

Article

A Thoughtful Exposition of the Chinese Position in the Current Conversation Between China and the US: 《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]

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*For now we see through a glass, darkly;
but then face to face: now I know in part;
but then shall I know even as also I am known.
And now abideth faith, hope, charity, these three;
but the greatest of these is charity.
(1 Corinthians 12-13)*

Jiang Shigong has offered us a rare and much appreciated opportunity to think carefully about the fundamental principles that shape the way in which great states view the world, and themselves, as well as the way they then read others. Jiang Shigong's essay can be briefly summarized, though it is worth reading carefully in full (the English translation may be found in this volume).

The jumping-off point of the essay is a book published by Frederic Pierucci — *The American Trap*. Mr. Pierucci is perhaps most famous for his indictment by the US federal government on bribery charges related to activities in Indonesia over a decade ago.¹ That provides the doorway necessary to the analysis that follows. That analysis is grounded on the certainty that the United States operates principally to protect its private enterprises internally, and its national hegemony externally. Those objectives have been undertaken through the construction of the pre-2016 global order.

The essay starts with a consideration of the dual meaning of the “American Trap” as a “judicial trap”, and an “economic trap”. These were the traps into which Mr. Pierucci fell in his dealings with the Americans. The “judicial trap” is the trap of plea bargaining. The economic trap referred to the way in which the United States used its laws and judicial process to hold Mr. Pierucci hostage during the course of negotiations by a US company for

1 *United States of America v. Frederic Pierucci, et. al.*: Docket No:12-CR-238-JBA (04/16/2013).

its own. This, it is argued, evidences the way that the United States engages in economic warfare.

The essay then considers the second meaning of the American trap — the legal architecture of global empire. It suggests the way that US law has become, like the US Dollar, the “coin of the realm” for ordering economic arrangements in global production. US legalization, it is argued, hides the reality that the United States is the largest system of state capitalism in the world. The essay suggests the connection between naval power and economic hegemony. This is then tied to European colonialism and imperialism. This latter reference is made in line with certain elements of Western intellectual traditions, that conflate capitalism, colonialism, and state violence. The essay then suggests the foundation of the American imperial project from out of this context.

The essay extends on its analysis of the mechanics through which the US maintains and veils its empire. The focus is on US “long arm jurisdiction” and the contradiction between what the essay references as American judicial hegemonism and global governance. The essay suggests a connection between the judicial power to bring into American courts all parties with minimum contacts with the United States, and the projection of US power extraterritorially through the Foreign Corrupt Practices Act. These serve as the fundamental mechanics of American imperial practice. That template was then followed by other statutes, again the use of American legalism to veil an imperial project in aid of American economic power.

The essay then makes a plea for the preservation of what is described as a democratized globalization. That objective is impossible in the face of a global system grounded in American legalism and its mechanics of hegemony. Here the essay makes discursive use of the meaning it implies from what for the essay is aptly named the America First Initiative. Rather, the essay points to the long arc of European history, and the establishment of the post 1945 global trading order, one which is being broken by post-2016 American political initiatives. The essay suggests that the free, open, and democratic post-1945 global order has been undermined by the United States after 2016 with its new America First Initiative.

The essay ends where it began, with insights drawn from Mr. Pierucci's book. It suggests that the corruption of the American system is inherent in the construction of its legal order, within which the lawyers, judges enforcement agencies and business leaders form the leading group. That, the essay suggests, is the great value of Mr. Pierucci's book — its exposure of the America First Initiative for what it is.

Thus Jiang has accomplished his critique in a most sophisticated way. He beholds the mirror the West has held up to itself. Yet that beholding is possible indirectly, as a reflection of that reflection which is the mirror through which the outside is reflected inwardly. Yet in the process a double inversion occurs. The first of course is in the initial reflection, which itself is an echo but not the matter reflected. The second is in the reflection through which the echo itself is observed but subject to the way that reflection reconstitutes the thing observed. In

the end, the effort produces a profound knowledge — not of the thing itself, but of the ways in which the knowledge of the thing is itself a set of reflections each of which contributes and reduces, augments and flattens, what it is thought that is observed. What does emerge, though, is something quite powerful — the reflection of the self in the contemplation of echo. That is, the observation of the echo produces a truer image of the observer in contemplation of the observed.



Picture 1: Guo Jiping's article: No Challenge Can Stop the Pace of China's Progress.
Courtesy: People's Daily.

Let us consider the way that the mirror is constructed. To that end it is useful to consider three related reflections. The first is Guo Jiping's *No challenge can stop the pace of China's progress* that appeared in the People's Daily on 13 May 2019.² Guo's reflection starts with a sense of hurt — the US has continued to ignore the sincere feelings and aspirations of the Chinese nation as it works diligently to overcome the humiliations and difficulties of the decaying Qing Empire in the 19th century and the corruption of the early efforts at Republicanism through the middle of the 20th century. American dismissiveness and ill-treatment is exemplified by its choice of tactic — the tariffs it has imposed seem not just a tactic but a deliberate effort to cause China to lose face and to reduce it to the position of the last of the Qing dynasty and its folly of a government of eunuchs and mandarins. The author asks, "is the US fundamentally violating the principle of mutual respect, equality and mutual benefit, is it necessary to carry out the Sino-US economic and trade consultation process? Going back to the origin?" [美方从根本上违背相互尊重、平等互利的谈判原则，难道是要将中美经贸磋商进程退回到原点吗？]³ That is the mirror through which American actions are observed through a Chinese mirror.

2 国纪平 [Guo Jiping] 任何挑战都挡不住中国前进的步伐 [No challenge can stop the pace of China's progress], 人民日报 [Renmin Ribao] (May 13, 2019), available at http://paper.people.com.cn/rmrb/html/2019-05/13/nw.D110000renmrb_20190513_7-01.htm

3 *Ibid.*



Picture 2: 广目天王 [Guāng mù Tiānwáng, the Guardian of the West]
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But that mirror reconstitutes the behavior of the Americans in broader terms. It suggests that through the Chinese mirror, the Americans are failing in their responsibilities as the great imperial power whose fundamental obligation is the protection and perpetuation of the system of global trade and order that it had organized after 1945 at the cost of tens of millions of lives.

The Chinese mirror is an imperial mirror through which the deviations from the appropriate role of an imperial guardian are judged. And that is greater cause for concern than the sharpness of the bargaining between the two powers. To that end there must be an avoidance of war in the heavens:

At present, US policy makers have made a big bet on the side of ‘fighting’, so that the fleeting clouds of ‘short-term benefits’ block the gaze [of those who want to] dispel the clouds and see the sun. [US policy makers] can not grasp the laws of history, do not recognize the general trend of the world, do not want to bear the responsibility of the times, casting a shadow over the world's development prospects.

当前，美国政策制定者在“斗”的一面下了一个大赌注，让“现得利益”的浮云遮住了拨云见日的望眼，不能把握历史规律，不去认清世界大势，不想担负时代责任，给世界发展前景蒙上了阴影。⁴

The result, of course, is corruption. From the mirror through which China sees the reflection of the West, that must mean unilateralism, hegemonic practices, and a blindness to sincerity

4 *Ibid.*

offered up in the view of the Chinese. It is then left to the Chinese side to step up to Empire. That requires an adherence to principle — the appropriate principles on which Empire is founded, and which, from the reflection observed, have been maintained by the US until 2016:

Cooperation has indeed principled and does not compromise. China will definitely not develop at the expense of the interests of other countries, and will never give up its legitimate rights to development. The Sino-US trade friction has occurred for more than a year. Whether it is macroeconomics, enterprise development, or the people's livelihood, the impact on the Chinese economy is generally controllable.

合作是有原则的，并非一味地妥协。中国决不会以牺牲别国利益为代价来发展自己，也决不放弃自己的正当发展权益。中美贸易摩擦发生一年多来，无论是宏观经济，还是企业发展，抑或是民生领域，对中国经济造成的影响总体处于可控范围⁵

It is here, of course, that the facing mirrors distort and make possible the fulfillment of a natural desire to see oneself reflected in the image observed. And it is here that the borderlands of Empire are defined. As well, it is here that the analysis turns inward — the image submerged within that of the viewer — and then projected out:

As President Xi Jinping declared: The door to China's opening-up will not close, it will only open wider. The pace of China's promotion of a higher level of openness will not stagnate! China's push to build an open world economy will not stagnate! China's push of the pace to build a community of shared destiny will not stagnate!

正如习近平主席所宣示的：“中国开放的大门不会关闭，只会越开越大。中国推动更高水平开放的脚步不会停滞！中国推动建设开放型世界经济的脚步不会停滞！中国推动构建人类命运共同体的脚步不会停滞！”⁶

The mirror reflects the echoes of images through the lessons of the period of Reform and Opening Up; it reflects images through the struggle and objectives that are meant to fulfill the promise of an arc of history propelling China from the trash bin of Empire to its guardian. The image changes from a negotiation to a test of the fundamental soundness of the economic system built after 1976:

When the door opens, fresh air can come in, but the wind and rain will also come in, and all kinds of risk challenges can't be avoided. This trade friction is not only a "master trick" between big countries, but also a flaw in the process of growth. This is a test of the ability to withstand pressure. In 40 years of reform and opening up, the strong potential accumulated by China's development is a solid foundation for dealing with shocks.

5 *Ibid.*

6 *Ibid.*

大门打开，新鲜空气能进来，风雨也会进来，各种风险挑战躲不开、绕不过。这次贸易摩擦不只是大国之间的“高手过招”，也是成长过程中的一次砥砺。这是对抗压能力的检验。改革开放 40 年，中国发展积累起来的强大势能，是应对冲击的坚固基础。⁷

From this inward looking perspective emerges an outward objective — if the United States is not up to the task, then China will take up the responsibility of the imperial system that the US inaugurated and now appears to have abandoned through its own corruption and uncivilized behaviors:

At a higher level, 'looking at the world', economic globalization is an irreversible historical trend. "It is impossible to return the sea of the world economy to an isolated small lake or small river, and it is not in line with the historical trend."

在更高层次“睁眼看世界”，经济全球化是不可逆转的历史大势。“让世界经济的大海退回到一个一个孤立的小湖泊、小河流，是不可能的，也是不符合历史潮流的。”⁸

And that imperial obligation, recast for the new era, and reflecting the correct foundations, has been incarnated now as China's Belt and Road Initiative. That, our mirror reflects, helps to see in the image reflected the fundamental flaws that inevitably produce the corruption and hegemonism that points to the lose of the American imperial mantle:

If the world is good, then China can be good; if China is good, then the world is even better." The simple words of President Xi Jinping reveal the great logic of the relationship between China and the world in the New Era. China's wisdom is like a beacon in the sea, guiding the world economic ship to keep moving forward.

“世界好，中国才能好；中国好，世界才更好”习近平主席的朴素话语，揭示了新时代中国与世界关系的大逻辑。中国智慧犹如大海中的灯塔，指引着世界经济航船不断前进。⁹

⁷ *Ibid.*

⁸ *Ibid.*

⁹ *Ibid.*



Picture 3: Article: Sino-US economic and trade cooperation is the right choice, but cooperation is principled.
Courtesy: People's Daily.

The second is the anonymously published *Sino-US economic and trade cooperation is the right choice, but cooperation is principled*,¹⁰ also published in the People's Daily. Here again American tariffs distort the image perceived through the double mirrors of trade perception. There is principle and sincerity on the Chinese side, there are tariffs and rejection on the American side. In contrast to Chinese patience is American bluster. In contrast to measured behavior that reflects the burdens of imperial obligation, there is only self serving action:

For more than a year, China's sincerity and goodwill in promoting negotiations have been obvious to all. Now, the Chinese economy and the US economy are deeply integrated, and the US imposes tariffs, which is unfavorable to the Chinese people, unfavorable to the American people, and unfavorable to the people of the world. The proper settlement of economic and trade issues between China and the United States is the expectation of the whole world. The US move runs counter to the expectations of the world.

现在，中国经济和美国经济深度融合，美方加征关税，对中国人民不利，对美国人民不利，对世界人民也不利。中美妥善解决经贸问题是全世界的期盼，美方的举动与世界的期盼背道而驰。¹¹

10 本报评论员 [Commentator] 中美开展经贸合作是正确的选择，但合作是有原则的 [Sino-US economic and trade cooperation is the right choice, but cooperation is principled], 人民日报 [Renmin Ribao]. (May 13, 2019), available at http://paper.people.com.cn/rmrb/html/2019-05/13/nw.D110000renmrb_20190513_3-01.htm

11 *Ibid.*

And the mirror distorts. In the face of global expectation there is Chinese principle and commitment to cooperation present:

China will never give in on major issues of principle, [it will] resolutely defend the core interests of the country and the fundamental interests of the People, and will not lose its national dignity at any time. No one should expect China to swallow the bitter fruit that harms its core interests.

中方在重大原则问题上决不让步，坚决捍卫国家核心利益和人民根本利益，任何时候都不会丧失国家尊严，任何人都不要指望中国会吞下损害自己核心利益的苦果。¹²

But there is no echo of principle beyond that. That is inevitable — where the image merges the substance of globalization with Chinese principles, deviation or disagreement is error. And inevitably the image of disagreement reflects something other than sincerity, something other than cooperation, and something other than principle. That notion of the union of China and the essence of principled globalization is conformed where the mirror presents the self-image of the West as self-reflexively corrupt: “The proper settlement of economic and trade issues between China and the United States is the expectation of the whole world. The US move runs counter to the expectations of the world.” [中美妥善解决经贸问题是全世界的期盼，美方的举动与世界的期盼背道而驰].¹³ That is precisely the image necessary to conform the sense of the inversion of the position of the United States and China from their respective positions in 1969. And that is what Jiang Shigong must inevitably see when he sees reflected in his own mirrors the self reflections of the West — and with an appropriate level of horror. The mirror, however, reflects something else as well:

Practice tells us that the more complicated the situation is and the more challenging it is, the more it is necessary to give play to the stabilizing role of the centralized and unified leadership of the Party Central Committee. Under the strong leadership of the Party Central Committee with Comrade Xi Jinping as the core, we will maintain strategic strength, enhance [our] confidence in victory, and concentrate on doing our own things. We can calmly cope with various risks and challenges, and overcome all difficulties and obstacles.

实践告诉我们，越是形势复杂、挑战严峻，越要发挥党中央集中统一领导的定海神针作用。在以习近平同志为核心的党中央坚强领导下，保持战略定力，增强必胜信心，集中精力办好自己的事情，我们就能沉着应对各种风险挑战，战胜一切艰难险阻。¹⁴

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ *Ibid.*



Picture 4: 持国天王 [Chí Guó Tiānwáng, the Guardian of the East]
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And that brings us to the third reflection, the article by Lin Lizhen and Ding Yiting, *Experts discuss Sino-US trade relations - "The United States is suffering losses" is untenable; Adding tariffs harms the interests of both parties*, also published in the People's Daily, on May 13 2019.¹⁵ Here the mirror is constructed by the experts of the Chinese intelligentsia. "Cooperation is the only correct choice of China and the United States. The agreement between the two sides must be equal and mutually beneficial. On the major issues of principle, the Chinese side must never give in." [合作是中美双方唯一正确的选择，双方的协议必须是平等、互利的，在重大原则问题上中方决不让步].¹⁶ That insight was drawn both from a sense of the flaws in the logic of US strategies given the realities of global trade, but also because it would eventually hurt the United States more than China. This is well known of course, but helps build the image of a wounded and deluded imperial guardian.

The focus on sincerity, though, provides the echo of the image that emerges from the mirrors. Chinese sincerity has been questioned. The counter to American boorishness through tariff policy is matched by Chinese insincerity through the tactics of trade negotiation. This accusation was deeply felt and vigorously challenged by the experts in whose view Chinese sincerity was a lived experience from the time of its accession to the World Trade Organization. And that brings the discussion back to the image of cooperation within core principles.

15 林丽鹂, 丁怡婷 [Lin Lizhen and Ding Yiting] 专家研讨中美贸易关系—“美国吃亏论”站不住脚 加征关税损害双方利益 [Experts discuss Sino-US trade relations - "The United States is suffering losses" is untenable; Adding tariffs harms the interests of both parties], 人民日报 [Renmin Ribao]. (May 13, 2019), available at <http://opinion.people.com.cn/n1/2019/0513/c1003-31080324.html>

16 *Ibid.*

"We live in the same world, and cooperation is the only correct choice for the two big countries of China and the United States," said Zhang Yansheng, a member of the National Development and Reform Commission's academic committee, and a senior researcher, "Cooperation is the right choice, but cooperation is also principled". Yan Jinming believes: "The agreement between China and the United States must be equal and mutually beneficial. China will never give in on major issues of principle. China's three core concerns must reach a solution: First, cancel all tariffs. Second, the figures of trade purchases must be in line with reality. The third is to improve the equilibrium of the text."

“我们生活在同一个世界，合作是中美两个大国唯一正确的选择”，国家发改委学术委委员、资深研究员张燕生说。“合作是正确的选择，但合作也是有原则的。”严金明认为：“中美双方签订协议必须是平等、互利的，在重大原则问题上中方决不让步。中方三个核心关切问题必须得到解决：一是取消全部加征关税。二是贸易采购数字要符合实际。三是改善文本平衡性。”¹⁷

Now, indeed, we see through a glass darkly. The darkness starts in the West itself. The image that the mirror reflects of Mr. Pierucci provides a vision that is enhanced in its reflections from outside of the West. Yet that reflection is an echo colored by the surface on which it is reflected. The image it appears to reveal sharply suggests the structures of empire that, responsibly used, had helped shape the world that welcomed Mr. Trump to the White House. But time changes the reflection of Empire which now descends into a vision of hegemonism and the avoidance of responsibility through its reduction to technique —the techniques of dispute resolution, and of tariffs. Its quality, so well developed in Jiang's excellent essay, is worth considering for the image it presents to those who must be forced to see what the United States has become through the lenses they must themselves use.

But it is in the consideration of the quality of those lenses, that one understands better not just what is seen, but the observer as well. And for the United States, as it seeks to fulfill its own responsibilities in Empire, that was a valuable service provided by Jiang, for which its gratitude might be expressed by the more vigorous and strategic engagement with its responsibilities.

17 *Ibid.*