

# Translation

## 强世功 , 《美国陷阱》揭露了一个骇人听闻的霸凌主义案例 [Jiang Shigong, 'The 'American Trap' Exposes a Shocking Case of Hegemonism]

English translation prepared by Flora Sapio

This post continues the Coalition for Peace and Ethics Working Group on Empire examination of the question of paths to empire performed through the choices being made by stakeholders as they adjust their operations to the emerging new era of global trade and production organized around leadership cores [领导核心] of states, and undertaken by corresponding leadership cores of enterprises within demarcated market groups.

The focus this time is on a particularly powerful response by a highly regarded member of the Chinese intellectual class. Jiang Shigong [强世功], the Director of the Rule of Law Research Center of Peking University, and a Professor of Law, has produced, for publication in the important journal *Qiushi* [求是 *Seeking Truth*], an essay entitled 《美国陷阱》揭露了一个骇人听闻的霸凌主义案例 [The 'American Trap' Exposes a Shocking Case of Hegemonism].<sup>1</sup>

The article represents a truly important intervention of an important Chinese intellectual in the increasingly high stakes negotiations between the United States and China for the control of the normative discourse on global trade, and for the way in which global production consequentially will be ordered. His work, always worthy of careful consideration, is worthy of even closer examination now. *Empire is now certain*, the only question is whether it will come on US or Chinese terms.

The dress rehearsal for this was the great battle over the Trans Pacific Partnership (TPP) — a great battle that the US had won except for the phlegmatic action of the Obama administration and the calculated hostility of the Trump administration, both of which, and in very different ways, history might judge, made regrettable choices for very political reasons. The former might be understood to have disastrously dragged their feet in the face of an inward looking intellectual and political class who in retrospect might be judged to have arrogantly played class politics with the tools of the state apparatus; and the later might

---

<sup>1</sup> The essay presented in this article appeared on the number 12 issue of *Qiushi*. The original, reproduced below with kind permission, can be consulted at [http://www.qstheory.cn/dukan/qs/2019-06/16/c\\_1124628340.htm?spm=zm5062-001.0.0.1.v06rjD](http://www.qstheory.cn/dukan/qs/2019-06/16/c_1124628340.htm?spm=zm5062-001.0.0.1.v06rjD)

have succumbed to a temptation which later generations might judge as misguided to use TPP as a sacrificial lamb whose slaughter might have been necessary, in their minds, to launch their new vision, the America First Initiative.

Professor Jiang now offers us a clear-eyed view of the approach of the most sophisticated elements within the Chinese State and Party apparatus. It will not do to engage in the usual reaction common to, and now expected from, factions of our sclerotic and self-referencing intellectuals. Starting from the perspective that they serve the only legitimate values for a legitimate ruling class worthy of that status, and that everyone else is in a state of development toward that goal (an ironic adaptation of Marxist notions of the inevitable movement from feudalism through capitalism to the idealized communist society), the analysis that this group might produce might take one of two forms. One is to ignore essays like this entirely or dismiss it as merely political work. The other is to speak past the analysis grounded on a reading of these quite powerful statements through their own viewpoints and agendas. Something more is necessary now; something that is unlikely to come from the "usual suspects" in Europe and North America who will likely be charged with the "official" response. That is a pity.

The CPE Working Group on Empire provides its own analysis of this text in the context of the rapidly evolving situation. We hope it will be of some use; and perhaps serve as an antidote to the official responses that are sure to follow in short order.

The the original essay follows below along with an English language translation prepared by Flora Sapio.

## 《美国陷阱》揭露了一个骇人听闻的霸凌主义案例

强世功

《美国陷阱》是 2019 年 4 月中信出版社出版的中译图书。该书以作者皮耶鲁齐的亲身经历，揭露了美国政府打击美国企业竞争对手的内幕。这本书的出版，让我们充分认识到美国法治的两面性，即对内保护资本集团的利益，对外维护美国霸权。美国一些人所推动的“全球法律治理”，无论是高调宣扬“海外反腐”，还是扩展“长臂管辖”原则，实质都是将本国国内法和司法权凌驾于国际法和国际社会之上，通过建构全球法律秩序来维护全球霸权。

### 一、“美国陷阱”的双重含义：“司法陷阱”与“经济陷阱”

法国阿尔斯通公司作为世界工业巨头，一直是法国传统工业的骄傲。进入 21 世纪后，公司在并购扩张过程中由于受到次贷危机影响而几度陷入财务危机。美国电力巨头通用公司很快就瞄上了这块肥肉，并展开收购阿尔斯通的商业谈判。在谈判过程中，阿尔斯通公司的高管皮耶鲁齐在美国机场被美国司法部门以违犯《反海外腐败法》为由逮捕，并由此陷入“美国陷阱”。

在这本书中，“美国陷阱”具有双重含义。第一层含义，是指皮耶鲁齐被美国逮捕而陷入美国诉讼法中“辩诉交易”的“司法陷阱”。美国诉讼法秉持一种当事人自由博弈的仲裁原则，诉讼主要取决于控辩双方的博弈，法官只是消极的仲裁者，由此形成美国诉讼法上的一个特殊的制度安排——“辩诉交易”。如果被控告方能主动认罪，控诉方可提出减刑或免刑，而一旦双方达成协议，法官就予以认可。这种诉讼理念和制度安排，无疑有利于作为强者的政府和资本家。

在这个案件中，面对“辩诉交易”的“司法陷阱”，假如皮耶鲁齐拒不认罪，就意味着自己必须在证据收集和法律辩护上足以对抗美国的司法机关。但是，皮耶鲁齐的律师都是美国人指定的，巨额律师经费也不是他个人能承担的，更何况美国监狱的私营化还意味着必须交付大量资金来承担自己在监狱中的漫长对抗。特别是一旦自己的辩护失败，就意味着可能被处以 125 年的监禁。皮耶鲁齐作为弱小的外国人，根本无力对抗庞大的美国司法机器，最终他被迫认罪，作为交易条件换取轻刑。

皮耶鲁齐选择认罪之后，实际上落入了“美国陷阱”的第二层含义，即国家与国家之间展开经济竞争和政治竞争的“经济陷阱”甚至“政治陷阱”。美国司法部对皮耶鲁齐的调查“醉翁之意不在酒”，判皮耶鲁齐 125 年监禁对美国意义并不大，其真正意图是作为证据证明阿尔斯通违背了美国的《反海外腐败法》，并以此作为筹码帮助美国通用公司顺利收购阿尔斯通。因此，当皮耶鲁齐主动认罪，实际上就变成了美国司法部门的“人质”，阿尔斯通若不接受通用公司提出的商业并购方案，就面临美国司法部以其违犯美国《反海外腐败法》而做出的巨额重罚。可以说，美国将《反海外腐败法》推向全球，将其作为开展全球治理的法律工具，实质是为打击竞争企业而设计的陷阱。由此，“司法陷阱”与“经济陷阱”实现了无缝连接。

皮耶鲁齐在书中一针见血地指出，这是一场“地下经济战”。美国不仅利用通用公司在地上的市场交易与法国公司展开竞争，而且通过隐蔽的“司法陷阱”来与法国展开经济竞争，以达到控制法国经济命脉的目的。皮耶鲁齐认为，“美国陷阱”就是美国利用法律作为经济战的武器，削弱竞争对手，最终达到低价收购对手，从而维持经济垄断的地位。

## 二、“美国陷阱”的本质：全球帝国的法律建构

《美国陷阱》提供了一个生动案例，揭示了美国推动全球法律治理的本质。逮捕皮耶鲁齐，表面上看起来是打击全球腐败的个案行动，实际上则是在动用政府权力介入到通用公司并购阿尔斯通的市场经济活动中。在这场商业交易中，阿尔斯通公司的对手不仅是通用电气，还有美国司法部。这个案例让人们认识到，美国经济体制实质上是这个世界最隐蔽、也是最大的国家资本主义，而这种国家资本主义是以精巧的法律之手建构起来的。

美国司法部介入跨国公司的全球市场交易，是由美国的国家资本主义性质所决定的，在这个社会中，企业利益与国家利益进行了深度捆绑。美国企业在全球经济竞争中的失败也必然导致美国在全球政治竞争中的失败。因此，美国设计这种精巧的“司法陷阱”和“经济陷阱”，用以捍卫美国企业在全世界竞争中的绝对优势。在这个意义上，《美国陷阱》展现了美国一些人建构全球霸权的政治经济学逻辑。

西方资本主义历史是私人海上贸易与海军扩张相伴而行的历史，是全球商业贸易与殖民争霸相伴而行的历史。私营企业之间的竞争变成国家之间的政治和军事竞争，市场与战场紧密地结合在一起。欧洲殖民争霸引发的两次世界大战，都源于私营经济在全球市场上的竞争。今天美国对中国乃至欧盟、日本、印度、墨西哥等发起不同形式的贸易摩擦，实际上就是由美国国家资本主义性质所决定的。

必须认识到，基于赤裸裸的国家暴力和殖民掠夺来保持在全世界市场中的优势地位，乃是资本主义的初级形态。两次世界大战之后，美国代表的“新世界”开始兴起，对西方资本主义体系进行了一次大规模的升级换代。美国一些人毫无掩饰地宣称美国的目标就是建立一个主宰全球的“新罗马帝国”。而这个“新”，就在于将赤裸裸的军事征服尽可能隐蔽起来，更多采用法律规则、投资贸易、金融体系、知识产权、人权、法治和文化意识形态渗透等来征服和扩大全球市场。比如挟持国际组织的权威来支配主权国家，在商业贷款中附加私有化、市场化和民主化改革要求，用所谓“华盛顿共识”来控制弱小国家的经济命脉和政治力量，甚至采取“颜色革命”的战术来摧毁主权国家等。

美国一些人正是企望依靠复杂多样的手段来维持其全球帝国地位。任何国家若在经济力量上挑战美国，即便是盟国也会遭到各种打压。美国历史上逼迫日本签署“广场协议”，就是最著名的例子。对欧元的打压，针对关键人员设计“司法陷阱”也有目共睹。因此，皮耶鲁齐的故事绝不是一个孤立的个案，实际上揭示了用来打压经济和政治的竞争对手以维持全球帝国霸权的重要手段。

### 三、“长臂管辖”：美国司法霸凌与全球治理的矛盾

《美国陷阱》出版之后，很多人追问：为什么美国司法部可以调查一起法国公司与印度尼西亚的商业交易？为什么美国法院对美国领土之外的经济活动拥有司法管辖权？为什么美国可以将自己的国内法凌驾于国际社会？在全球法律治理中，谁来制约不受约束的美国霸权，尤其是美国通过其国内法的“长臂管辖”所形成的全球司法霸凌主义？

所谓“长臂管辖”，是指美国州司法机构对与该州发生“最低联系”的他州公民或法人行使司法管辖权。二战后，“长臂管辖”也通过美国法逐渐延伸到对美国公民和企业在全球活动的司法管辖权。其中最重要的一次扩展，就是 1977 年的《反海外腐败法》中明确禁止美国公司向外国的公职人员行贿。冷战时期，美国在全球扶持了很多腐败政府，美国公司通过商业贿赂来打开外国市场已成为全球丑闻。在当时美苏竞争的背景下，美国制定该法的首要目的是为了树立美国在国际上的道德形象。因此，这个法律在道德上的宣传效果远远大于实际效果。从 1977—2001 年 20 多年间，美国司法部只惩罚了 21 家美国公司，而且通常都是不重要的二线企业。

随着美国迈向全球帝国，美国加快了将“长臂管辖”延伸到全球的步伐。一方面，美国运用其对盟国的政治影响力，将《反海外腐败法》加以国际化；另一方面，美国修改法律，将“长臂管辖”原则伸向外国公司和个人。任何一家外国公司，只要用美元计价签订合同，或者仅仅通过设在美国的服务器（如谷歌邮箱或微软邮箱）收发、存储（甚至只是过境）邮件，都进入到美国的“长臂管辖”范围。可以说，美国通过“长臂管辖”赤裸裸地将国内法凌驾于国际法之上，使得其他国家的公司和管理人员都变成美国司法“长臂管辖”下的臣民。《反海外腐败法》从约束美国公司，变为对竞争对手发动经济战的神奇工具。由此看到，随着美国企业在全球竞争力的下降，美国政府越来越频繁地利用该法律所设置的“司法陷阱”来打击竞争对手。2004 年，美国政府利用该法对外国企业的处罚所得仅为 1000 万美元，然而，到了 2016 年则猛增至 27 亿美元。特别是“9·11”事件之后，通过《爱国者法案》赋予美国政府以反恐名义大规模监视外国企业及其员工的权力，这更加便利美国司法部门收集证据。利用这两部法律，惩罚了很多与美国企业竞争的商业巨头。比如，2010 年处罚英国宇航公司 4 亿美元，2014 年处罚法国巴黎银行 89.7 亿美元，2017 年处罚德意志银行 72 亿美元。

需要注意的是，美国的“长臂管辖”之所以发挥作用，不仅基于法律，更重要的是法律背后金融、互联网技术的支撑。由于美国控制着美元交易和互联网，以至于任何公司和个人只要进入这个世界，就很容易落入“美国陷阱”。

经济全球化应当是全人类的全球化，应当属于全人类。如果美国一些人随心所欲地对其他竞争国家展开美元金融战、互联网战和“长臂管辖”的法律经济战，那就是将全球变成美国的殖民地。由此人们要问：这个世界究竟是“全人类的世界”，还是“美国的世界”？是基于人类命运共同体理念，采取一种每个人和每个国家都平等参与的思路来推动全球治理，还是基于西方种族主义的“新罗马帝国”理念，采用一种“美国优先”的帝国霸权思路推动全球治理？这些是经济全球化以来全球治理面临的根本问题。

如果说人类历史是一部不断迈向经济全球化的历史，那么，这部经济全球化的历史也就是在全球治理中不断用民主政治原则来打破独裁专制主义的历史。西方威斯特伐利亚体系的建立，就是欧洲列强打破西班牙和葡萄牙的早期天主教帝国专制，实现列强之间的平等。而一战后“国际联盟”以及二战后的“联合国”建立，就是苏联、美国以及中国、新兴的民族独立国家共同打破欧洲垄断全球治理，进入到全人类参与全球治理的新时期。然而，美国一些人为了摆脱国内经济危机，公然“公器私用”，将经济全球化建立起来的经济、法律体系异化为对其他国家开展经济战和科技战、实现美国利益优先的工具，不断将国内法凌驾于国际法之上，赤裸裸地展现在全球的司法霸凌主义。

《美国陷阱》一书不仅揭露了美国越来越严重的司法腐败，即美国的商业公司、律师、执法机关和司法机构形成了隐蔽的腐败团体，因为他们操纵着法律，从而变成了一股不受约束的力量；而且揭露了这种司法腐败的背后乃是美国单极霸权不受任何约束的腐败。正因为如此，皮耶鲁齐呼吁欧盟在政治、经济和法律上更加独立于美国，从而制约美国霸权带来的全球治理难题。事实上，美国的司法霸凌主义正在不断瓦解美国过去所树立的道德形象，让全世界人民日益看清楚美国抡着贸易战的大棒，试图将其霸权建立在恐惧之上的专制主义本质，看清楚美国在“美国优先”口号下以邻为壑、将全球秩序变成美国秩序的真面目。世界人民都有“天下苦美久矣”的感受。从这个意义上讲，《美国陷阱》的出版，让世人更加深切理解美国一些人在全球采取司法霸凌的专制主义实质。

## **The “American Trap” Exposes a Shocking Case of Hegemonism**

**Jiang Shigong**

Qiushi (*Seeking Truth*) no. 12, 2019

The Chinese translation of “American Trap” [美国陷阱] was published in April 2019 by CITIC Publishing House. Through the personal experience of its author [Frederic] Pierucci, the book exposes the inside story of the American government’s crackdown on US corporate competitors. The publication of this book allows us to fully understand the dual nature of the rule of law in the United States [美国法治的两面性] namely, protecting the interests of capital groups internally and safeguarding US hegemony externally. The “global legal governance” promoted by some in the United States, whether through the high-profile promotion of “overseas anti-corruption” or the extension of the “long-arm jurisdiction” principle, in essence is putting domestic law and judicial power ahead of international law and the international community, and maintaining global hegemony through the architecture of a global legal order.

### **First, the dual meaning of “American Trap”: the “judicial trap” and the “economic trap”**

As a world industrial giant, Alstom France has always been the pride of French traditional industry. After entering the 21st century, during processes of merger and acquisitions and expansion, the company sank into a financial crisis several times, due to the impact of the subprime mortgage crisis. US power giant General Electric quickly aimed at this fat piece of meat, and launched a business negotiation to acquire Alstom. During the negotiation, Alstom’s executive Pierucci was arrested at an US airport for violating the US Foreign Corrupt Practices Act, thus [he] fell into the “American Trap”.

In the book, “American Trap” has a double meaning. The first layer of meaning refers to the arrest of Pierucci by the United States, and Pierucci’s sinking into the “judicial trap” of “plea bargaining”. American procedural law upholds a type of arbitration principle of free contest between the parties, lawsuits mostly being decided by the contest between prosecution and defense. The judge is only a passive arbiter, and the special institutional arrangement of “plea bargain” in US procedural law is thus formed. If the accused can plead guilty on his own initiative, the prosecution can propose a commutation or a reduction of the sentence, and as soon as both parties have reached an agreement, the judge will recognize it. This type of litigation concept and arrangement will undoubtedly benefit government and the capitalists, who are strong.

In this case, faced with the “judicial trap” of “plea bargain” Pierucci’s refusal to plead guilty meant having to confront the US judiciary in evidence collection and legal defense. But, Pierucci’s lawyers were all designated by the Americans, neither could he personally afford

their huge fees, to say nothing of the large sums of money he had to pay to withstand the endless confrontation while in prison, due to the privatization of prisons in the US. In particular, a loss of the defense meant that he may have been sentenced to 125 years imprisonment. As a weak foreigner, Pierucci did not have the strength to fight against the huge American judicial machine, and in the end he was forced to plead guilty in exchange for a lighter sentence.

After Pierucci chose to plead guilty, in reality he fell into the second meaning of the "American Trap, that is the "economic trap" and even the "political trap" of economic and political competition between states. The US Department of Justice had "ulterior motives" in investigating Pierucci. The significance of sentencing Pierucci to 125 years imprisonment was not big for the United States, its real intention being using [him] as evidence to prove how Alstom had violated the "Foreign Corrupt Practices Act", and as a bargaining chip to help General Electric smoothly acquire Alstom. Therefore, when Pierucci pleaded guilty, in reality he became the "hostage" of the US judiciary, [who would] face a huge fine by the US judiciary on grounds he had violated the "Foreign Corrupt Practices Act", had Alstom rejected the commercial merger proposed by General Electric. It can be said that the United States has pushed the "Foreign Corrupt Practices Act" to the entire world, using it as a legal tool of global governance, essentially designing a trap to crack down on competitive enterprises. As a result, the "judicial trap" and the "economic trap" achieved a seamless connection.

In the book Pierucci hits the nail on the head, pointing out how this is an "underground economic war". The United States not only used General Electric market transactions as a ground to compete with French companies, but also engaged in economic competition with France through a hidden "judicial trap", to achieve the aim of controlling the lifeline of the French economy. Pierucci believes that the "American Trap" is that the United States use the law as a weapon of economic warfare, weakening its competitors, and finally moving on to their acquisition at a low price, thereby maintaining a position of economic monopoly.

## **Second, the essence of the " American trap ": the legal architecture of a global empire**

The "American Trap" provides a vivid case that reveals the nature of the US's push for global legal governance. The arrest of Pierucci, on the surface, appears to be an isolated action against global corruption, [but] in reality it is the use of government power to intervene in General Electric's acquisition of Alstom's market economic activities. In this business transaction, Alstom's rival is not only General Electric, but also the US Department of Justice. This case makes people realize that the US economic system is essentially the most hidden and largest state capitalism in the world, and this kind of state capitalism is constructed through the elaborate hands of the law.

The involvement of the US Department of Justice in the global market transactions of multinational corporations is determined by the nature of state capitalism of the United States, a society in which corporate interests are deeply bound to the national interest. The



failure of American companies in global economic competition will inevitably lead to the failure of the United States in global political competition. Therefore, the United States has designed such sophisticated “judicial traps” and “economic traps” to defend the absolute superiority of American companies in global competition. In this sense, “American Trap” shows the political-economic logic of some Americans who [are] building global hegemony.

The history of Western capitalism is a history where private maritime trade and naval expansion have gone hand in hand. It is a history where global commercial trade and colonial hegemony have accompanied and followed each other. Competition between private companies has become a political and military competition between countries, and the market is closely embedded in the battlefield. European colonial hegemony triggered two world wars, both stemming from private economic competition on the global market. Today, the different forms of trade friction the United States is launching against China and even the European Union, Japan, India, and Mexico are in fact determined by the nature of American state capitalism.

It must be recognized that maintaining a dominant position in the global market based on naked state violence and colonial plunder is the primary form of capitalism. After the two world wars, the rise of the “new world” represented by the United States began, and a large-scale upgrade of the Western capitalist system took place. Some people in the United States have unabashedly declared that the goal of the United States is to build a “new Roman Empire” that dominates the world. But such a “novelty” lies in concealing naked military conquest as much as possible, and using legal rules, investment and trade, the financial system, intellectual property, human rights, the rule of law and the penetration of cultural ideology to conquer and expand the global market. For example, holding the authority of international organizations to dominate sovereign states, attaching the requirements of privatization, marketization and democratization to commercial loans, using the so-called “Washington Consensus” to control the economic lifeline and the political power of weak countries, even adopting such tactics as “color revolutions” to destroy sovereign states.

Some people in the United States are looking to relying on complex and diverse means to maintain the status as a global empire. Any country that challenges the economic power of the United States and even allies will be subject to various pressures. The most famous example is the history of the United States is the persuasion of Japan to sign the “Plaza Accord”. The suppression of the Euro and the design of “judicial traps” to catch key persons are also obvious to all. Therefore, the story of Pierucci is by no means an isolated case, and it actually reveals a major mean used to crack down on economic and political competitors, and maintain the hegemony of the global empire.

### **Third, “long-arm jurisidiction”: the contradiction between American judicial hegemonism and global governance**

After the publication of “American Trap”, many people asked: why can the US Department of Justice investigate a commercial transaction between a French company and Indonesia? Why

do US courts have jurisdiction over economic activities outside the US territory? Why can the United States place its own domestic law above the international community? In global legal governance, who will limit unrestrained US hegemony, especially the global judicial hegemony the United States have formed through the “long-arm jurisdiction” of its domestic law?

The so-called “long-arm jurisdiction” refers to the jurisdiction of the US state judiciary on citizens or legal persons of another state, who have “minimum contact” with the US. After World War II, “long-arm jurisdiction” also gradually extended to the jurisdiction of American citizens and businesses in the world through US law. One of the most important extensions is that the “Foreign Corrupt Practices Act” of 1977 explicitly prohibits US companies from paying bribes to foreign public officials. During the Cold War, the United States supported many corrupt governments around the world, and US companies’ opening opening up of foreign markets through commercial bribery became a global scandal. In the context of the competition between the US and the Soviet Union, at that time, the primary purpose of the United States in enacting that law was to establishing an international moral image for itself. Therefore, the moral propaganda effect of this law was far greater than its actual effect. In the 20 years from 1977 to 2001, the US Department of Justice punished only 21 US companies, and those were usually unimportant, second-tier companies.

As the United States moved toward a global empire, it accelerated the pace of extending the “long-arm jurisdiction” to the entire world. On the one hand, the United States used its political influence on its allies to internationalize the “Foreign Corrupt Practices Act”. On the other hand, the United States amended the Act to extend the principle of “long arm-jurisdiction” to foreign companies and individuals. Any foreign company, as long as a contract is denominated in US dollars, or it is simply sent or received, stored (or event passes through) using servers based in the United States (such as Gmail or Microsoft), enters the range of America's “long-arm jurisdiction”. It can be said that the United States has nakedly placed domestic law over international law through “long-arm jurisdiction”, making companies and company managers of other countries become the subjects of “long arm jurisdiction” of the US judicial system. The “Foreign Corrupt Practices Act” has changed from binding US companies to a magical tool for waging economic wars against competitors. It can be seen that with the decline of the global competitiveness of US companies, the US government is increasingly using the “judicial trap” set by the law to crack down on competitors. In 2004, the US government used the law to punish foreign companies for sums worth only US\$10 million. However, in 2016, those sums surged to US\$2.7 billions. In particular, after the “September 11” incident, the “Patriot Act” gave the US government the power of large-scale surveillance of foreign companies and their employees in the name of counter-terrorism, which made it easier for US judicial departments to collect evidence. Using these two laws, [the US] has punished many commercial giants who competed with American companies. For example, in 2010, British Aerospace was punished with a US\$ 400 million fine. In 2014, Bank BNP Paribas was punished with a US\$ 8.97 billion fine. In 2017, Deutsche Bank was punished with a US\$ 7.2 billion fine.

It should be noted that the role of “long-arm jurisdiction” in the United States is not only based on the law, but more importantly, on the support finance and Internet Technology provide to the law. Because the United States controls dollar trading and the Internet, it is easy for any company or individual to enter into this world and fall into the “American trap”.

Economic globalization should be the globalization of all mankind and it should belong to all mankind. If some people in the United States whimsically wage dollar financial wars, internet wards, and “long-arm jurisdiction” legal-economic wars against other competing countries, then the world will turn into an American colony. Therefore, people must ask: Is this world “the world of all mankind” or is it the “world of the United States”? Is this world based on the concept of a community of human destiny, does it adopt the idea of a global governance promoted through equal participation by each person and by each country, or is it based on the Western racist concept of a “new Roman Empire”, and it adopts the hegemonic ideology of “America First” to promote global governance? These are the fundamental problems global governance has been facing since economic globalization.

If human history is the history of an uninterrupted economic globalization, then the history of this economic globalization is the history of using the principles of democratic politics to break up authoritarian autocracy in global governance. By establishing the Westphalian system, European powers broke the autocracy of the early Catholic Empire of Spain and Portugal and achieved equality between the powers. By founding of the “League of Nations” after World War I, and the establishment of the “United Nations” after World War II, the Soviet Union, the United States, China, and countries of recent independence jointly broke up the European monopoly of global governance and entered a new era of participation in global governance by all mankind. However, in order to get rid of the domestic economic crisis, some American people open “use public devices for their private [aims]”, alienating the established economic and legal systems of economic globalization, to wage economic wars and technological wards against other countries, [using them as] tools to achieve the priority of US interest, continuously placing domestic law above international law, nakedly showing their judicial hegemonism before the entire world.

The book “American Trap” does not only reveal the increasingly serious judicial corruption in the United States, that is, American business companies, lawyers, law enforcement agencies, and the judiciary form a hidden corrupt group because by manipulating the law they become an unconstrained power. It also reveals that at the background of this judicial corruption there lies the unconstrained unipolar hegemony of America. Because of this, Pierucci called on the EU to be more independent from the United States politically, economically and legally, thus constraining the global governance problems brought about by US hegemony. In fact, the judicial hegemonism of the United States is constantly dissolving the moral image established by the United States in the past, and it is making the people of the world increasingly aware of the big stick of the American trade war, its attempt to establish its despotic nature on hegemonism and fear; and [making the people of the world] clearly understand that under the shifting one’s problems onto others by “America First”, there lies the true face of turning the global order into an American order. The people of the

world have the feeling of bitterly enduring America for long [天下苦美久矣] . In this sense, the publication of “American Trap” gives persons in the world a deeper understanding of the autocratic essence of the global adoption of judicial hegemonism.