2013) (describing realists as believing that "power is the currency of international politics" and the realist belief that "[i]t is important not only to have a substantial amount of power, but also to make sure that no other state sharply shifts the balance of power in its favor").

11. Robert H. Wade, *Emerging World Order? From Multipolarity to Multilateralism in the G20, the World Bank, and the IMF*, 39 POL. & SOC'Y 347, 350-53 (2011) (describing the shift from an American-dominated international system to the current "multipolar governance dilemma").

12. See Pádraig Carmody & Ian Taylor, *Flexigemony and Force in China's Resource Diplomacy in Africa: Sudan and Gambia Compared*, 15 GEOPOLITICS 496, 510 (2010).

13. Gabriel Wildau, *New Brics bank in Shanghai to challenge major institutions*, FIN. TIMES (July 21, 2015), <http://www.ft.com/cms/s/0/d8e26216-2f8d-11e5-8873-775ba7c2ea3d.html#axzz3xcRfoSYP>.

14. Clare Hammond, *World's Largest Bank ICBC Opens Its Yangon Branch Office*, MYANMAR TIMES (Sept. 9, 2015), <http://www.mmtimes.com/index.php/business/16388-world-s-largest-bank-icbc-opens-its-yangon-branch-office.html>.

15. See COUNCIL ON FOREIGN RELATIONS, *THE SPREAD OF CENTRAL BANK CURRENCY SWAPS SINCE THE FINANCIAL CRISIS* (2015), [http://www.cfr.org/international-finance/central-bank-currency-swaps-since-financial-crisis/p36419#/?cid=from\\_interactives\\_listing](http://www.cfr.org/international-finance/central-bank-currency-swaps-since-financial-crisis/p36419#/?cid=from_interactives_listing).

16. See Louise Redvers, *The Rise and Rise of China in Zambia*, MAIL & GUARDIAN (Sept. 9, 2011), <http://mg.co.za/article/2011-09-09-the-rise-and-of-china-in-zambia/>.

17. Mike Bird, *China Just Overtook the U.S. as the World's Largest Economy*, BUS. INSIDER (Oct. 8, 2014), <http://www.businessinsider.com/china-overtakes-us-as-worlds-largest-economy-2014-10>.

form of China or the BRICS grouping.<sup>18</sup>

China is steadily taking over Europe's role as Africa's leading trading partner and is a substantial source of new investment, although it was only in one recent year, 2008, that it was the biggest single foreign investor on the continent.<sup>19</sup> The way in which China deploys its power in Africa, however, is different from that of previous hegemonies: Chinese actors tailor their strategies to the histories and geographies of the particular countries they are engaging with in order to ensure resource, market, and investment access.<sup>20</sup> This form of "flexipower," or "flexigemony," which works with rather than against the grain of African state-society formations, differs from traditional hegemony.<sup>21</sup>

Perhaps because of these changes, there has recently been an upsurge of interest in the role of African agency in shaping the relationship with China.<sup>22</sup> This body of literature may in part be an implicit reaction to an over-emphasis on the power of China in much of the extant literature, which was natural given the dramatically increased scale of China's engagement on the continent. The newer literature, unlike prior scholarship, argues that African elites have used their growing economic and political interests to exert power over international and domestic politics.<sup>23</sup>

Additionally, as most African economies grew rapidly as a result of the global commodity super cycle, African political elites saw tax revenues rise, aid dependence decrease, and a greater range of potential partners emerge from the global East. This conjuncture gave African political elites substantial leverage, as has China's dependence on African oil and other strategic natural resources to power its economy.<sup>24</sup> China's dependence on African oil and other critical mineral suppliers, an inversion from prior relationships, has created conditions of interdependence between Chinese and African political elites that are subject to bargaining.<sup>25</sup>

18. See generally Xing Li, *Conceptualizing the Nexus of "Interdependent Hegemony" Between the Existing and the Emerging World Orders*, 7 FUDAN J. HUM. SOC. SCI. 343 (2014) (describing the concept of interdependent hegemony as the growth of interdependent nexuses between historical and emerging powers that create mutual challenge, mutual constraint, and mutual accommodation).

19. U.N. Secretariat of U.N. Conference on Trade and Development, *Trade and Development Report, 2014*, I, III, U.N. Doc. UNCTAD/TDR/2014 (Sept. 10, 2014).

20. See Carmody & Taylor, *supra* note 12, at 497.

21. See *id.* (arguing that "flexigemony," whereby Chinese actors adapt their strategies to suit the particular histories and geographies of the African states with which they engage . . . is in contradistinction to the less flexible hegemonic vision of the United States of "free-market democracies").

22. See, e.g., Giles Mohan & Ben Lampert, *Negotiating China: Reinserting African Agency into China-African Relations*, 112 AFRICAN AFF. 92, 92-110 (2012).

23. See, e.g., LUCY CORKIN, UNCOVERING AFRICAN AGENCY: ANGOLA'S MANAGEMENT OF CHINA'S CREDIT LINES 18 (2013); William Brown and Sophie Harman, *African Agency in International Politics*, in AFRICAN AGENCY IN INTERNATIONAL POLITICS 1, 2-9 (William Brown & Sophia Harman eds., 2013); Mohan & Lampert, *supra* note 22, at 92, 95-97.

24. See generally Peter Kragelund, *The Revival of Non-Traditional State Actors' Interests in Africa: Does it Matter for Policy Autonomy?*, 30 DEV. POL'Y REV. 703 (2012) (describing relationships between Africa and India, and Africa and China).

25. See ANTHONY LAKE ET AL., COUNCIL ON FOREIGN RELATIONS, MORE THAN HUMANITARIANISM: A STRATEGIC U.S. APPROACH TOWARD AFRICA 42-45, 46-49, Independent Task

Our working hypothesis is that when commodity prices are high, more power rests with African rentier states,<sup>26</sup> and when prices fall, more power rests with China and with other international actors. In order to interrogate this hypothesis, however, it is first necessary to define more concretely what constitutes agency in international relations and affairs. Is it the case that some African states have seen a strengthening of domestic sovereignty—achieving hegemony in the Gramscian sense domestically—and are therefore better able to bargain with external actors and power?

While the recent reorientation in the literature focusing on the agency of African political elites has been salutary and insightful, this Article argues that the recent emphasis on African agency risks unwittingly reinforcing “internalist” explanations of African underdevelopment. In other words, positing African elites as being in the “driving seat,” or as being “co-pilots” in relations with China may imply that the elites have the power to reshape fundamentally the nature of their state-societies. This Article, in contrast to some other accounts, argues that the power of African elites has been confined to bargaining rather than structural change. In order to understand this arrangement, we have to go beyond the rather static and one-dimensional concept of agency often deployed in the literature, and instead deploy assemblage thinking. Doing so forces us to emphasize the provisional and spatial nature of social change and acknowledge that power is co-existing, multi-dimensional, and in constant transition.

The next Part examines the concept of agency and argues that, as often used, agency has certain limitations when it comes to understanding societal change in contemporary Africa. Part III then introduces assemblage theory and proposes that we can use this more open and fluid conceptualization to enhance our understanding of how Chinese activities affect African power vis-à-vis the “West” as well as with China. Finally, Part IV examines the evidence of power shifts in two critical cases, namely Zambia and Angola. Part V concludes by posing the question: who is in charge?

## II. Defining Agency

The relative importance of structure and agency have been long theorized and debated in the social sciences.<sup>27</sup> Social constructivism has largely transcended this debate by showing that agents create structures

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Force Report No. 56 (2006), <http://www.cfr.org/africa-sub-saharan/more-than-humanitarianism/p9302>.

26. Rentier states are states that meet the following conditions: they derive a substantial portion of their revenues from rents; the lion’s share of these rents come from abroad; the rents accrue to the government directly; and only a few people are involved in the generation of the rent. See Hazem Beblawi, *The Rentier State in the Arab World*, in *THE ARAB STATE* 85, 87–88 (Giacomo Luciano ed., 1990). Typically in rentier states, political elites benefit substantially and disproportionately from rent inflows, whereas the majority of the population may be left in dire poverty.

27. See, e.g., ALEXANDER WENDT, *SOCIAL THEORY OF INTERNATIONAL POLITICS* 142–43 (1999) (describing the debate in international relations “between constructivists and rationalists about culture . . . [and] the question of how agents relate to the structures (ideational or material) in which they are embedded”).

through ideas.<sup>28</sup> This raises the question, however, of which agents have the power to create structures and reform them. If resource dependence is a common structure for much of Africa, do political elites on the continent have the power to change this?<sup>29</sup>

The evidence to date would seem to suggest that resource dependence is a long-lived structure of African political economy. This dependence is currently being reinforced through trade and investment relations with China, as most of the continent continues to undergo relative deindustrialization<sup>30</sup> as a result of competitive displacement from cheaper Asian imports, particularly Chinese imports.<sup>31</sup> The global trade structure of the World Trade Organization (WTO) further circumscribes the ability of developing countries to adopt strategic trade and industrial policies that could help foster a competitive manufacturing sector that could, in turn, transcend the cycle of resource dependence.<sup>32</sup> Moreover, most resource-rich African economies increasingly rely on revenues and export earnings from a select number of commodities.<sup>33</sup> For example, according to an African delegate at the WTO, “we have learnt to ask why, we have learnt to ask how, and we have learnt to say ‘No.’”<sup>34</sup> On the other hand, developed countries have refused to countenance substantial concessions which

28. *Id.* at 140.

29. Of course, whether those agents have incentives to change resource dependence is a different matter. See, e.g., Ed Stoddard, *Africa Is Still Way Too Dependent on Resources*, REUTERS (Apr. 26, 2013), <http://www.reuters.com/article/2013/04/26/us-africa-investment-idUSBRE93P0HX20130426> (describing the “double-edged sword” of African resource wealth and investment).

30. This means that the manufacturing sector may be growing in absolute terms but shrinking as a proportion of the economy, while other sectors grow more quickly. For example, *The Economist* reported in 2015 that African manufacturing is growing as quickly as the rest of the economy, but this may in part be a reflection of the slowing of extractives in the context of what appears to be the end of the global commodity super-cycle. *The Twilight of the Resource Curse?*, THE ECONOMIST (Jan. 10, 2015), <http://www.economist.com/news/middle-east-and-africa/21638141-africas-growth-being-powered-things-other-commodities-twilight>.

31. See U.N. Conference on Trade and Development, *Economic Development in Africa Report 2012: Structural Transformation and Sustainable Development in Africa*, 37-48, U.N. Doc. UNCTAD/ALDC/AFRICA/2012 (2012) (describing the relative increase in imports and decline in exports in Africa, compared to other regions of the world); PATRICK BOND, *LOOTING AFRICA: THE ECONOMICS OF EXPLOITATION* 58 (2006) (describing the displacement of African exports by cheaper East Asian manufactured goods).

32. See generally Robert Hunter Wade, *What Strategies Are Viable for Developing Countries Today? The World Trade Organization and the Shrinking of ‘Development Space’*, 10 REV. INT’L POL. ECON. 621 (2003) (arguing that the WTO trade structure, combined with other international trade arrangements, makes illegal many of the industrial policies that helped East Asian countries develop their industrial and technological sectors, thereby reinforcing the economic dominance of the West). It should be noted, however, that Nigeria has adopted multiple import bans. See Ademola Oyejide et al., *Import Prohibition as a Trade Policy Instrument: The Nigerian Experience*, in *MANAGING CHALLENGES OF WTO PARTICIPATION: 45 CASE STUDIES* (2005), [http://www.wto.org/english/res\\_e/booksp\\_e/casestudies\\_e/case32\\_e.htm](http://www.wto.org/english/res_e/booksp_e/casestudies_e/case32_e.htm).

33. See U.N. Conference on Trade and Development, *supra* note 31, at 40-47; BOND, *supra* note 31, at 58.

34. Donna Lee, *African Agency in Global Trade Governance*, in *AFRICAN AGENCY IN INTERNATIONAL POLITICS* 34, 39 (William Brown & Sophie Harman eds., 2013).

might lead to a more equitable world trading system, and low income countries risk being further marginalized by mega-regional trade agreements which largely exclude them.<sup>35</sup>

Despite numerous government initiatives aimed at structural transformation, the situation remains unchanged in most countries: African resource-rich economies export unprocessed commodities instead of processed goods with higher value addition, broader and deeper linkages within the domestic economy, and more knowledge spillovers between firms that are co-located.<sup>36</sup> In a sense, then, we can see that African political elites have not demonstrated that they have the power to change their economies' structural basis or to incorporate their states into the global political economy.<sup>37</sup>

Moreover, as intimated previously, others might question what incentive African political elites have to change their economies, given the often substantial material gains that the current structures produce.<sup>38</sup> In the recent literature on African agency, there has been a focus on how elites have been able to extract favorable spot prices for "their" oil in Angola when that oil is sold to China,<sup>39</sup> how the Ethiopian government has been able to use China to finance investment in sectors not supported by the West,<sup>40</sup> and how the Rwandan political elite has been able to leverage its Western partners due to the negotiating power it gets from having more partners.<sup>41</sup> How favorable deals are, however, depends on the relative balance of power between nations, which includes economic demand and supply conditions, the strategic importance of the commodity in question, and whether the commodity is substitutable.<sup>42</sup> African political elites have demonstrated that they have not, as of yet, been able to change the terms of the extraverted and commodity-oriented trading relationship, either

35. See Amitendu Palit, *Mega-RTAs and LDCs: Trade Is Not for the Poor*, 58 *GEOFORUM* 23, 24 (2015).

36. See U.N. Conference on Trade and Development, *supra* note 31, at 40-47; BOND, *supra* note 31, at 58-59.

37. See TAYLOR, *supra* note 3, at 101 (describing African elites at international forums as "characters reduced to beggars angling for some Chinese largesse, rather than development-conscious participants, and certainly not partners").

38. See, e.g., Onyedimmakachukwu Obiukwu, *Africa's Richest Presidents: Why Jonathan's Position Is Not The Biggest News*, *VENTURES AFR.* (Oct. 8, 2014), <http://venturesafrica.com/africas-richest-presidents-why-jonathans-position-is-not-the-biggest-news/> (describing the wealth and largesse of the ten richest African presidents in 2014).

39. In the words of Vickers, for instance: "[r]ecent studies provide compelling evidence that Angolan political elites are very much in the driver's seat of negotiating Sino-Angolan relations." Brendan Vickers, *Africa and the Rising Powers: Bargaining for the 'Marginalized Many'*, 89 *INT'L AFF.* 673, 677 (2013). See CORKIN, *supra* note 23, at 13-28.

40. See Deжере Feyissa, *Aid Negotiation: The Uneasy "Partnership" Between EPRDF and the Donors*, 5 *J. E. AFR. STUD.* 788, 808-09 (2012).

41. See Sven Grimm, *Aid Dependency as a Limitation to National Development Policy? The Case of Rwanda*, in *AFRICAN AGENCY IN INTERNATIONAL POLITICS* 81, 81-96 (William Brown & Sophie Harman eds., 2013).

42. See Paul Streeten, *The Dynamics of the New Poor Power*, in *A WORLD DIVIDED: THE LESS DEVELOPED COUNTRIES IN THE INTERNATIONAL ECONOMY* 77, 83-85 (G.K. Helleiner ed., 1976).



through the multilateral system or through the bilateral deals that have been struck with China, notwithstanding a few Chinese-sponsored special economic zones on the continent.<sup>43</sup> Therefore, the “power” or “agency” of African political elites has been confined to incremental bargaining rather than structural change, and is highly circumscribed and limited.<sup>44</sup> Where agency is conceived of as the ability to effect change, the ability of African elites to change fundamentally the nature of their economies would be appear to be extremely limited.

A second objection to over-egging the importance of African agency in international relations relates to the nature of agency itself. In psychology, some theorists have cast doubt on the mind/brain division that much of international relations theory implicitly accepts.<sup>45</sup> For those theorists, the brain is simply another bodily organ which responds to physical and chemical stimuli and has learnt from past experience, and there is no separate “mind.”<sup>46</sup> This is not to dispute that some people have power over others, but rather to question the extent to which free will or voluntarism can be attributed to actions. In this context, it then becomes very important to distinguish between agency and power. While some African political elites may have recently gained power in relation to external actors, their power should not be confused with their agency or lack thereof.

### III. The Assemblage Line of Sino-African Relations

An alternative way to conceptualize political-economic changes and intra-elite relations between Africa and China is as assemblages. Assemblage essentially means “putting together.”<sup>47</sup> The word thus points to the fact that something is in the process of becoming—of flux—as opposed to something that already exists. Assemblages are comprised of both material objects and people or other animals, and they resemble actor networks.<sup>48</sup>

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43. See William Gumedé, *Power and Inequality in Africa*, OPEN SOC. INITIATIVE FOR S. AFR. (Sept. 1, 2013), <http://www.osisa.org/openspace/regional/power-and-inequality-africa>.

44. See *id.* (describing how African elites have failed to update infrastructure, trade, and political structure, and the resulting inability of African nations to negotiate or alter unequal power relations with former colonial powers).

45. See Viviane Green, *Introduction to EMOTIONAL DEVELOPMENT IN PSYCHOANALYSIS, ATTACHMENT THEORY AND NEUROSCIENCE: CREATING CONNECTIONS 1, 3-4* (Viviane Green ed., 2003).

46. See *id.* at 3-4 (describing how an “individual’s psychic life—self and object representations, psychic structure, underlying fantasy content and the manner in which meanings are ascribed—obviously emerges from organic foundations but cannot be reduced to them” because “the brain is a substrate of mind”).

47. *Assemblage*, OXFORD ENGLISH DICTIONARY, <http://www.oed.com/view/Entry/11781> (“A bringing or coming together; a meeting or gathering; the state of being gathered or collected.”).

48. See BRUNO LATOUR, *SCIENCE IN ACTION: HOW TO FOLLOW SCIENTISTS AND ENGINEERS THROUGH SOCIETY* 132 (1987) (introducing the concepts of “human actors” and “non-human actors”); Richie Nimmo, *Actor-Network and Methodology: Social Research in a More-Than-Human World*, 6 *METHODOLOGICAL INNOVATIONS ONLINE* 108, 109 (2011) (describing actor network theory as “suggest[ing] that social relations should not be seen in isolation, but as always existing in relations with all kinds of extra-social net-

They suggest emergence rather than resultant formation, give emphasis to the provisional and spatial nature of social change, and point towards heterogeneous actors and objects co-existing in open systems without forming a coherent whole.<sup>49</sup> In this manner, assemblages suggest that power is co-existing and in constant transition (locally as well as globally), set in motion by co-functioning actors behaving without intentionality as is conventionally understood.<sup>50</sup> Power therefore not only exists in the nation-state, but also exists in numerous interstate structures, in non-state actors, in structures, and in actors.<sup>51</sup>

This line of reasoning essentially means that we cannot talk of Sino-African relations in its totality. Rather, we have to disaggregate the relationship and analyze its constituent parts in order to understand the underlying processes and mechanisms at play. Moreover, these processes and mechanisms do not act autonomously, but instead work in tandem with other processes and affect other structures and relationships. In other words, the assemblages of the Sino-African relationship also influence other assemblages and other places at other times. To quote Acuto and Curtis, “Sequence and temporality become vital: assemblages are born into a pre-existing configuration of other assemblages.”<sup>52</sup>

Viewed in this frame, “African agency” is not in opposition to “Chinese power,” since the two concepts are inter-constitutive. For example, the power of China in international economics and relations arises in part from the government’s ability to fuel the national economy through African oil and mineral imports.<sup>53</sup> Likewise, the recent increase in the power of the African political and economic elite stems substantially from a combination of rising commodity prices—sparked to a large extent by Chinese demand<sup>54</sup>—reduced debt burdens, improved credit ratings, and a diversification of development partners, largely related to the surge of Chinese interest in African economies and the indirect demand effects China

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works between humans and nonhumans, which need to be recognized and made visible”).

49. See Ben Anderson & Colin McFarlane, *Assemblage and Geography*, 43 *AREA* 124, 125 (2011). Cf. Nimmo, *supra* note 48 (describing how actor network theory “posits hybrids of ‘societies-natures,’ heterogeneous assemblages in which humans and nonhumans are inextricably mixed up together”).

50. See Jane Bennett, *The Agency of Assemblages*, in *VIBRANT MATTER: A POLITICAL ECOLOGY OF THINGS* 21, 28–31 (Jane Bennett ed., 2010) (describing the role of intentionality in various conceptions of agency).

51. See Michele Acuto & Simon Curtis, *Assemblage Thinking and International Relations*, in *REASSEMBLING INTERNATIONAL THEORY* 3, 7–9 (Michele Acuto & Simon Curtis eds., 2014); John Allen, *Powerful Assemblages?*, 43 *AREA* 154, 155 (2011); Anderson & McFarlane, *supra* note 49, at 125 (describing power as being a “plurality in transformation,” rather than being confined to a central governing body); Saskia Sassen, *Neither Global Nor National: Novel Assemblages of Territory, Authority and Rights*, 1 *ETHICS & GLOBAL POL.* 61, 63 (2008) (describing the power of non-state actors).

52. Acuto & Curtis, *supra* note 51, at 8.

53. See Clifford Krauss & Keith Bradsher, *China’s Global Search for Energy*, *N.Y. TIMES*, May 22, 2014, at B1.

54. MASUMA FAROOKI & RAPHAEL KAPLINSKY, *THE IMPACT OF CHINA ON GLOBAL COMMODITY PRICES: THE GLOBAL RESHAPING OF THE RESOURCES SECTOR* 47, 58–59, 65–69 (2012).

exerts.<sup>55</sup> Thus, approaching the relationships between Africa and China using the assemblage theory requires us to go beyond traditional agency approaches by probing where “agency” is to be found, how it is established, and which actors shape its development.

Nevertheless, some might question the ontological status of assemblages in an increasingly globalized world.<sup>56</sup> For example, Chinese political elites are not just connected to their African counterparts, but to their counterparts all around the world.<sup>57</sup> In a sense, then, global socio-nature could be considered a meta-assemblage, and sub-assemblages are merely heuristic devices to make theoretical analysis easier. Viewed in this frame, it appears that nature is ultimately in charge as an actor, as its laws and rhythms defy human temporality and attempts to alter or limit them.<sup>58</sup> We, however, see assemblages more as an empirical approach that on the one hand forces us to unpack or critically examine accepted realities, and on the other hand drives us to scrutinize how agency works and how it influences Sino-African relations. Thus, thinking in terms of assemblages enables us to further our understanding of evolving forms of power in contemporary international relations.

#### IV. Power Shifts in Zambia and Angola

This Article began by attempting to locate power in Sino-African relations to see which actors held it and along which dimensions. We have questioned some received wisdoms and the ontological status of the concept of agency. We now proceed to probe these issues more deeply through an examination of Sino-Zambian and Sino-Angolan relations. Zambia and Angola are particularly interesting because they are both major exporters of critical natural resources to China. Zambia is, as of 2015, the second largest producer of copper in Africa, and a major supplier to China, although some of this is routed through Switzerland.<sup>59</sup> Angola, as of late 2015, is the largest exporter of oil on the continent to China and has recently rivaled Nigeria as the continent’s biggest overall oil producer.<sup>60</sup> Zambia and Angola are thus critical cases for the study of power and Afri-

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55. See Dennis Tull, *China’s Engagement in Africa: Scope, Significance and Consequence*, 44 J. MOD. AFR. STUD. 459, 471-73, 475-76 (2006).

56. See, e.g., SASKIA SASSEN, *TERRITORY, AUTHORITY, RIGHTS: FROM MEDIEVAL TO GLOBAL ASSEMBLAGES* 1-2 (2006) (criticizing writing on globalization that “has failed to recognize [institutional and subjective micro-transformations produced by denationalization] and has privileged outcomes that are self-evidently global”).

57. See, e.g., Stephen Aldred & Irene Jay Liu, *Princeling of Private Equity*, REUTERS (Apr. 10, 2014), <http://graphics.thomsonreuters.com/14/03/CHINA-PRINCELING.pdf> (describing the international investments and connections that Chinese political elite use to amass tremendous wealth).

58. See NAOMI KLEIN, *THIS CHANGES EVERYTHING: CAPITALISM VS. THE CLIMATE* 21 (2014) (emphasizing the immutability of the laws of nature in contrast to the mutability of human economic structures).

59. See Andrew England, *Reality Check in Africa as Boom Time Ends*, FIN. TIMES (Oct. 5, 2015), <http://www.ft.com/intl/cms/s/0/e81d0b70-5e2f-11e5-a28b-50226830d644.html#axzz3xiutlzba>.

60. See *id.*

can agency. If we do not see structural power changes as a consequence of China's rejuvenated political and economic interest in Africa in these two countries that have long-term, close collaborations with China, that are of real importance for China's geostrategic visions, and where incumbent governments increasingly have turned towards China to finance their visions of becoming middle income countries, the likelihood that we will see structural power changes in other African countries as a result of the global power shifts are arguably slim.<sup>61</sup>

#### A. Sino-Zambian Relations: "Agency at the Margins"?

Much has been written over the last decade on Sino-Zambian relations.<sup>62</sup> Zambia has been a hotbed of contention over the role of China on the continent, as exemplified by extensive anti-Chinese riots in the capital city Lusaka and in the Copperbelt region in 2006, following an election that Michael Sata lost.<sup>63</sup> In that year, Mr. Sata, the Patriotic Front candidate, ran on an explicitly anti-Chinese platform, with a particular focus on Chinese investors, whom he called "infesters," not investors.<sup>64</sup> Mr. Sata tapped into discontent about the distribution of natural resource wealth and the highly unfavorable conditions under which Zambia's copper industry had been privatized to the benefit of foreigners.<sup>65</sup> In Lusaka, there was also substantial resentment against Chinese traders who were often felt to be displacing locals from the market.<sup>66</sup>

Mr. Sata eventually ascended to the presidency in 2011, after a campaign which was still critical of the Chinese presence in the country but was less explicitly racist.<sup>67</sup> Upon coming to power, President Sata's first diplomatic guest in the State House was the Chinese ambassador.<sup>68</sup> This signaled both the economic importance of the Sino-Zambian relationship, and that President Sata wished to have a cooperative rather than a conflictive relationship.<sup>69</sup> More importantly, perhaps, he sent Zambia's first President, Kenneth Kaunda, to China to thank the government for the financial

61. For a discussion of why case studies are a methodologically sound means of understanding broader phenomena, see generally Bent Flyvbjerg, *Five Misunderstandings About Case-Study Research*, 12 *QUALITATIVE INQUIRY* 219 (2006).

62. See, e.g., Godfrey Hampwaye & Peter Kragelund, *Trends in Sino-Zambian Relations*, in *CHINA'S DIPLOMACY IN EASTERN AND SOUTHERN AFRICA* 27, 27-29 (Seifudein Adem ed., 2013); Dominik Kopinski & Andrzej Polus, *Sino-African Relations: 'An All-Weather Friendship' Weathering the Storm*, 29 *J. CONTEMP. AFR. STUD.* 181 (2011).

63. Hampwaye & Kragelund, *supra* note 62, at 28-29.

64. *Id.* at 29.

65. ALASTAIR FRASER & JOHN LUNGU, *FOR WHOM THE WINDFALLS? WINNERS & LOSERS IN THE PRIVATISATION OF ZAMBIA'S COPPER MINES* 48 (2007).

66. See Chris McGreal, *Thanks China, Now Go Home: Buy-Up of Zambia Revives Old Colonial Fears*, *THE GUARDIAN* (Feb. 5, 2007), <http://www.theguardian.com/world/2007/feb/05/china.chrismcgreal>.

67. See *Michael Sata: Zambia's 'King Cobra' Finally Strikes*, *BBC NEWS* (Sept. 23, 2011), <http://www.bbc.com/news/world-africa-15034694>.

68. See Andrew Bowman, *Can Zambia Stand Up To China?*, *NEW INTERNATIONALIST MAG.* (Dec. 1, 2011), <http://newint.org/sections/agenda/2011/12/01/chinese-investment-in-zambia/>.

69. Hampwaye & Kragelund, *supra* note 62, at 36-37.

and other support that Zambia had received from China since independence, such as the Tanzania-Zambia (TAZARA) railway constructed in the 1970s.<sup>70</sup> Thus, given the growing dependence of the Zambian economy on China for exports and investment, President Sata's position shifted immediately on assumption of the presidency, as he was structurally enrolled and inducted into the elite actor network.<sup>71</sup>

As a result of President Sata's ascendance to the political elite, the export-oriented copper assemblage remained intact.<sup>72</sup> For example, while he did introduce some "populist" policies, such as increasing minimum wages and requiring that all receipts from mining transited through the Zambian banking system to ensure that all appropriate taxes were paid, the confrontational stance that he adopted towards Chinese engagement in Zambia quickly moderated.<sup>73</sup> Indeed, according to one report released shortly before Sata's death, the Chinese government paid for Sata's hospital stay in Israel in 2014.<sup>74</sup>

Following Michael Sata's death in late 2014, Zambia held presidential by-elections in January 2015.<sup>75</sup> The Patriotic Front candidate, Edward Lungu, won the election by a slim margin, and he has maintained the close relationship between Zambia and China that emerged during President Mwanawasa's term from 2001 to 2008, was expanded during President Banda's leadership from 2008 to 2011, and continued through President Sata's rule from 2011 to 2014.<sup>76</sup> The enrollment of the incumbent Patriotic Front government into the China-centered copper export assemblage was possible in part because of the commodity's bivalent character as both a national resource and international commodity.<sup>77</sup> In other words, the nature of Zambia's economic relations with China meant that there was both a demand for, and supply of, cooperation with the late President, who had previously been very critical of China.<sup>78</sup> Thus, the structural nature of the dependent relationship that Zambia forged with China is evident.

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70. See *Sata Thanks China*, ZAMBIAN WATCHDOG (Apr. 6, 2013), <http://www.zambianwatchdog.com/sata-thanks-china/>.

71. See Hampwaye & Kragelund, *supra* note 62, at 36-37.

72. See *id.* at 36.

73. Nic Cheeseman, Robert Ford & Neo Simutanyi, *Is There a "Populist" Threat in Zambia?*, in ZAMBIA: BUILDING PROSPERITY FROM RESOURCE WEALTH 339, 345 (Christopher Adam et al. eds., 2014).

74. *China Paying for Sata's Current Hospitalization in Israel*, ZAMBIAN WATCHDOG (June 25, 2014), <http://www.zambianwatchdog.com/china-paying-satas-current-hospitalisation-in-israel/>.

75. See Alan Cowell, *Zambia: President Is Sworn In*, N.Y. TIMES, Jan. 26, 2015, at A5.

76. See Ndongwa Noyoo, *Corporate Social Responsibility Forays in Southern Africa: Perspectives from South Africa and Zambia*, in CORPORATE SOCIAL RESPONSIBILITY IN SUB-SAHARAN AFRICA: SUSTAINABLE DEVELOPMENT IN ITS EMBRYONIC FORM 69, 76-77 (Stephen Vertigans et al. eds., 2016).

77. See Alistair Fraser, *Introduction to ZAMBIA, MINING AND NEOLIBERALISM: BOOM AND BUST ON THE GLOBALIZED COPPERBELT 1, 1-2* (Alistair Fraser & Miles Larmer eds., 2010) (describing copper as the tail that wags the dog in Zambia). Copper accounts for approximately three quarters of Zambia's exports and much of that copper goes to China. See Norimitsu Onishi, *Zambia's Economy, Driven By Copper, Tumbles as Chinese Demand Cools*, N.Y. TIMES, Dec. 3, 2015, at A10.

78. See Hampwaye & Kragelund, *supra* note 62, at 27-40.

This is not to deny that the Patriotic Front government did not try to exert power both vis-à-vis the West and vis-à-vis China.<sup>79</sup> The most recent examples include a decision to go against the traditional development partners' long-term agenda of privatization, first by de-privatizing the formerly state-owned telecommunication provider Zamtel.<sup>80</sup> The official reason for this decision was one of economics: a commission formed by late President Sata himself reached the conclusion that Zamtel had been undervalued and hence that the sale had been illegal.<sup>81</sup> The political undertone cannot be missed. Michael Sata used his muscles to fight the West and to pursue a domestic political goal of bringing ownership back into Zambian hands. In a similar vein, the Zambian government in 2012 decided to cancel the Zambian Railways privatization agreement.<sup>82</sup> These material and symbolic confrontations<sup>83</sup> represent a re-inscription of African nationalism that in some ways mirrors the ideology of Robert Mugabe (a close friend of President Sata).<sup>84</sup>

Moreover, the Patriotic Front-led government chose to flex its muscles vis-à-vis private investors.<sup>85</sup> This was done through a number of laws passed in Parliament.<sup>86</sup> The most important ones included a banning of dollar-denominated transactions to minimize large-scale tax avoidance, and the passing of the Bank of Zambia (Amendment) Act of 2013 that enabled the Bank of Zambia to monitor and regulate better foreign exchange flows, imports and exports, international transactions, equity investments, and international money transfers in and out of the country.<sup>87</sup>

The Patriotic Front-led government also seemed eager to crack down on companies that did not abide by Zambian laws. In this regard, it did not spare Chinese companies, as evidenced by its takeover of the Chinese and Australian-owned Collum Mine because of "gross abrogation of mining and environmental laws,"<sup>88</sup> the failure to pay mineral royalties,<sup>89</sup> and the shooting of thirteen miners, although the state ultimately decided not to

79. See Peter Kragelund, 'Donors Go Home': *Non-Traditional State Actors and the Creation of Development Space in Zambia*, 35 *THIRD WORLD Q.* 148, 157–58 (2014).

80. See *id.* at 157.

81. See *id.*; Chris Mfula, *Zambia Finds Zamtel's Sale to Libyan Firm Illegal—Sata*, *REUTERS* (Nov. 17, 2011), <http://af.reuters.com/article/commoditiesNews/idAFL5E7MH2DW20111117>.

82. See Kragelund, *supra* note 79, at 157.

83. DONAL B. CRUISE O'BRIEN, *SYMBOLIC CONFRONTATIONS: MUSLIMS IMAGINING THE STATE IN AFRICA* 4 (2003) (describing the "politics of symbolic confrontation" as "a latent electoral force in times of what may be democratic transition").

84. Nse Udoh, *Opinion, German Newspaper Describes Sata's Zambia as 'Birth of a Dictatorship'*, *ZAM. REP.* (June 26, 2012), <http://zambiareports.com/2012/06/26/german-newspaper-exposes-satas-nepotism-and-dubious-anti-corruption-effort/>.

85. See Kragelund, *supra* note 79, at 157.

86. See *id.*

87. See *id.*

88. Michael Chawe, *Zambia Seizes Controversial Chinese-Owned Mine*, *AFR. REV.* (Feb. 21, 2013), <http://www.africareview.com/News/Zambia-seizes-controversial-Chinese-owned-mine/-/979180/1700242/-/joitl4z/-/index.html>.

89. See Barry Sautman & Yan Hairong, *Bashing 'the Chinese': Contextualizing Zambia's Collum Coal Mine Shooting*, 23 *J. CONTEMP. CHINA* 1073, 1078 (2014).

prosecute the managers responsible.<sup>90</sup> The circumstances surrounding the shootings are highly contested, however, and some observers have argued that the fractious labor relations at the mine were an outcome of neoliberalism in Zambia rather than particularly poor working conditions at the “Chinese” mine.<sup>91</sup>

Another tentative sign of increasing Zambian agency vis-à-vis external actors came with the release of the 2015 budget, which announced an overhaul of the mining fiscal regime and thereby caused a certain amount of tumult in the mining sector.<sup>92</sup> As a result of the changes, Canadian-owned Barrick Gold announced that it would close down the big Lumwana mine.<sup>93</sup> At first glance, this behavior looks like the Zambian state exerting power over or against the corner-stone of the Zambian economy, namely large-scale foreign mining companies.<sup>94</sup> Statements from the Minister of Finance, Alexander Chikwanda, reinforce the impression that Zambia in fact resisted the “stampede” by the very mining companies that used the threat of closing down operations to force him to nullify the changes that he proposed to the mining fiscal regime: “[the mining tax change] will pass through in its current form . . . . These people don’t allow us to think about our own ideas, they just want to think for us . . . some mining companies want to stampede us to change the tax regime.”<sup>95</sup>

On closer inspection, however, the proposed overhaul of the mining fiscal regime was not necessarily a sign of increasing Zambian agency. First, analysts see this more as a sign of weakness than strength on the part of the Zambian state because, as *The Economist* noted in December 2014, “[t]he raising of taxes suggests the government has bowed to internal pressure to increase the mining sector’s contribution to revenue collection.”<sup>96</sup> More importantly, the change of the mining fiscal regime was essentially a change of tax levels, including royalties and income tax, rather than an alteration of how taxes are calculated.<sup>97</sup> As Robert Conrad has explained in detail, the Zambian mining fiscal regime is characterized by vagueness,

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90. See *id.* at 1073, 1082.

91. See *id.* at 1090–92.

92. See *Tax Increases Spark Mine Closures*, ECONOMIST INTELLIGENCE UNIT (Dec. 22, 2014), <http://country.eiu.com/article.aspx?articleid=282604012&Country=Zambia&topic=Economy&subtopic=Forecast&subsubtopic=Economic+growth&u=1&pid=1433082327&oid=1433082327&uid=1>. Changes included an increase of the royalty—the payment proportional to the purchase price of the ore to the owner of the reserve—from six to eight percent for underground mines and from six to twenty percent for open pit mines. See *id.*

93. See *id.*

94. See Kragelund, *supra* note 79, at 157.

95. Chola Mukanga, *Mining Companies Stampede on Zambia*, ZAMBIAN ECONOMIST (Dec. 8, 2014), <http://www.zambian-economist.com/2014/12/mining-companies-stampede-on-zambia.html>.

96. *Mining Taxes Increased to Finance 2015 Budget*, ECONOMIST INTELLIGENCE UNIT (Oct. 14, 2014), [http://country.eiu.com/article.aspx?articleid=602380244&Country=Zambia&topic=Economy&subtopic=For\\_1](http://country.eiu.com/article.aspx?articleid=602380244&Country=Zambia&topic=Economy&subtopic=For_1).

97. *Id.*

where vagueness benefits the mining companies—not the Zambian state.<sup>98</sup> This is especially apparent with regards to the base for royalty calculations and how to measure quantities of output. With regard to the former, some mining companies determine the base for royalty calculations on the price that they get paid by buyers overseas, while others establish the base with respect to concentrate or on the smelter output production.<sup>99</sup> How to measure quantities of output is not clear either: some use production figures, others use concentrate figures (either when sold to domestic smelters or when exported), and finally, some use the number of copper cathodes (sheets) produced.<sup>100</sup> The result is that while mining companies in Zambia pay significantly more tax now than they did immediately after the mines were privatized in the late 1990s, “the number of mines actually paying tax is known to be relatively few.”<sup>101</sup>

In fact, in a February 2015 ministerial statement to the assembly, Minister of Finance Alexander Chikwanda said that the main reason for introducing a new mining tax regime was that:

[T]he tax structure was simply illusory as only two mining companies were paying Company Income Tax under the previous tax regime as most of them claimed that they were not in tax-paying positions. . . [i]t has therefore become [sic] imperative for the Government to restructure the mining tax regime by replacing the profit based tax system with a simple mineral royalty based regime that is final so that we insulate ourselves against tax planning schemes which are structured to wipe out taxable profits.<sup>102</sup>

Furthermore, the power of the Zambian government vis-à-vis the large-scale mining companies soon turned out to be an illusion. The proposed amendments to the mining tax regime were retracted because of uproar among the mining companies who threatened to cut jobs, delay investments, and close down operations if they were implemented.<sup>103</sup> The Zambian government therefore backtracked key aspects of the mining tax regime and proposed to introduce a flat nine percent royalty tax for open pit and underground mines, combined with an increase in corporate taxes in April 2015.<sup>104</sup> The official argument was that mining companies have to pay royalty taxes, which are derived from the value of production, from the day operations begin—but before operations become profitable due to

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98. See Robert Conrad, *Mineral Taxation in Zambia*, in ZAMBIA: BUILDING PROSPERITY FROM RESOURCE WEALTH 82, 97 (Christopher Adam et al. eds., 2014).

99. See *id.* at 84, 97.

100. See *id.* at 98.

101. See *id.* at 93.

102. *Only Two Mining Companies Were Paying Tax Under the Previous Tax Regime—Chikwanda*, LUSAKA TIMES (Feb. 26, 2015), <https://www.lusakatimes.com/2015/02/26/two-mining-companies-paying-tax-previous-tax-regime-chikwanda/>.

103. See Cecilia Jamasmie, *It's Official: Zambia Scales Back Mining Royalties to 9%*, MINING.COM (Apr. 20, 2015), <http://www.mining.com/its-official-zambia-scales-back-mining-royalties-to-9/>; George Mwenya, *Cabinet Slashes Mining Royalties to 9%*, ZAM. REP. (Apr. 20, 2015), <http://zambiareports.com/2015/04/20/cabinet-slashes-mining-royalties-to-9/>.

104. IMF, *Zambia: Selected Issues*, Country Report No. 15/153 ¶¶ E.16–E.18 (May 5, 2015).



the large-scale sunk costs—whereas corporate taxes only apply once the operations become profitable.<sup>105</sup> Hence, the financial burden on the mining corporations was too high.<sup>106</sup>

Additionally, the proposal was considered unfair by some mining companies. The main issue was that it did not distinguish between the old underground mines characterized by higher operation costs and higher input costs for production, and the new open pit mines with lower costs.<sup>107</sup> Moreover, it raised the royalty tax for underground mines from eight to nine percent.<sup>108</sup> Furthermore, on June 5, 2015, presidential spokesperson Amos Chanda announced yet another reversal: the new proposal is to keep a nine percent royalty tax for open pit mines and lower the royalty tax for underground mines to six percent.<sup>109</sup>

What we have witnessed, then, is a large-scale mining taxation regime reversal that will end up with a tiny increase from six to nine percent for open pit mines and no increase for underground mines. Simultaneously, the government of Zambia has returned to a complex tax system that is hard to enforce. Some mining companies operate both open pit and underground mines, and the two-tier system that may end up benefitting only large-scale mining companies has been reintroduced.<sup>110</sup>

The alteration of the mining fiscal regime therefore does not signal African agency in the way implied by the use of the term in some of the recent literature. Rather, the lack of real changes in the mining fiscal regime, which allows for a continuation of a lack of clear definitions and rules, may give the Zambian political elite power vis-à-vis the electorate or may be primarily for the benefit of the political elite. This is in contrast to Chinese actors deriving the benefit, since public information about how much tax is paid by whom and why is at best scarce and is often also opaque. The alteration of the mining fiscal regime, thus, appears to have been partly an attempt to assuage the public, a substantial portion of whom were enraged by working practices at Chinese or Chinese-associated firms.<sup>111</sup> In a sense, then, it represents a hegemonic strategy to achieve consent on the part of the governed. It also appears to have been relatively successful, as the Patriotic Front's candidate was elected in the recent presidential by-election.<sup>112</sup>

Instead of agency, the alterations to the mining fiscal regime therefore point towards numerous power transitions at local, national, and global

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105. See *id.*; WBG, *Zambia Economic Brief: Making Mining Work for Zambia* 20–21 (2015), <http://openknowledge.worldbank.org/handle/10986/22039>.

106. See IMF, *supra* note 104, ¶¶ B4–B7.

107. See Matthew Hill, *Zambia to Cut Proposed Underground Mine Royalties to 6%*, BLOOMBERG BUS. (Jun. 4, 2015), <http://www.bloomberg.com/news/articles/2015-06-04/zambia-agrees-to-cut-proposed-underground-mine-royalties-to-6->.

108. *Id.*

109. *Id.*

110. See WBG, *supra* note 105, at 23.

111. See Sautman & Hairong, *supra* note 89, at 1089 (describing Zambian discontent with working conditions at Chinese-operated mines).

112. Cowell, *supra* note 75.

levels, none of which alter the structural underpinnings of Zambia's international relations. As laid out above, assemblages are essentially actor-networks where both human and non-human actors exert power.<sup>113</sup> Thinking about the Zambian political system in this way allows us to go beyond an analysis of how Zambian state actors seek to exert power; we are also able to analyze how the very structures of a resource-rich economy limit their ability to change fundamentally these power and economic structures.

China and other foreign actors in Zambia do not only derive their power from their ability to grant or deny new loans or investments of importance for the Zambian government in its quest for modernization and economic development. To the contrary, China derives its power from the structurally embedded nature of dependence that originates in sunk investments in copper mines, conveyor belts and other infrastructure projects, jobs linked to those projects, and dependence on copper for foreign exchange earnings and some taxes. The mining sector is characterized by extreme capital- and technology-intensity, not only of the mines themselves, but also of many of the activities in the value chain that begin with the exploration phase and continue with mine construction, ores extraction, smelting, leaching, and refining, all the way to fabrication of final goods and eventually scraps.<sup>114</sup> The first parts of this chain require especially heavy engineering skills and substantial capital.<sup>115</sup>

Given the capital-intensive nature of the mining sector, the costs of exercising agency through the partial nationalization of Chinese or other mines would then have been substantial.<sup>116</sup> Instead, what we have witnessed is power or "agency at the margins" in terms of the raising of minimum wages and threats to renationalize less capital-intensive firms. Lonsdale refers to this situation as "agency in tight corners."<sup>117</sup> The central agency employed, however, involved reproducing the extant structure of the actor-network, despite the formal right to assert full sovereignty over "national" resources such as copper. Thus, Zambia arguably reproduced the hegemony of transnational capital through a slight renegotiation of the contract of extraversion to facilitate legitimation. The contract of extraversion is the implicit bargain between African state elites and foreign investors where natural resources are exported in exchange for a share of

113. See LATOUR, *supra* note 48, at 132; Nimmo, *supra* note 48.

114. See WBG, *supra* note 105, at 17, 20-21; UNEP Fin. Initiative, *Environmental and Social Risk Briefing* 1-3 (2006), [http://www.unepfi.org/fileadmin/toolkit/Mining\\_Metals\\_ESRBN\\_amended180806.pdf](http://www.unepfi.org/fileadmin/toolkit/Mining_Metals_ESRBN_amended180806.pdf).

115. C.W. Berry & D.E. Fletcher, *Management Philosophies*, in SURFACE MINING 1023, 1025 (Bruce A. Kennedy ed., 1990) ("in mining, most investment capital is in the development-construction phase").

116. Cf. William A. Stoever, *A Business Analysis of the Partial Nationalization of Zambia's Copper Industry, 1969-1981*, 16 J. INT'L BUS. STUD. 137, 137 (1985) (describing the substantial financial cost to Zambia of partial nationalization of its mines between 1969 and 1981).

117. John Lonsdale, *Agency in Tight Corners: Narrative and Initiative in African History*, 13 J. AFR. CULTURAL STUD. 5, 5-16 (2000).

resource rents.<sup>118</sup>

Even this type of agency, however, is precarious, because the windfall taxes imposed on copper miners when prices were high were quickly reversed when prices fell following the global financial crisis and subsequent falling demand in China.<sup>119</sup> Thus, the most recent example of Zambian agency vis-à-vis the mining companies in reality did not change the power structures between the complex transnational mining corporations and the understaffed Zambian tax authorities.<sup>120</sup>

In a similar vein, the banning of dollar-denominated transactions has since been revoked due to widespread criticism from foreign investors in Zambia; again, this signals a limit to the power of the Zambian political elite.<sup>121</sup> Thus, the agency of the Zambian state in relation to the international market—and most significantly, China—has been very limited in both extent and temporality. As laid out above, the new Lungu-led government has not changed the situation significantly; the contours of economic and resource dependence remain unchanged.

#### B. Sino-Angolan Relations: An Example of “Hemmed In” Agency?

Angolan President Eduardo dos Santos has been in power since 1979, making him Africa’s second-longest serving head of state.<sup>122</sup> He remained in power during that country’s long civil war, and has remained in power for more than a decade since the end of that conflict.<sup>123</sup>

Nevertheless, Lucy Corkin’s recent book attributes substantial agency to the Angolan government in negotiating its relationship with China.<sup>124</sup>

118. See Peter Kragelund, *Cruciform Sovereignty, Matrix Governance and the Scramble for Africa’s Oil: Interpretations from Chad and Sudan*, 28 POL. GEOGRAPHY 353 (2009).

119. See Duncan Green, *A Copper-Bottomed Crisis? Economic Meltdown on Zambia*, OXFAM INT’L 5 (Dec. 22, 2009), <http://policy-practice.oxfam.org.uk/publications/a-copper-bottomed-crisis-the-impact-of-the-global-economic-meltdown-on-zambia-111973>; Chola Mukanga, *Lungu’s Copper Challenge*, ZAMBIAN ECONOMIST (Feb. 12, 2015), <http://www.zambian-economist.com/2015/02/lungus-copper-challenge.html> (describing the Zambian government’s response to the global recession in terms of tax changes in the mining sector).

120. See Kofi Annan, *Tackle Tax Evasion to Fuel Africa’s Development*, THE ELDERS (July 19, 2013), <http://theelders.org/article/tackle-tax-evasion-fuel-africas-development> (describing tax authorities across Africa as “understaffed and poorly resourced”); Odd-Helge Fjeldstad & Kari K. Heggstad, *The Tax Systems in Mozambique, Tanzania and Zambia: Capacity and Constraints*, CHR. MICHELSEN INST. 56 (Jun. 15, 2011), <http://www.cmi.no/publications/file/4045-taxation-mozambique-tanzania-zambia.pdf> (describing Zambia’s mining ministry as “understaffed” and “one of the least prioritized ministries in terms of funding from the government budget”).

121. See Celia Becker, *Zambia Scraps Exchange Control Regulations*, ENS AFR. (May 23, 2014), <https://www.ensafrica.com/news/Zambia-scraps-exchange-control-regulations?Id=1438&STitle=tax%20ENSight>.

122. Patrick McGroarty, *Angola’s Boom, Fueled by China, Goes Bust*, WALL ST. J. (Oct. 28, 2015), <http://www.wsj.com/articles/angolas-boom-fueled-by-china-goes-bust-1446072930>.

123. Michael Specter, *Extreme City: The Severe Inequality of the Angolan Oil Boom*, THE NEW YORKER (June 1, 2015), <http://www.newyorker.com/magazine/2015/06/01/extreme-city-specter>.

124. See generally CORKIN, *supra* note 23.

In some recent years, Angola has been China's single biggest supplier of oil, and Corkin argues that this has given the country's government substantial leverage in its negotiations with China.<sup>125</sup> This is undoubtedly true, but as with the Zambian case, the overall structure of dependence on resource exports has remained in place.<sup>126</sup> Arguably, the principal focus of the regime has been on its own maintenance, which has been spectacularly achieved—the ruling party won more than seventy percent of the votes in the 2012 election<sup>127</sup>—rather than structural transformation. The Angolan elite have been able to leverage their external connections (both economic and political) to maintain the power status quo, and they have deployed state power to structure the country's extraversion portfolio to ensure that result.<sup>128</sup> According to Marcus Power:

State power in Angola does not reside primarily in the government or in the ruling party the MPLA (*Movimento Popular de Libertação de Angola*) per se, but, more accurately, in a clique of technocrats and advisors centered on the President . . . . This group, named the *Futungo* after the Presidential palace, is a nebulous group of unelected officials and businessmen around President Eduardo dos Santos which became the key structure of power in the 1980s, in tandem with the sidelining [sic] of MPLA party organs and formal state structures. Sonangol [the state oil company] essentially exists to harness and further their agenda . . . and as such it constitutes a structure of power alongside the formal state institutions, a kind of “parallel state” . . . . Thus far the Chinese credit lines have remained firmly in the grips of the *Futungo* and there has been evidence of their misappropriation.<sup>129</sup>

This is in contrast to Corkin, who argues that “Angolan political elites, in a post-civil war environment, are attempting to use Chinese financial assistance as a state building device.”<sup>130</sup>

The discrepancy between these two perspectives may be explained by differences in the definition of what constitutes a state: whereas Power refers to what is sometimes called the “shadow state,”<sup>131</sup> it appears that Corkin conflates the shadow state with the formal state.<sup>132</sup> At the heart of this difference lies the locus of power. According to Corkin, there is a difference between “despotic and infrastructural power, the former referring to ‘the range of actions that the elite is empowered to undertake without routine’ and the latter the ability to execute them.”<sup>133</sup> This dualist concep-

125. *Id.* at 17, 59.

126. WORLD BANK, ANGOLA ECONOMIC UPDATE: ECONOMIC DEVELOPMENTS AND ISSUES SHAPING ANGOLA'S FUTURE 9 (2013), <http://www.worldbank.org/content/dam/Worldbank/document/Africa/Angola/angola-economic-update-june-2013.pdf>.

127. Pascal Fletcher & Shrikesh Laxmidas, *Angola's Dos Santos Secures Big Election Win*, REUTERS (Sept. 1, 2012), <http://www.reuters.com/article/us-angola-election-idUSBRE88005020120901>.

128. See Caryn Peiffer & Pierre Englebert, *Extraversion, Vulnerability to Donors, and Political Liberalization in Africa*, 111 AFR. AFF. 355, 361 (2012).

129. Marcus Power, *Angola 2025: The Future of the “World's Richest Poor Country” as Seen Through a Chinese Rear-View Mirror*, 44 ANTIPODE 993, 998 (2012).

130. CORKIN, *supra* note 23, at 25.

131. See, e.g., WILLIAM RENO, *WARLORD POLITICS AND AFRICAN STATES* 2 (1995).

132. CORKIN, *supra* note 23, at 25.

133. *Id.* at 25 n.18.

tion of power, however, is at odds with assemblage thinking, in which power resides not in actors but in networks: power rests in the ability to execute it, and without that ability, power does not exist. What is the nature of the power of the Angolan state and the powerful clique around the president known as the “Futungo”?

According to Marques de Morais, after the end of the civil war in Angola in 2002, “the government took a fateful step, calling on China to fulfill the promise of reconstruction—in the same way it had outsourced its national defense needs to Cuba from 1975 to 1989.”<sup>134</sup> By way of example, the construction of the Kilamba Kiaxi housing complex in Luanda employed more than ten thousand Chinese workers, and security for this multi-billion dollar development was provided by the Presidential Guard.<sup>135</sup> What this example demonstrates is both the power of the Angolan state to provide security, and its weakness in terms of the provision of public and social services. The development, then, resulted from the power of the assemblage of Angolan state and Chinese actors to develop building sites, import materials and labor, and provide security. The development, however, has also encountered resistance, as “[t]he large Chinese presence has resulted in growing resentment from Angolans and increasing personal attacks,”<sup>136</sup> given the nature of the Angolan model, wherein seventy percent of the contracts for construction and infrastructure from oil-backed loans from China were required to go to Chinese companies.<sup>137</sup>

Shinn and Eisenman also detail how the Angolan political elite wish to maintain relations with a variety of external partners to prevent China from developing a “monopoly of influence.”<sup>138</sup> When oil prices fell following the global financial crisis, for example, President dos Santos made two trips to Beijing to ensure continued access to Chinese funding,<sup>139</sup> demonstrating both the constrained temporality and spatiality of Angolan agency in bargaining relations with external actors, and particularly China. With oil prices continuing to plummet into 2016,<sup>140</sup> the agency of the Angolan

134. Rafael Marques de Morais, *The New Imperialism: China in Angola*, WORLD AFF. J. (Mar./Apr. 2011), <http://www.worldaffairsjournal.org/article/new-imperialism-china-angola>.

135. *See id.*

136. DAVID H. SHINN & JOSHUA EISENMAN, CHINA AND AFRICA: A CENTURY OF ENGAGEMENT 342 (2012).

137. *See* Jamil Anderlini, *China Insists on ‘Tied Aid’ in Angola*, FIN. TIMES (June 25, 2007), <http://www.ft.com/intl/cms/s/0/908c24f2-2343-11dc-9e7e-000b5df10621.html#axzz2RtN8dPxR>.

138. SHINN & EISENMAN, *supra* note 136, at 343.

139. *Id.*

140. *See* Stanley Reed, *Oil Price Falls as Global Growth Anxiety Weighs on Markets*, N.Y. TIMES (Jan. 15, 2016), <http://www.nytimes.com/2016/01/16/business/energy-environment/oil-prices.html>. The rapid decline in oil prices has been driven by increased domestic production in the United States, a lagging demand for fuel in much of Europe, and a continued unwillingness of OPEC to intervene and stabilize over-saturated markets. *See* Clifford Krauss, *Oil Prices: What’s Behind the Drop? Simple Economics*, N.Y. TIMES (Jan. 15, 2016), <http://www.nytimes.com/interactive/2016/business/energy-environment/oil-prices.html>.

political actors is likely to be even more constrained.<sup>141</sup> In this sense, they are hemmed in by combined resource and external dependence.<sup>142</sup>

## V. Conclusion: Who is in Charge?

“African countries ought to be able to adopt a . . . strategy of integrating trade, financing and development considerations in their approach to the BRICS . . . [but] Africa does not appear to have established the necessary capacity to negotiate such outcomes.”<sup>143</sup> This statement highlights multiple issues of power at play. First, African elites have the capacity to negotiate deals with China and the other BRICS countries that would promote industrialization. Second, African political elites have incentives to do so, given the benefits that flow to them from current arrangements. Third, China and the other BRICS members have incentives to promote industrialization in partner and competitor countries. Fourth, African elites have the ability to negotiate favorable arrangements with China and other BRICS members, despite the constraints imposed by the WTO, which has severely circumscribed the ease of deploying strategic trade and industrial policy instruments.<sup>144</sup>

China largely promotes external neoliberalization (meaning free trade and investment<sup>145</sup>) to ensure its own strategic interests through the “new constitutionalism” of the WTO.<sup>146</sup> African political elites, on the other hand, are often happy to deploy the “strategy of extraversion.”<sup>147</sup> This coincidence of interests has resulted in a Sino-African assemblage that is itself embedded in a broader structure of empire.<sup>148</sup> For example, from 2005 to 2006, fifteen percent of World Bank projects in Africa were under-

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141. Cf. Krauss, *supra* note 140 (describing oil-producing countries and states as losers in the global oil price decline and as “suffering economic and perhaps even political turbulence”).

142. See Thomas M. Callaghy & John Ravenhill, *Introduction—Vision, Politics, and Structure: Afro-Optimism, Afro-Pessimism or Realism?* to HEMMED IN: RESPONSES TO AFRICA’S ECONOMIC DECLINE 1, 2 (Thomas M. Callaghy & John Ravenhill eds., 1993).

143. IAN TAYLOR, *AFRICA RISING? BRICS—DIVERSIFYING DEPENDENCY* 160 (2014) (quoting U.N. ECON. COMM’N FOR AFR., *AFRICA-BRICS COOPERATION: IMPLICATIONS FOR GROWTH, EMPLOYMENT AND STRUCTURAL TRANSFORMATION IN AFRICA* 32 (2013)).

144. See generally Wade, *supra* note 32 (arguing that WTO trade structure, combined with other international trade arrangements, makes illegal many of the industrial policies that helped East Asian countries develop their industrial and technological sectors, thereby reinforcing the economic dominance of the West). *But see* Oyejide et al., *supra* note 32 (describing how Nigeria has adopted multiple import bans, despite the WTO’s trade structure).

145. See Pádraig R. Carmody, *Building BRICS in Africa?*, in *OXFORD HANDBOOK OF THE BRICS AND EMERGING ECONOMIES* (P.B. Anand et al. eds., forthcoming).

146. See STEPHEN GILL, *POWER AND RESISTANCE IN THE NEW WORLD ORDER* 131 (2003).

147. Jean-François Bayart, *Africa in the World: A History of Extraversion*, 99 *AFR. AFF.* 217, 227 (2000) (describing the strategy as limited by its inability to “incorporate either economically or institutionally, in terms of either education or ideology, [disenfranchised groups], namely young people and rural communities, in spite of the fact that these two excluded categories actually compose the majority of the population”).

148. See Michael Hardt & Antonio Negri, *Preface to MICHAEL HARDT AND ANTONIO NEGRI, EMPIRE*, at xxi (2000).

taken by Chinese firms.<sup>149</sup>

A focus on “African agency” is simultaneously both salutary and obscurantist. Writers in this school are correct to argue that African political elites are powerful. Their primary power, however, is in their “vertical” relations with their domestic citizens, and their ability to arbitrage or leverage external relations to achieve this.<sup>150</sup> In some cases, such as Zambia, this has resulted in the achievement of Gramscian hegemony; in others, such as Angola, it has resulted in the maintenance and deepening of coercive authoritarian rule. Depending on demand and price conditions, African states have been able to exercise agency at the margins in order to capture a greater share of national resource rents for themselves or their treasuries. As of now, however, they have been unable to alter fundamentally the nature of the dependency that characterizes their relations with China and other foreign powers and companies. With respect to China in particular, the successful internationalization of the state has made such fundamental changes impossible, given the nature of that internationalization. For example, Gonzalez-Vicente argues specifically that the internationalization of the Chinese state is comprised of three parallel processes:

- (i) the re-territorialization of the state through transnational sovereignty arrangements, or *what* the state governs; (ii) the negotiation and struggle for spaces of statehood within the increasingly capitalist Chinese state (domestically and abroad), or *who* governs; (iii) and the transformations of power, culture and governmentality within the internationalized state and the attendant micro-politics of everyday affairs and politics of state transnationality, or *how* the state governs.<sup>151</sup>

Thus, by incorporating African states, and specifically African political elites, into each step of the process of internationalization, China has reinforced politically and economically dependent relationships with those states.

The last decade has been a momentous time in African political economy. Many regimes were able to leverage the commodity boom into sustaining regime maintenance.<sup>152</sup> Widespread debt relief from the World Bank and International Monetary Fund on the continent has reduced the leverage of Western powers, even as the power of China on the continent has grown, partly because it was “knocking on a wide open door.” As

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149. See Jean-Raphaël Chaponnièr, *L'aide Chinoise à L'Afrique: Origines, Modalités et Enjeux*, 38 L'ÉCONOMIE POLITIQUE 7 (2008), <http://www.cairn.info/revue-l-economie-politique-2008-2-page-7.htm>.

150. Cf. CORKIN, *supra* note 23, at 18 (describing how African political elites may profess to act in the national interest, but because “it is often they who define the national interest, [they act] almost certainly to their own advantage and often to the detriment of other domestic actors not within their sphere of influence”); Vickers, *supra* note 39, at 677–78 (explaining that some African political elite have carved out considerable policy space by leveraging their negotiation power with China, despite the fact that the negotiations do not necessarily translate into developmental benefits).

151. Ruben Gonzalez-Vicente, *The Internationalization of the Chinese State*, 30 POL. GEOGRAPHY 402, 403 (2011).

152. See Tull, *supra* note 55, at 463–71 (describing the relationships between African elites in resource-rich states and Chinese development goals).

structural adjustment programs opened African economies, African political elites preferred China's non-conditional foreign policy, while Western powers had neglected the continent, which largely fell outside of their geopolitical gaze, in favor of the dynamic economies of the East.<sup>153</sup> This situation, however, has now changed.

As to the question of who is in charge, this depends on the issue area under consideration. Many African states have become more effective at projecting power across distance and strengthening domestic sovereignty.<sup>154</sup> They have also been able to exercise positive agency at the margins through, for example, renegotiation of resource contracts on more favorable terms.<sup>155</sup> The overall contract of extraversion, however, remains firmly in place.<sup>156</sup> This contract takes the form of an actor network that is largely stable in terms of its constitution and configuration, even if the personalities involved change, as in the Zambian case.<sup>157</sup> This speaks to an older insight from structuration theory, which is that while it is true that agents create structures, they are recursively shaped by structures as well.<sup>158</sup> Thus, while structures do not create agents, they strongly shape them and their latitude of action.

A potential flaw in the recent overemphasis on African agency is that it might unwittingly reinforce internalist explanations of African underdevelopment. Positing African elites as largely being in the driving seat in relations with China risks implying that they have the power to reshape fundamentally the nature of their state-societies. This is patently untrue. In this Article we have raised reservations about how agency is conceptualized in African studies and cautioned that it needs to be, if not discarded, at least situated in the context of massive power differentials between states in the international system and the continuing and arguably deepening power of transnational capital, all of which are constituted through actor-networks. While it is certainly accurate and salutary to highlight the power of African state elites and other actors on the continent, there is a need to temper this through recognition of the ongoing realities and structural conditions of the functioning of the global political economy.

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153. See generally Peter Kragelund, *Knocking on a Wide-Open Door: Chinese Investments in Africa*, 36 REV. AFR. POL. ECON. 479 (2009) (arguing that China has been the recipient of a favorable development climate in Africa in part because of Western policies that helped create that environment); Peter Kragelund, *The Revival of Non-Traditional State Actors' Interests in Africa: Does it Matter for Policy Autonomy?*, 30 DEV. POL. REV. 703 (2012) [hereinafter Kragelund 2012].

154. See Kragelund 2012, *supra* note 153, at 709-10.

155. See Vickers, *supra* note 39, at 677-78 (describing the limited power of African states vis-à-vis negotiation of resource contracts).

156. See generally PÁDRAIG R. CARMODY, *GLOBALIZATION IN AFRICA: RECOLINIZATION OR RENAISSANCE?* (2010) (describing China's role in African development).

157. See *supra* Part IV.A.

158. See Keith Morrison, *Structuration Theory, Habitus and Complexity Theory: Elective Affinities or Old Win in New Bottles?*, 26 BRITISH J. SOC. EDU. 311, 313-14 (2005).



