The European Union and the BRICS

Wither the ambition of a just global order?

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Since its inception, the European Union (EU) has sought to play a strong role in promoting and safeguarding values at the global level. Indeed, it has often presented itself as one of the most important normative powers in the world. Scholars have also stressed the focus on export of norms and values as a distinctive trait of the EU’s external policies, and the EU can count a number of successes in that regard: it is a major donor of humanitarian assistance and development aid; human rights clauses are part of all cooperation agreements; and its security policy is geared towards contributing to conflict prevention and peace missions. Yet the task of promoting and safeguarding values is becoming ever more difficult. A rapidly changing global context has left the EU facing a number of challenges – and, increasingly, failures. Most importantly, support for the international infrastructure of institutions and treaties, which has been championed by Europe as a key instrument in tackling problems of justice, seems to be dwindling. Against the backdrop of enhanced uncertainty with regard to the future of the multilateral liberal order, prominent scholars and policy analysts increasingly make reference to the notion of a new age of geopolitics and the need for Europe to learn the language of power.

However, before subscribing to a geopolitical approach, with its connotations of a world order in which great powers govern within their spheres of interest while attempting to ‘balance’ the power of others, we must examine what is at stake for those who are said to be contesting multilateralism. As a contribution to this endeavour, this report analyses the perspectives of the BRICS countries on global order and compares them with that of the EU.

Rather than review these countries’ positions within specific institutional arrangements and with regard to concrete issue-areas, the primary focus here will be on understanding the BRICS nations’ approach to multilateralism as a particular way of regulating relations between actors at the global level.

Summary

This report discusses how much common ground it is possible to find between the BRICS and the EU with regard to what should be the core features of future global order. Rather than contesting multilateralism en bloc, the BRICS are sceptical to certain elements in the EU’s multilateral approach. Most importantly, they are reluctant to give people a strong legal status as legitimate claimants of justice within multilateral institutions. There are, however, significant differences within and between the perspectives of the BRICS nations. And, sometimes, the expectation of solidarity appears as more important than the principle of non-interference. This suggests there are some possibilities for building future partnerships in the work for a reformed multilateralism.

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2 BRICS is an acronym for the association of five emerging economies, Brazil, Russia, India, China and South Africa. Their first formal summit was held in 2009.
3 The research leading to this report is part of the project ‘GLOBUS - Reconsidering European Contributions to Global Justice’ which has received funding from the European Union’s Horizon 2020 research and innovation programme under grant agreement no. 693609. I am grateful to Joachim Vigrestad and Kaja Valvatne for research assistance.
Shifts in the distribution of power in the 21st century have allowed the voices of emerging powers, often represented by the so-called BRICS group, to come more clearly to the fore. It is well known that there are important differences in the interests of the various BRICS countries. To begin with, permanent membership of the UN Security Council grants China and Russia a status that South Africa, Brazil and India do not share. In addition, bilateral relations between the BRICS countries are often difficult. This is particularly the case with India and China. India is sceptical of China’s Belt and Road Initiative, and the situation along the two countries’ common border is tense. As for China and Brazil, Chinese goods often outcompete Brazil’s industrial products, making China’s economic power a challenge to the Brazilian economy. For their part, China and Russia have diverging interests and perspectives on a number of global issues. However, in spite of their often diverging interests and agendas, the BRICS nations have to an increasing extent succeeded in jointly making their mark on global negotiations.

In a global system that is becoming increasingly complex, and where the distribution of power is changing rapidly, these states are increasingly important for the EU. This is so not only in the sense that they are able to effectively challenge policy initiatives of the EU and ‘the West’. More importantly, they are potential partners of the EU in its endeavours to address global challenges ranging from climate change to the spread of global diseases, the fight against poverty and the resolution of armed conflicts. This has become increasingly relevant as a result of the changes to US foreign policy following the 2016 election of Donald Trump as president. The hegemonic power, and Europe’s main ally, seems increasingly uninterested in the multilateral liberal order that it has itself (co-)established. The unpredictability of US foreign policy reinforces the current sense of uncertainty about the future of the liberal multilateral order that the EU relies upon. But how much common ground can we expect to find between the European Union and the BRICS countries with regard to the core features of a multilateral order?

Defining multilateralism

Multilateralism is an approach to the question of how to regulate relations between actors at the global level. What is specific to multilateralism is that it requires adherence to certain generalised principles that entail reciprocal obligations for the parties concerned. Further, a multilateral order rests on certain principles of justice, not just on pragmatic considerations of what is feasible. Beyond these general characteristics, however, the meaning of

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4 The report draws primarily on insights gained during meetings and seminars held with policymakers, civil servants and civil society representatives in the five BRICS countries. Discussions in these meetings centred on various aspects of these countries’ conceptions of world politics, especially how different interlocutors understood global justice and multilateralism, as well as their views on their countries’ relationships to the European Union.

‘multilateralism’ is ambiguous. One actor’s preferred multilateralism may diverge from another’s, in the same way that actors disagree on what would be a just world order.

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Rather than contesting multilateralism en bloc, the BRICS countries favour some dimensions of it, while objecting to others. Often, their objections to multilateralism are linked to the unequal distribution of wealth and the multilateral order’s role in perpetuating rather than alleviating global inequalities. In particular, South Africa, Brazil and India frequently emphasise the need to also prioritise development when countries discuss how to tackle issues such as climate change and migration. The question of ‘who gets what’ is crucial, and disagreements between the EU and the collective position of the BRICS along this dimension have led to difficult negotiations in venues such as the World Trade Organization. With regard to the organisational aspects of multilateralism – the question of how to decide on ‘who gets what’, which is the main concern in this report – the perspectives of the BRICS nations are more diverse. And, as is the case with the EU’s own position, there are also tensions within each country’s understanding of how the exercise of power should be regulated, which kinds of actors have the right to be heard before decisions are made, and what principles these actors may appeal to. By drawing on three different conceptions of global political justice, which point to three main ways to think about global order, it is possible to disentangle the tensions within and between countries’ approaches to multilateralism.6

The BRICS – a (potentially) conservative force in debates on global order

It is often suggested that the BRICS speak for a particular and novel approach to multilateralism. However, the form of multilateralism preferred by the BRICS countries appears conservative rather than radical and transformative. With its supranational Commission, its federal Parliament and its member-states’ acceptance of the principle of the supremacy of EU over national law, the European Union on the other hand, by its mere existence represents a radical proposition on global order. Viewed in this light, the EU stands in contrast to the BRICS, which are often concerned with preserving and reinforcing a state-based global order. All of the BRICS countries seem to argue for a multilateralism in which only states are legitimate actors. They take the view that states are the (sometimes only) legitimate representatives of the collective interest of citizens, and they support the idea that the rights of states at the global level should be enshrined in legal structures resting on the core principles of external sovereignty and non-interference. In line with the principle of external sovereignty, states must be free to choose when to participate, or not, in global institutions. There

can be no possibilities for sanctioning the breach of any agreements entered into or coercing states into compliance.

There are nevertheless differences and tensions between the views of the individual BRICS nations. China is perhaps the country that most unequivocally supports the notion of a multilateral order with sovereignty and non-interference at its core. While often appealing to Europe’s commitment to international law, Chinese authorities also define themselves in opposition to the West, as exemplified in the following quote in which Chinese Foreign Minister Wang Yi defends the right of each country to decide on its own developmental path:

> China believes in equality among nations ... China respects the sovereignty and territorial integrity of other countries, and the social system and development path independently chosen by the people of these countries ... [W]e have no intention to export our development model or to lecture others.⁷

In Russia, national authorities also combine their defence of the principles of sovereignty and non-interference with an emphasis on the importance of differences in values and traditions between Russia and Europe. However, when Russian authorities appeal to commonalities between Russia and Europe, they move beyond any conception of a multilateral order. Their appeal to the EU rests on an idea of the mutual advantages that would result from cooperation. Russian actors frequently express surprise at the fact that the EU lets Russia’s occupation of Crimea stand in the way of cooperation on other issues that might be of benefit to both Russia and the EU.

The suggestion that the EU should set aside the question of Ukrainian sovereignty and engage in talks with Russia on issues of common interest, does not speak to an idea of a multilateral order based on the sovereign equality of states. Rather, it comes close to the idea of a concert of great powers, each governing within its own sphere of interest. A state-based multilateral order finds its normative justification through the conviction that the state is the institution best equipped to ensure people’s freedom from arbitrary interference. The task of global institutions is to allow states to fulfil their function as enablers of people’s freedom – hence the requirements that states respect each other as equals, refrain from interfering in the domestic affairs of other states, and work to support weaker states against the dominance of those that are more powerful.⁸ A concert of powers cannot accommodate the equality of states. It relies on a claim of ‘might is right’ and establishes a hierarchy of states based on their material capabilities.

As for India, Brazil and South Africa, these countries also for the main part take a conservative approach to global order and profess a strong commitment to the principles of sovereignty and non-interference. However, they also highlight their commitment to liberal democracy. From Brazil, for example, which until the election of Jair Bolsonaro, who became President in 2019 pointed to multilateralism as the cornerstone of its foreign policy, the unequivocal message is that it is an integral part of Western liberal culture. Similar arguments emanate from South Africa. This emphasis on the similarities in the political orientation of Brazil, India and South

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Africa, on the one hand, and the European Union, on the other, should provide common ground for joint initiatives. However, there is considerable scepticism towards the EU’s approach to multilateralism also amongst these three countries.

A cosmopolitan Europe as a potentially dominating power

The European Union’s preferred form of multilateralism has long been associated with binding rules at the global level, as well as with a stronger defence of the rights not just of states but also of people within global institutions. It is difficult, however, to claim that the EU has been consistent in its efforts to pursue such a radical agenda. More likely, the EU’s approach has approximated a combination of a state-centred and a citizen-centred multilateralism. Still, it is the cosmopolitan-oriented approach to multilateralism, with its emphasis on human rights and democracy promotion that feeds the scepticism of the BRICS states. The fact that India, Brazil and South Africa are constitutional democracies, does not appear to make much of a difference in this context.

Certainly, it is the political leaderships of Russia and China that are the most vocally critical of this dimension of European multilateralism. Russian leaders have described references to a rules-based order as a Western vocabulary and a mere disguise for a plan to impose rules that serve only the interests of the West. However, the Brazilian, South African and Indian governments are also wary of introducing supranational elements into global institutions, of legally binding global regimes, and of the EU’s desire to bring human rights and democracy promotion into multilateralism. Brazilians describe their country as a natural ally of Europe and point to the potential for joint initiatives on issues such as gender equality. In addition, the EU model of integration is praised as an inspiration for regional cooperation in Latin America. However, it is also frequently argued that the EU’s biggest mistake in its external politics is to try to export its model abroad.

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Brazil’s concerns regarding the status of human rights in multilateral institutions came to the fore, for example, during debates on the principle of the ‘Responsibility to Protect’ (R2P). The Brazilian government put forward an alternative conception of ‘Responsibility While Protecting’ in order to reduce the risk that R2P would lead to breaches of the principle of non-interference. As for India, its support of a stronger human rights regime globally is also ambivalent, and the country has rarely engaged in democracy promotion abroad. India is a prominent member of the Non-Aligned Movement, and the principle of non-interference has remained a key guide for its foreign policy. India abstained from participation in the International Criminal Court and was reluctant to support the R2P principle. Still, there are some exceptions to India’s general stance

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of refraining from promoting human rights abroad. Most prominently perhaps, India actively supported the sanctions against the apartheid regime in South Africa. South Africa, on the other hand, has been an important actor in promoting provisions regarding democratic governance in the African Union. South Africa was also initially supportive of the principle of the Responsibility to Protect. However, following the NATO-led intervention in Libya in 2011, its support for this principle became lukewarm at best.

These countries’ scepticism towards binding global regimes, including a stronger defence of human rights, is best understood against the backdrop of their experiences with European colonialism, and it highlights the challenges involved in engaging in human rights promotion in a state-centric global order. As long as there is no explicit, autonomous and uncontested legal standard to legitimise it, the EU’s insistence on human rights, even if based on the best of intentions, risks being an imposition. There is always a risk that liberal cosmopolitanism turns into liberal imperialism. And, when they emanate from Europe, former colonies associate policies promoting human rights and democratic standards with European imperialism and dominance. Efforts to redefine the notion of sovereignty in ways that would link it to democratic rule are of particular concern. The worry is that this kind of conditional sovereignty would provide legitimacy to foreign interference in the domestic affairs of other states, and ultimately also to foreign policies aiming at regime change in other states.

The positions of the various BRICS countries on multilateralism are also influenced by domestic politics, as has become particularly clear with the recent changes in government in Brazil and India. Relations with neighbouring states are further important factors. With regard to Brazil, the issue here is not just a matter of its experiences with its powerful neighbour to the north – the USA – although this certainly contributes to explaining Brazil’s emphasis on non-interference. It also concerns the size of Brazil’s territory and the challenges it faces in terms of defending its own long border, particularly in territories that are not densely inhabited. In relation to South Africa, the issue of relations with neighbouring states touches upon the country’s ambition to become a leading state in the African continent, which is deemed to require certain compromises in terms of its commitment to democracy promotion and human rights within Africa. Does this mean, then, that there are no novel propositions with regard to multilateralism emanating from the BRICS?

**Tensions in the BRICS’ multilateralism: Not so conservative after all?**

The BRICS’ resistance to the EU’s cosmopolitan version of global order is linked to the hegemonic position of Western states within the international infrastructure of institutions and treaties. The concern is that the hegemonic position allows Western states and the EU to use multilateral institutions to forward their own interests. As argued by William Gumede:

> US-led coalitions, for example, have frequently used their power in the UN to push through invasions in developing countries’ regimes perceived to be anti-Western – in Iraq, Libya and elsewhere – under the disguise of defending human rights. Ironically, these countries support equally evil regimes in other developing countries as long as they are pro-Western.”

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An important dimension with regard to the contestation of multilateralism emanating from the BRICS is thus the question of fair representation. The BRICS’ contestations may be understood in part as a demand for the actual realisation of a core principle of multilateralism: the principle of sovereign equality between states. It also follows from this concern for equality of status and equal rights that the BRICS appear to have little sense of ownership of global institutions, which were mainly designed by Western powers. An initiative such as the establishment of the BRICS’ bank\(^\text{13}\) is thus important not only for economic reasons, but also because it represents a point of common identification and thus a sense of ownership to member countries. The establishment of the BRICS bank may also provide a push towards a more just distribution of power within the global multilateral system, thus reducing Western hegemony and bringing in a stronger element of equality.

Further, with regard to the issue of fair representation, India, South Africa and Brazil have at different times expressed a desire to become permanent members of the UN Security Council. This is considered an important part of a broader process of reform of UN institutions, which would make them more in tune with the present distribution of power at the global level. However, the UN Security Council does not rest on the principle of equality of states. Accordingly, these countries’ ambitions for permanent membership are difficult to reconcile with their claims for sovereign equality for all states, especially since their neighbours do not necessarily see them as suitable representatives for their regions. South Africa, for example, is not the only African state that has sought permanent membership in the UN Security Council. The desire for a world order where all states have equal status is not consistent with the desire for status as permanent member of the UN Security Council. This contradictory stance is, however, one that Brazil, India and South Africa share with the two BRICS countries that are permanent members of the Security Council, China and Russia, as well as with the EU’s largest member-state, France. However, a second important dimension to the BRICS’ contestation of Western hegemony gives rise to a tension that is more particular to the discourses emanating from these countries, and most specifically perhaps to India and South Africa.

The BRICS’ contestation may be understood in part as a demand for the actual realisation of a core principle of multilateralism: the principle of sovereign equality between states.

As noted, the BRICS’ objections to multilateralism are linked to the problem of unequal distribution of wealth and the multilateral order’s role in perpetuating rather than alleviating global inequalities. South Africa recalls the past wrongdoings of European states in Africa, which have given Europe an unfair advantage. Making reference to the economic exploitation and political domination during the European colonisation of Africa, South African discourses highlight the importance of Europe contributing to repairing the present day effects of past oppressions. Such expectations of solidarity speak to a multilateral order that differs

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\(^{13}\) The BRICS bank, formally named the New Development Bank (NDB), was established in 2014 at the BRICS summit in Brazil.
from the state-based one. They rest on a thicker sense of commonality and a view of obligations to others that cannot be realised in a multilateral system in which the obligations to other states is only to treat them equally. The demand of compensation for past sins speaks to a global order in which states must be treated differently. It points to a multilateral order resting on collaborative institutional arrangements, which, in line with a conception of justice as mutual recognition, ensures that all affected actors are given a due hearing. Some of these demands also transpire in the BRICS’ subscription to the principle of Common But Differentiated Responsibilities (CBDR), which the EU resisted during the negotiations for the Sustainable Development Goals.

Demands for recognition are also part of India’s claims with regard to multilateralism and Europe’s role and responsibilities within the multilateral order. Indian discourses do not, however, emphasise the past wrongdoings of Europe to the same extent as South Africa. Rather, India’s demands for solidarity are based on references to the similarities between its own political system and that of Europe. One point that is often repeated in the Indian discourse is that India is one of the world’s largest democracies. Unlike its powerful neighbour China, India shares political principles with European states and this common political standpoint ought to trigger stronger support from the EU for India’s struggles in its own region. However, in the Indian discourse, these common traits have not been given sufficient attention by the European Union. These calls for European solidarity based on commonalities of political culture also point to a multilateral order in which expectations on other states are stronger than in the state-centered approach. Seen in this light, the understanding of all of the BRICS countries as conservative forces in the debates on global order may thus have to be modified.

A different kind of ambiguity and tension in the approaches of the BRICS nations to multilateralism emerges if we zoom in on the perspectives from civil society within some of these countries. Perhaps most striking in this regard is the coexistence of two different discourses on multilateralism in Russia. The argument of public authorities highlights the fundamental differences between the ‘rules based’ order of Europe and the West on the one hand and the multilateralism of Russia on the other. However, there is also a different discourse emanating from some parts of civil society. In this discourse there are only minor differences between the perspectives of Russia and the EU. Likewise, Hong Kong citizens’ calls for support against the efforts of Chinese authorities to curb their rights, speak to a different world order than the one in which external sovereignty and non-intervention are main organising principles. Finally, the debate in South Africa regarding the legitimacy of the International Criminal Court (ICC) serves as another example of the many facets of perspectives on global order in the BRICS countries. The view that African governments should withdraw from this supranational court was countered by the argument that the ICC, however flawed, offers African citizens a real opportunity to hold their leaders accountable.


17 Gumede, op. cit.
The idea that supranational institutions provide citizens with tools to hold their own governments responsible for their policies reflects an approach to world order that rests on a conception of justice as impartiality, which comes close to the EU’s perspective. Arguments in favour of such an approach, with stronger supranational elements in multilateralism have come to the fore particularly as a result of the effects of globalisation. Political, economic and security challenges that affect not only people’s interests but also the fundamental conditions that should ensure their autonomy increasingly originate in transnational and international contexts, not just national ones. Patterns of consumption, growth and lifestyle in one part of the globe have measurable effects on the lives and well-being of citizens on the other side of the world. Against this backdrop, the ability of the state to function as an adequate shelter for its citizens is reduced. It does not necessarily represent the institutional arrangement best equipped to ensure people’s autonomy. Stronger international laws and institutions may support states in fulfilling their obligations to their citizens, rather than hinder them. The perspective does, however, as the reaction of the BRICS nations demonstrates, raises questions of democratic authorisation as well as participation and ownership.

Conclusions

The possibilities for issue-specific cooperation across different countries, and also between the European Union and the BRICS as a collective entity or as individual states will remain. In this sense, arguably, multilateralism will continue to be a feature of global order. However, this would be a segmented form of multilateralism, with cooperation on specific issue-areas operating separately, and according to the own issue-specific logics. What then about the overarching question of global order? In order to facilitate a rescue of multilateralism as an overarching organising principle for world order, the European Union needs to recruit the support of other countries. In working towards this aim, the European Union might reconsider the processes through which it promotes its preferred version of multilateralism. Rather than adapt to what is seemingly the dominant perspective on multilateralism, that is the state centred approach, it should focus on the expectations of solidarity. This would first of all require the EU to acknowledge that recognition pays off. Secondly, the EU should advocate a revised multilateralism based on the insight that one size does not fit all. In order to fully realise this insight, however, it would need to promote a concept of multilateralism that provides mechanisms that allow for inclusion of citizens and not only states in the development of policies.

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18 Eriksen op. cit.

Reconsidering European Contributions to Global Justice (GLOBUS) is a research project (2016-2020) that critically examines the EU’s contribution to global justice.

GLOBUS studies the contents and conduct of the EU’s External policies with a focus on climate justice, migration, trade and development, peace and conflict resolution, gender and human rights.

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