
Who Threatens Whom? The ‘Chinese Threat’ and the Bush Doctrine

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‘Chinese threat’ is highly controversial in international academia. This article attempts to expose the China threat and provide a comprehensive analysis as to the extent of the so-called threat. The essence of the ‘Chinese threat’ is based on misunderstandings concerning Chinese culture, on ill-reasoned historical experiences of rising powers and conflict, on the great gap between Christian and Chinese culture, and on the inherent nature of expansiveness of the former. In contrast, the Bush Doctrine (including the preemptive strike theory) poses an actual threat to China, as does the US protection of Japan unconditioned on Japanese admission and repentance for heinous war crimes committed during World War II. Treating China as an equal is the best policy that could be employed by the West. China’s unification and domestic stability would greatly contribute to world peace, while supporting the China threat ideology would have the opposite effect.

Keywords

Chinese Threat, Bush Doctrine, Chinese Culture, Christianity, Evangelical, Axis of Evil

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I. Introduction

The term ‘Chinese Threat’ has not been a novel wording for the past twenty years. Its references date as far back to the nineteenth century, *e.g.*, in Mikhail Bakunin’s work entitled “On Statism and Anarchism,” which implies the “tremendous and dreadful threat from the East.”¹ Wilhelm II von Deutschland’s vivid cartoon “The Yellow Peril” (*Völker Europas, wahrt eure heiligsten Güter*) depicted a common European perception of China at the turn of the nineteenth century. (Figure 1)

Figure 1: Wilhelm II von Deutschland’s vivid cartoon “The Yellow Peril”²



When western and Chinese Christians were killed in China during the Boxer Uprising,³ the Eight-Power allied expeditionary force⁴ invaded China and imposed treaty terms, including a cash indemnity and grants for further occupation rights of western powers. The core of the ‘Yellow Peril’ theory lay in the fact that some Europeans regarded yellow-faced Chinese as ‘uncivilized’ and stupid locusts causing great, albeit potential, threats to the ‘civilized (western)’ world.

“The Yellow Peril” was reprised from about the mid-1990’s through present, with western politicians and scholars giving voice to the so-called ‘Chinese Threat’.

¹ Mikhail Alexandrovich Bakunin (Russian: Михаил Александрович Бакунин, 1814-1876) is considered the most influential figures of anarchism, and one of the principal founders of the ‘social anarchist’ tradition. See M. BAKUNIN, ON STATISM AND ANARCHISM (trans. into Chinese, Commercial Press, 2013). For details on the idea of “the Yellow Peril,” see An Chen, “Chinese Threat”: Sources, Essence of “Yellow Peril” and the Newest Hegemonic varieties, 33 MOD LEGAL SCI. (*Xiandai Faxue*) 10-36 (2011).

² See the introduction of ‘Yellow Peril’ <available only in Chinese>, in THE BAIDU ENCYCLOPEDIA, available at http://baike.baidu.com/link?url=WeZEvy1lzuCwEwKcFQA7301YQqm0OroQxxCYcJDQO_cop4PO2vccnvzv99qtqAtOfcHjFqTWthQBDHTbevq (last visited on May 6, 2014). Prof. An Chen simplified the “Yellow Peril Theory of Russian and German style.” See An Chen, *supra* note 1.

³ See generally J. ESHERICK, THE ORIGINS OF THE BOXER UPRISING (1988).

⁴ This force consisted of France, Britain, the US, Japan, Russia, Germany, Austria-Hungary and Italy.

The meaning of 'threat' is multi-dimensional; it should be interpreted economically, politically and militarily. Although China has been seldom labeled 'rouge State' (with the exception of a relatively short period around 1989) and never identified by George W. Bush Jr. as a member of the "Axis of Evil," there may be questions and worries concerning China's strategic positioning in the contemporary international order and China's role in shaping concurrent international rules of law when facing the unprecedentedly aggressive and vexing foreign policy initiated by President Bush, the so-called Bush Doctrine.

Has China been a threat to the rest of the world? Will it be a threat in the future? Can the US and its allies, especially Japan, be considered a threat to the Chinese public, academics and political class?

My research will answer some of these questions from a Chinese lawyer's perspective. This paper is composed of six parts including short Introduction and Conclusion. Part two will discuss the rising China and Chinese threat. Part three will investigate the essence of the so-called 'Chinese threat' from a cultural, religious and historical perspective. Part four will analyze whether China is a real threat to America. Part five will delve deeply into the relationship between the Bush Doctrine and the uniqueness of Chinese modern history and political regime.

II. The so-called "Rise of Power of China" and the 'Chinese Threat'

The US Department of State's Bureau of East Asian and Pacific Affairs released a report in 2008 claiming that since 1978, China has experienced "the largest reduction of poverty and one of the fastest increases in income levels ever seen."⁵ Statistics show to a large extent that China's economy has been growing extremely fast from a historical perspective.⁶ China's foreign reserves rose to nearly four trillion US dollars at the end of 2013, making it by far the world's largest holder of official reserves.⁷ Three-quarters of these holdings are estimated to be US dollar-denominated assets.⁸

⁵ US Dep't of State, Bureau of East Asian and Pacific Affairs, Background Note: China, The US, *available at* <http://www.state.gov/outofdate/bgn/china/103100.htm> (last visited on May 6, 2014).

⁶ World Bank, Statistics, *available at* <http://databank.worldbank.org/data/views/reports/chart.aspx>; China's official statistics, *available at* <http://data.stats.gov.cn/viewchart/index?m=hgnd> (all last visited on May 6, 2014).

⁷ See the official statistics of China for foreign exchange, *available at* <http://www.safe.gov.cn> (last visited on May 6, 2014).

⁸ *Id.*

China's rise to power has not been solely economic in nature. Growth in its military budget and transparency issues have raised a number of concerns.⁹ Most Asia-Pacific nations have ostensibly drawn closer to the US security apparatus mainly due to the potential military threat from China. Whiting maintains: "Secrecy is endemic in military affairs but doubly so in China where transparency is at a minimum and security consciousness is maximal."¹⁰ Roy claims: "The desired message should be that the world welcomes and will assist China's development as long as China remains peaceful and cooperative, but bullying or defiance of international norms will result in decreased growth opportunities and the emergence of an *anti-China alliance*."¹¹ My concern is: Why China? What is the perceived threat?

China watchers in the West are busy debating these questions. The debate largely began with two articles published in *Foreign Affairs*: "The Coming Conflict with China"¹² and "Beijing as a Conservative Power."¹³ Joined by a curious alliance of military hawks and human rights advocates on Capitol Hill, they have been loudly warning that China seeks to restore its traditional position of hegemony in East Asia.¹⁴ 'Optimists' believe that the Chinese elite today "put priority on joining the world system," while 'pessimists' point to the traditional Chinese tribute system,¹⁵ in which neighboring Asian States brought gifts to the Chinese court to acknowledge their subordinate status, to argue that Beijing seeks "the restoration of China's historic position in Asia."¹⁶

There have been arguments as to the existence of 'Chinese threat' and the degree thereof. One example concerns the potential threat to the economic, political, and military interests of the US in Latin America as China's economic influence grows.¹⁷ Another relates to Chinese activities in Africa, which have attracted various levels

⁹ For details, see ANGANG HU, *CHINA IN 2020: A NEW TYPE OF SUPERPOWER* (2011)

¹⁰ A. Whiting, *The PLA and China's Threat Perceptions*, 146 *CHINA Q.* 596-615 (1996). The updated US Quadrennial Defense Review ("QDR") put much stress on the issue of transparency. It did not directly regard China as a threat, but the shadow of China in QDR could easily be traced.

¹¹ D. Roy, *The "China Threat" Issue: Major Arguments*, 36 *ASIAN SURV.* 771 (1996). [Emphasis added].

¹² R. Bernstein & R. Munro, *The Coming Conflict with America*, 76 *FOREIGN AFF.* 18-32 (1997). For details, see the same authors, *THE COMING CONFLICT WITH CHINA* (1998).

¹³ R. Ross, *Beijing as a Conservative Power*, 76 *FOREIGN AFF.* 33-44 (1997).

¹⁴ Bernstein & Munro, *supra* note 12, at 19.

¹⁵ For details, see Tiejia Wang, *International Law in China: Historical and Contemporary Perspectives*, 221 *RECUEIL DES COURS* 195-369 (1990).

¹⁶ P. Gries, *A "China Threat"? Power and Passion in Chinese "Face Nationalism"*, 162 *WORLD AFF.* 63-75 (1999).

¹⁷ J. Vega, *China's Economic and Political Clout Grows in Latin America at the Expense of U.S. Interests*, 14 *MINN. J. GLOBAL TRADE* 377 (2005).

of criticism.¹⁸ However, much of this criticism has nothing to do with Mao Zedong's traditional "Output of Revolution"¹⁹ and bears little relevance with communism. Instead, China has been labeled as neo-colonialist, which has given rise to a theory of the Chinese threat.²⁰

The geopolitical situation in East Asia has always brought about a complex and chaotic situation among mainland China, Taiwan, Japan and the US ever since 1945. The distrust among all major powers in the region runs deeply. Japan and Taiwan worry about mainland China as a rising economic and political power, while mainland China is concerned if Taiwan seeks independence under the auspices of the US and Japan. The Cold War is not fully over, but continues to various degrees in East Asia. China has become naturally more sensitive to America's unilateralism than in recent history.

III. The Essence of the 'Chinese Threat': Cultural, Religious and Historical Implications

As Henry Kissinger observed, "a special feature of Chinese civilization is that it seems to have no beginning. It appears in history less as a conventional nation-state than a permanent natural phenomenon."²¹ The "conventional nation-State." is a Euro-centric term resulting from the Westphalia system.²² However, China's story is different. Traditional Chinese ideology is related to the idea of '*Tian Xia*' (All under Heaven), which is represented by the seemingly arrogant description of China itself as the 'Middle Kingdom' or 'Central Kingdom.'²³ A detailed explanation of Chinese uniqueness is beyond the scope of this paper. Instead, my research will focus on the interaction and differences between Chinese culture and western Christianity, which is key to understanding the essence of the China threat.

The essence of the Chinese threat may be recognized as the four different patters: (1) who is the creator of the world? (2) guilt v. virtue; (3) love of God v. love of

¹⁸ S. Mancuso, *China in Africa and the Law*, 18 ANN. SURV. INT'L & COMP. L. 243 (2012).

¹⁹ See, e.g., Zedong Mao, *Selected Works of Mao Tse-tung: the Period of the Socialist Revolution and Socialist Construction*, vol. I (Foreign Languages Press, 1977).

²⁰ *Supra* note 18.

²¹ H. Kissinger, ON CHINA 5 (2012).

²² A.-M. de Zayas, *Peace of Westphalia*, 7 THE MAX PLANCK ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW 536 (R. Bernhardt et al. eds., 1984).

²³ *Supra* note 21, at 3.

Benevolence; and (4) the inherent expansiveness of Christianity v. culture of Chinese tolerance.

A. Who is the Creator of the World: God or Man?

First, the doctrine of Christianity shows that there is a great and insurmountable gulf between God and human beings.²⁴ In Christianity, God omnipotence transcends the physical world as experienced by mere mortals.²⁵ In Chinese traditional culture, however, there is no explicit and intrinsic difference between human beings and god(s), with a consequence that the two could be hardly divided into two isolated different worlds. In other words, both human beings and god(s) can co-exist in secularity.²⁶ As the ancient religious beliefs and national consciousness merged throughout history, China was thus regarded as a country based on realism and utilitarianism and less so as religious *per se*.²⁷ Belief in “make-or-break,” or “a person who succeed is a king, while a person who fail is prisoner” with hundreds of years of history attests to its deep roots within Chinese culture.

Second, traditional Christianity emphasizes its uniqueness, absoluteness and completeness of God, while Chinese culture does not believe in a unique god due to *diversity and uncertainty* of the status of all the *various* gods. [Emphasis added] In other words, the lack of religious faith in China today is not solely due to the Chinese Communist Party (“CCP”).²⁸

B. Original Sin v. Culture of Virtue

It is difficult for most Chinese to understand the Christian idea of ‘Original Sin.’ ‘Guilt’ is usually understood as crime and *actual* sins in Chinese traditional culture, while Christians characterize guilt as the separation of man and God, and the subsequent self-consciousness of alienation from God.²⁹ The guilt is motivated by

²⁴ *E.g.*, the ban on the garden of Eden, breached and its consequences. See THE BIBLE, Genesis 2:16-17; The story of the tower of Babel, THE BIBLE, Genesis 11.

²⁵ See THE BIBLE, 1 John 3:20; 17:1. When Abram was ninety-nine years old, the Lord appeared to him and said, “I am the Sovereign God. Walk before me and be blameless.” See THE BIBLE, Genesis 17:1

²⁶ For details, see J. FAIRBANK, THE UNITED STATES AND CHINA (1983).

²⁷ YULAN FUNG, A HISTORY OF CHINESE PHILOSOPHY 10-11 (trans. into English by D. Bodde, Princeton University Press, 1952)

²⁸ For details, see HANZHANG YA & YOUSAN WANG, ANTI-THEISM IN CHINA (1992). <available only in Chinese>

²⁹ After Adam and Eve violated god's ban to eat apple from the tree of the knowledge of good and evil, they were conscious of shame. Then the eyes of both of them were opened, and they realized they were naked; so they sewed fig leaves together and made coverings for themselves. See THE BIBLE, Genesis 3:7. [Emphasis added]

individual. It is the first link to rebuilding the relationship between man and God, which makes people aware that their own nature is lacking.³⁰ However, under the Chinese traditional “culture of virtue,” individual mentality seems to have become absolutely self-sufficient, without any need for a god outside of the self.³¹ E.g., the basis of “the kingly way and benevolent government”³² and “concordance between Heaven and Mankind”³³ eventually lies on leaving all prescriptive values to Kings or secular humans.³⁴ Moreover, virtue culture has never regarded the thesis that “the King or the government is originally evil” as a prior self-evident assumption, which, of course, makes it difficult to form the constitutional idea and institutional environment of ‘Limited Government.’³⁵ In fact, China would have difficulty in constructing the “Rule of Law” mainly because the traditional idea of “Rule by Virtue” has dominated the political agenda for more than two thousand years.³⁶ Even in the Jiang Zemin’s era, “Rule by Virtue” side by side with “Rule of Law” had formally and officially propagated, which could be regarded as a typical example of Yu Yingshi’s Chinese ‘inward transcendence’ in sharp contrast with Christian ‘outward transcendence.’³⁷ Under the current Xi Jinping’s administration, although “Rule by Virtue” has not been officially mentioned in the CCP’s media, it may be disputable whether the “Rule of Law” is rooted in this country.

C. ‘Love of God’ v. “Love of Benevolence”³⁸

In Christianity, Jesus loves all people selflessly as manifested in the Crucifixion.³⁹ All men are equally loved by the God.⁴⁰ This is not to say that there exists no hierarchy

³⁰ *Supra* note 27, at 8.

³¹ *Id.* at 4-24.

³² DIM CHEUK LAU, MENCIOUS 2-3, 6-8 & 10-13 (2003).

³³ R. GROUSSET, THE RISE AND SPLENDOR OF THE CHINESE EMPIRE 14 (1953).

³⁴ *Supra* note 27, at 122-123.

³⁵ See, e.g., Xiaotong Fei, *From the Soil, the Foundations of Chinese Society: A Translation of Fei Xiaotong’s Xiangtu Zhongguo, With an Introduction and Epilogue* 108-113 (trans. into English by G. Hamilton & Wang Zheng, Berkeley and Los Angeles, 1992).

³⁶ For details, see *id.* at 94-100; Dongxue Han, *Beyond the Liberal Political Philosophy: the State Functions under the Condition of Socialist Market Economy*, 9 CHINESE ADMINISTRATION (ZHONG GUO XING ZHENG GUAN LI) 12 (2000).

³⁷ Ou Yangbin, *Yu Yingshi - It would be extremely Difficult for China to Turn Around* <available only in Chinese>, N. Y. TIMES CHINA, available at <http://newsletter.nytcn.net/article/bcc467c18946c4128589619f2d0ea6bb> (last visited on May 6, 2014).

³⁸ J. LEGG, THE ANALECTS OF CONFUCIUS BOOK 12, available at <http://ebooks.adelaide.edu.au/c/confucius/c748a/book12.html> (last visited on May 6, 2014).

³⁹ THE BIBLE, John 19.

⁴⁰ *Id.* at 3:16.

and discrimination in historical and present Christianity. As for China, “Love of Benevolence” in Confucianism is in itself tightly connected with the classist ‘*Li*.’⁴¹ Mencius used to summarize human relationships as: “Let the ruler be a ruler, the subject a subject, the father a father, the son a son.”⁴² These rules have twisted natural human relationships into a strong hierarchical and patriarchal one. The Chinese society has not changed much ever since. In ‘international’ relations, meanwhile, the great power (the Middle Kingdom) and the neighboring countries should be harmonized based on ‘benevolence’ of the former toward the latter.⁴³ The Middle Kingdom was expected to teach, inspire, compel, and protect the peripheral weak States called ‘Man Yi’ (barbarians), thereby implementing the ethics of benevolence.⁴⁴

From Matteo Ricci’s lifelong mission in the seventeenth century (last stage of Ming Dynasty) to the early twentieth century, Christianity was not spread in China, not merely because of the radical acceptance of Marxism, but rather because of the deep-rooted social structure of “Love of Benevolence.” Most Chinese people have never accepted an absolute god in the depth of their soul. Good emperor and good superior are the two key points of understanding Chinese attitude of dealing with inside domestic unrest and outside ‘intruders.’

D. The Inherent Expansiveness of Christianity v. Culture of Chinese Tolerance

In pursuit of absolute conviction, the Christians will never stop their desire and mission of saving people.⁴⁵ The inherent sense of ‘superiority’ and ‘discrimination’ could be regarded as analogues. For most western scholars and Christians, *e.g.*, the skin of God may simply be self-evident; God is naturally a white man, which has been demonstrated by many religious paintings.

Compared with the spirit of Confucianism, Buddhism and Taoism in China, Christianity has been full of outward character of expansion. Christians would preach what is outward, which is very contradictory to the Chinese spirit of serenity,

⁴¹ Eric Lee, *Evolving Concept of Law in Korea: A Historical and Comparative Perspective*, 21 ASIA PACIFIC L. REV. 84-86 (2013).

⁴² *Supra* note 38, ch. 11. Please note that Mencius and Confucius differentiated with each other in that Mencius stressed more on rights of subjects and less on power of emperors, which had been the reason of some emperors’ resentment towards Mencius.

⁴³ *See, e.g.*, DI MO, THE ETHICAL AND POLITICAL WORKS OF MOTSE 83 (trans. into English by Y. P. Mei & A. Probsthain, 1929).

⁴⁴ Jingshen Tao, *Barbarians or Northerners: Northern Sung Images of the Khitans*, in CHINA AMONG EQUALS: THE MIDDLE AND KINGDOM AND ITS NEIGHBORS, 10TH AND 14TH CENTURIES 66-68 (M. Rossabi ed., 1978).

⁴⁵ He said to them, go into all the world and preach the good news to all creation. *See* THE BIBLE, Mark 16:15.

restraint and tolerance.⁴⁶ From the mid-nineteenth century, when the so-called Christian ‘civilized world’ forced China to open its market through the Opium War, to the early twenty-first century when China to join the WTO,⁴⁷ no matter whether or not it is accompanied by guns and swords, the essence of such a tone has never changed.

When “All under Heaven” idea was totally collapsed by the invasion of the western imperialists with the Opium War, a deep sense of humiliation dominated Chinese society for more than one century. During the “century of humiliation,” Chinese people struggled to be treated as a normal and equal nation, which was the sole impetus for the Chinese style of revolution. The so-called ‘great rejuvenation’ (or reviving) of the Chinese nation reiterated by President Xi Jinping is nothing but a continuous and never-changing agenda of Chinese emperors since the days of the Opium War.⁴⁸ The Chinese threat can be thus labeled as no threat at all and are based rather on a misunderstanding of Chinese culture.

IV. Is China a real Threat to America?: A Chinese Lawyer’s Perspective

A. Bush’s Dream for the Unipolar World and Reshaping International Law

During the Bush administration, the US was the only world superpower.⁴⁹ Undeniable is that throughout history powerful States have been always shaping the rules among ‘nations,’ regardless of their name. International law has consistently reflected the interests of those hegemonic States such the Rome, Spain, the UK, or the US.⁵⁰ Accordingly, it would make sense that President Bush, by his doctrine, tried to reshape the contemporary international law of war to a certain extent.

⁴⁶ Kissinger directly and undeniably points out that: “China does not proselytize.” See *supra* note 21, preface, 31-32 & 80.

⁴⁷ The WTO has been described to be a “representative of neo-liberal hegemony.” See M. Abélès, *Globalization, Power and Survival: An Anthropological Perspective*, 79 ANTHROPOLOGICAL Q. 499 (2006).

⁴⁸ For Xi Jinping’s speeches on China’s great rejuvenation, see, e.g., *Chinese president visits four nations in 11 days*, Xinhua, available at http://news.xinhuanet.com/english/video/2014-04/03/c_133235537.htm (last visited on May 6, 2014).

⁴⁹ For details, see J. NYE, *THE PARADOX OF AMERICAN POWER: WHY THE WORLD’S ONLY SUPERPOWER CAN’T GO IT ALONE?* (2002)

⁵⁰ See generally N. Krisch, *International Law in Times of Hegemony: Unequal Power and the Shaping of the International Legal Order*, 16 EUR. J. INT’L L. 369 (2005).

International law scholars would reflect extensively on the emergence (or even the existence) of “international hegemonic law” whereby international law was ‘doomed’ or ‘destined’ to be shaped by meeting the perceived security needs and interests of a hegemon, a single superpower.⁵¹ John Ikenberry, criticizing pre-emptive military action, describes the Bush strategy as a ‘grand strategy’ that “begins with fundamental commitment to maintaining a unipolar world in which the US has no peer competitor,” and that threatens to “leave the world more dangerous and divided-and the US less secure.”⁵²

B. The Bush Doctrine and China: Who is the Rogue State?

From the very beginning of the Bush Doctrine, the ‘preemptive strike’ has been focusing on terrorism and the Weapons of Mass Destruction (“WMD”). The Bush Doctrine might be connected to the so-called Chinese Threat with regard to the human rights issue of China which would lead to harsh controversies between international humanitarian intervention and absolute sovereignty.⁵³ The NATO’s intervention against Serbia over Kosovo in 1999 was outside of current law, yet created a more or less generalized *opinio juris* that an intervention to stop ethnic cleansing or acts of genocide is, if not legal, then at least ‘perfectly legitimate,’ especially if the action is multilateral in nature.⁵⁴ What if an incident like the June 4 massacre of Tian An Men Square were to happen again? Would it be possible for the international community to adopt a multilateral consensus for humanitarian intervention, even with a preemptive strike? Let us presume that the heated Sino-Japan relationship would somehow lead to military conflict in the future; the same question might arise again as to the use of a preemptive strike. Although the Bush Doctrine might only focus upon terrorism, in a broader sense, it would conflict serious with China’s long-standing non-interventionist policy agenda. If accepted as general international law, the preemptive strike would be a critical cornerstone of international law after Westphalia. In other words, a US wedded to the Bush Doctrine might be a potential threat to China.

⁵¹ B. JONES, S. FORMAN & R. GOWAN, COOPERATING FOR PEACE AND SECURITY, IN EVOLVING INSTITUTIONS AND ARRANGEMENTS IN A CONTEXT OF CHANGING US SECURITY POLICY, preface (2013).

⁵² See generally G. Ikenberry, *America’s Imperial Ambitions*, 81 FOREIGN AFF. 44 (2002).

⁵³ For details on the debates on humanitarian intervention and absolute sovereignty, see K. Nikolai, *Humanitarian Intervention: Pros and Cons*, 17 LOY. L. A. INT’L & COMP. L. J. 365-408 (1994-1995); M. Ayoob, *Humanitarian Intervention and State Sovereignty*, 6 INT’L J. HUM. RTS. 81-102 (2002); S. CHESTERMAN, JUST WAR OR JUST PEACE?: HUMANITARIAN INTERVENTION AND INTERNATIONAL LAW (2001).

⁵⁴ B. Brown, *Humanitarian Intervention and Kosovo: Humanitarian Intervention at a Crossroads*, 41 WM. & MARY L. REV. 1683 (2000).

The Bush Doctrine has been well expressed by the National Security Strategy (“NSS”):

We must adapt the concept of imminent threat to the capabilities and objectives of today’s adversaries. Rogue states and terrorists do not seek to attack us using conventional means. They know such attacks would fail. Instead, they rely on acts of terror and, potentially, the use of weapons of mass destruction - weapons that can be easily concealed, delivered covertly, and used without warning⁵⁵

Maggst has presented the theory on how the US could justify military strikes against a rogue nation’s nuclear weapons facilities under the UN Charter. He stated: “Nations like Iran and North Korea constantly are engaging in actual armed attacks and other aggression that by itself justifies the use of military force.”⁵⁶ Unfortunately, there is no international legal documents or academic interpretations on the accurate meaning of ‘rogue States’ as a legal terminology. President Bush himself did not provide any definition. An alternative term might be the “*unbalanced dictators* with weapons of mass destruction.”⁵⁷ Only the strongest would arguably determine who rogue States are. Huntington once figured out that much of the world saw the United States as a ‘rogue superpower,’ “intrusive, interventionist, exploitative, unilateralist, hegemonic, hypocritical.”⁵⁸ No one knows whether China had been a rogue State,⁵⁹ e.g., in June 1989, or possibly in the future in the eyes of President Bush or his successor(s) presumably with a similar attitude of scrutinizing the rest of the world.

The three ‘Ws’ would represent the soul of the Bush Doctrine which means: “*Whenever and wherever* a terrorist group or possible threat from a state is located, it should be destroyed *without* necessarily having the support of the international

⁵⁵ The National Security Strategy paper issued by the White House developed the doctrine further. See The National Security Strategy of the United States of America, The White House website (Sep. 17, 2002), available at <http://www.whitehouse.gov/nsc/nss.pdf> (last visited on May 6, 2014).

⁵⁶ G. Maggst, *How The US Might Justify A Preemptive Strike On A Rogue Nation’s Nuclear Weapon Development Facilities Under The U.N. Charter*, 57 SYRACUSE L. REV. 465 (2006).

⁵⁷ See Remarks by the President at 2002 Graduation Exercise of The US Military Academy at West Point, The White House website (June 1, 2002), available at <http://whitehouse.gov/news/releases/2002/06/200206013.html> (last visited on May 6, 2014). [Emphasis added]

⁵⁸ S. Huntington, *The Lonely Superpower*, 78 FOREIGN AFF. 35-49 (1999).

⁵⁹ The attempts to place Chinese adherence to international law in a wider context apparently reflect residual concerns about the motives and quality of commitments of a former ‘rogue’ State which is rapidly evolving into a global power, having already achieved a prominent regional status. See R. Mushkat, *China’s Compliance with International Law: What Has Been Learned and the Gaps Remaining*, 20 PAC. RIM L. & POL’Y J. 41-69(2011), available at <https://digital.law.washington.edu/dspace-law/handle/1773.1/484> (last visited on May 6, 2014).

community.⁶⁰ It would be a matter of life and death for China if she is labeled as a rogue State because China, as the permanent member of the UN Security Council, would naturally guard against the UN collective security regime, regardless of what direction the possible 'threat' would be.

C. The Bush Doctrine and Evangelical Christianity

The connotation of the Bush Doctrine is not as simple as preemptive strike in a military context. President Bush believed he was on a mission from the God and proved his willing to take massive risks and surprise critics.⁶¹ President Bush was 'faith based.'⁶² In his presidential campaign, *e.g.*, Bush spoke repeatedly and directly of his religious position and thus won a remarkable support from evangelical Christians. A NSS paper represents the four key points of the Bush Doctrine, all of which have direct and inherent connections with Evangelicals. The first is unilateral action with the utmost confidence and without any hesitation. The Evangelicals' proclivity for unilateralism is prominent.⁶³ Evangelicals even believe that all such international institutions as the UN are instruments of anti-Christ nature.⁶⁴ It is absolutely Bush style in Iraq. The second is the so-called "Axis of Evil." 'Evil' is *per se* a terminology in Christianity describing Satan.⁶⁵ Bush himself might clearly understand the inner religious meaning of the term, using 'the Crusades' simultaneously against the enemy, Iraq.⁶⁶ One in three American Christians call themselves evangelicals, many of whom believe the second coming of Christ will occur in the Middle East after a titanic battle with the anti-Christ.⁶⁷ The third is preemptive strike. Such a strategy under Bush's understanding might have close ties with Aurelius Augustinus' Just War Theory⁶⁸ in the classic City of God. Bush believed that preemptive strike should and will triumph simply because the God is

⁶⁰ *Supra* note 55. [Emphasis added]

⁶¹ P. Gordon, *The End of the Bush Revolution*, 85 FOREIGN AFF. 75-86 (2006).

⁶² S. MANSFIELD, THE FAITH OF GEORGE W. BUSH 59 (2004).

⁶³ M. ROZELL & G. WHITNEY, RELIGION AND THE BUSH PRESIDENCY 216 (2007).

⁶⁴ D. Oldfield, *The Evangelical Roots of American Unilateralism: The Christian Right's Influence and How to Counterit*, FOREIGN POL'Y IN FOCUS 15-17 (2004).

⁶⁵ THE BIBLE, Matthew 4:1-11.

⁶⁶ See President George W. Bush's controversial use of the term *crusade against terrorism* in a speech on September 16, 2001, available at <http://georgewbush-whitehouse.archives.gov/news/releases/2001/09/20010916-2.html>; <https://answers.yahoo.com/question/index?qid=20100521170608AA5ZrEv> (all last visited on May 6, 2014).

⁶⁷ T. Carver, *Bush Puts God on His Side*, The BBC website (Apr. 6, 2003), available at <http://news.bbc.co.uk/2/hi/2921345.stm> (last visited on May 9, 2014).

⁶⁸ See generally S. AUGUSTINE, THE CITY OF GOD (2004)

on his side, answered in a standardized Bush's style.⁶⁹ The fourth is America's duty to democratize the rest of the world. A Key difference between evangelicals and other various Christian sections is that the former has a more missionary complex to preach outwards.⁷⁰ Evangelicals in the Bush group used to regard themselves as Moses hoping to disseminate American value globally. Republican Presidential candidate Mike Huckabee once summarized it as follows:

Although we cannot export democracy as if it were Coca-Cola or KFC, we can nurture moderate forces in places where al Qaeda is seeking to replace modern evil with medieval evil. Such moderation may not look or function like our system - it may be a benevolent oligarchy or more tribal than individualistic - but both for us and for the peoples of those countries, it will be better than the dictatorships they have now or the theocracy they would have under radical Islamists.⁷¹

D. 'China' under the Bush Doctrine

China used to be criticized for having no rule of law, independent judiciary, and mechanism for dealing with political corruption. In other words, China was "country of dictatorship without democracy." Hoping to spread American-style democracy around the globe, the US wants to prevent domestic technology companies from yielding to 'totalitarian regimes' or 'Internet-restricting' countries like China.⁷²

Some Americans are concerned that China might use its economic superiority to seek political support from other parts of the world.⁷³ However, in line with Confucius spirit of tolerance and passiveness, China would not use its economic superiority on weaker nations to impose its own political norms.

However, while China has declared a "no first use" policy with respect to nuclear weapons, this has not been followed by the US.⁷⁴ Yan Xuetong asserts that traditional

⁶⁹ See Bush's speech on National Day of Prayer, May 6, 2004, available at <http://www.bpnews.net/printerfriendly.asp?id=18222;http://content.time.com/time/nation/article/0,8599,634641,00.html> (all last visited on May 9, 2014).

⁷⁰ B. Cox, *Rick Warren on Muslims, Evangelism, and Missions*, available at <http://pastors.com/rick-warren-on-muslims-evangelism-and-missions/2> (last visited on May 9, 2014).

⁷¹ M. Huckabee, *America's Priorities in the War on Terror Islamists, Iraq, Iran, and Pakistan*, 87 FOREIGN AFF. 155 (2008).

⁷² P. Bruening & L. Harris, Global Online Freedom Act of 2007, H.R. 275, 110th Congressional Memorandum from the Center for Democracy and Technology (July 12, 2006), available at <https://www.govtrack.us/congress/bills/110/hr275> (last visited on May 9, 2014).

⁷³ J. Vega, *China's Economic and Political Clout Grows in Latin America at the Expense of U.S. Interests*, 14 MINN. J. GLOBAL TRADE 377 (2005).

⁷⁴ C. Peloso, *Crafting An Updated Nuclear Non-Proliferation Treaty: Applying The Lessons Learned from The Success of Similar International Treaties to The Nuclear Arms Problem*, 9 SANTA CLARA J. INT'L L. 309 (2011).

Chinese morality guarantees a 'strong' China will be a 'benign' China.⁷⁵ China's traditional culture regards it as a shame to grab interests by force. Traditional morality teaches that like Gongfu (Chinese martial art), war must have a just purpose.⁷⁶ Consequently, when today's Chinese leaders "make a decision on whether to use force, they are to a great extent restrained by... the norm of righteousness."⁷⁷

E. Sino-Japanese Relations under the Bush Doctrine

The real problem behind the scenario lies in Sino-Japan relations. It is common sense that "a military resurgence in Japan would provoke other Asian-Pacific countries to form an anti-Tokyo coalition that might eventually strangle Japan."⁷⁸ However, Prime Ministers Koizumi Junichiro and Shinzo Abe seem to have bypassed this sort of common sense. Japan's revival of militarism, including but not limited to potential development of nuclear weapons,⁷⁹ has already presented a marked indication of a once again real threat to China.

Historical and geographic factors in the Sino-Japanese relationship make them highly susceptible to conflict. Considering that China has never invaded mainland Japan throughout history, it would be paradoxical to regard China as a threat to Japan.⁸⁰ The only possible reason for this contradiction may be Japan's in-depth fear of China's future revenge or claiming for the indemnities of World War II. Japan would not appreciate what a determined China could accomplish.⁸¹ China's somewhat aggressive reactions to the territorial dispute over Diaoyu/Senkaku Islands is mainly due to being fed up with prolonged Japanese provocations on China's bottom line. Foreign Minister Wang Yi told that: "On the two issues of principle, history and territory, there is no room for compromise."⁸² In responding to the parallel drawn between the current Sino-Japan relations and the Germany-

⁷⁵ Xuetong Yan, *China's Post-Cold War Security Strategy*, 5 CONTEMP. INT'L REL. 6-7 (1995).

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ S. WALT, THE ORIGINS OF ALLIANCES 17-26 (1987).

⁷⁹ See R. Whyman, *Japan May Go Nuclear, Hawk Tells Beijing*, THE TIMES, Apr. 8, 2002, available at <http://nuclearno.com/text.asp?2526>; D. Plesch, *Without the UN Safety Net, Even Japan May Go Nuclear*, THE GUARDIAN, Apr. 28, 2003, available at <https://www.commondreams.org/cgi-bin/print.cgi?file=/views03/0428-05.htm> (all last visited on May 9, 2014).

⁸⁰ For details, see D. Roy, *Hegemon on the Horizon? China's Threat to East Asian Security*, 19 INT'L SECURITY 149-168 (1994).

⁸¹ Ironically, Chris D. NeBe's recent video "Diaoyu Island-The Truth" is not found in any of popular media of Japan, available at <http://baike.baidu.com/view/12387159.htm> (last visited on May 9, 2014).

⁸² See *China Vows No Compromise with Japan on History* <available only in Chinese>, CHINA DAILY, Mar. 8, 2014, available at http://www.chinadaily.com.cn/world/2014-03/10/content_17335302.htm (last visited on May 9, 2014).

Britain relations before World War I, Wang Yi refuted that “2014 is not 1914, still less 1894,” with an unprecedented severe tone.⁸³

Japan has been regarded as an ally of the US since the San Francisco Peace Treaty of 1952. The American foreign policy during the Cold War was basically to embrace any country that opposed communism.⁸⁴ The US maintained a hardline policy against the Soviet Union, which eventually led to the dissolution of the USSR. China had no fundamental conflict of interest with the US. China stood with the US along the anti-fascist united front which grounded the postwar international order. Nevertheless, China has never been an ‘ally’ of the US ever since 1949 mainly because of China’s constant foreign policy of ‘non-alignment’ as well as ideological antipathy. Now is the time for the US Presidents and high ranking policymakers to ask the same question: Who is ‘true friend’? The Bush Doctrine can be evaluated by the answer.

Doy continued to ask: “Why China is more likely to use force than Japan?” One answer of Doy is that the Chinese government is a typical Third World regime, i.e., authoritarian and unstable, while the Japanese government is democratic and stable. The leaders of Third World States are more likely to undertake aggressive action abroad to divert the public attention from domestic political problems.⁸⁵ Shambaugh also asserts that China may “become more confrontational externally, even as it becomes more fragmented internally.”⁸⁶ The other reason is that China is a ‘dissatisfied power,’ while Japan is a status-quo power.⁸⁷ Japan has benefited enormously from the current international order; it is relatively comfortable with interdependence and has a constitution that forbids offensive military action. China, on the other hand, is still trying to recover territory and prestige lost from the West during the “century of shame”.⁸⁸

⁸³ *Id.*

⁸⁴ G. Kennan, *The Sources of Soviet Conduct*, 5 FOREIGN AFF. 580-582 (1946-1947).

⁸⁵ *Supra* note 80, at 160-161.

⁸⁶ D. Shambaugh, *China’s Security Policy in the Post-Cold War Era*, 34 SURVIVAL 89 (1992).

⁸⁷ *Supra* note 80, at 149-168.

⁸⁸ *Id.* at 162.

V. China's "Internal Unrest plus Outside Threats" and the Bush Doctrine

Now is the time to touch upon the 'threat issue' based on analysis of Chinese modern history and the Bush doctrine. Since economic reform started in 1979, China has indeed made substantive economic and social progress with its Opening Up policy. However, 'internal unrest' has always been the biggest obstacle of Chinese endeavors to realize the cause of the 'great rejuvenation.' These disturbances may be generally summarized as follows: (1) neo-liberalism of economic reform together with a high degree of authoritarianism of political structure remain fundamentally unchanged and intolerant of challenge; (2) legalization and justification of politics rely mainly upon economic growth rate and livelihood of the Chinese people; most of the political problems, especially "maintenance of social stability," are dealt with by means of armed and/or non-armed police, *inter alia*, during the era of Zhou Yongkang's reign;⁸⁹ (3) fierce and worsening situation of corruption are accompanied by a high Gini coefficient, which have resulted in a worryingly degree of hostility towards the rich and the government officials; (4) 'spiritual vacuum' and "demise of morality" have kept spreading throughout the country, while most Chinese people's only criterion of 'success' is making money; (5) terrorism in mainland China has manifested a more and more worrying and complex situation in a conflict of geopolitical, social, religious and cultural context.

As for international affairs, China has kept a low profile so as to concentrate on solving domestic problems on the one hand and not to be perceived as a threat on the other. This can be illustrated by examining China's vetoes in the UN Security Council.⁹⁰ Thus followed by a dramatic dilemma, low profile might lead to criticism on "reluctance to assume international responsibility born naturally by great powers," whereas 'aggressiveness' could result in clamoring of 'threat' Dilemma as it always has been, the point of view of all the leaders of the CCP on the issue of 'intervention' has been very clear, simple, and categorical: China can neither permit any splitting of itself, nor tolerate any related interference by a foreign country. The number one political and ethical principle of China is the "supremacy of State sovereignty," which, to some extent, goes into direct conflict with the controversial

⁸⁹ Zhou was the former member of the Standing Committee of the Political Bureau of the CCP Central Committee, in charge of legal affairs of the whole country.

⁹⁰ China only cast five vetoes in the UN Security Council's Resolution <available only in Chinese>, the UN Security Council website, *available at* <http://www.un.org/zh/sc/meetings/veto/china.shtml> (last visited on May 9, 2014).

notion and practice of humanitarian intervention.

The Bush Doctrine is not as simple as preemptive strike; war against dictatorship and tyranny and export of democracy have also been indispensable ingredients. The US and other democratic nations share a common aspiration for a liberal international order, built on democratic principles and held together, however imperfectly, by laws and conventions among nations. “This order is gradually coming under pressure as the great-power autocracies grow in strength and influence and as the antidemocratic struggle of radical Islamic terrorism persists.”⁹¹ Undoubtedly, Russia and China belong to the category of “great-power autocracies.” As long as the Bush Doctrine has its inherent gene throughout the American history and as long as the Obama Administration and his future successors stick to a certain sense of suspicion on a pseudo ‘Chinese threat,’ the above mentioned “Internal Unrest plus Outside Threats” could easily become a target of the Bush Doctrine against Chinese heretical dictatorship.

The UN Charter is silent on the topic of humanitarian intervention. Unless authorized by the UN Security Council, humanitarian intervention is neither self-defense, nor a legal countermeasure. Kenneth Roth argues that there is “considerable value in receiving the endorsement of the UN Security Council... before launching a humanitarian intervention,” but “in *extreme* situations, UN Security approval should not be required.”⁹² Global support for US policies has never been a prerequisite for American activism.⁹³ As a matter of fact, the Bush administration has been extremely reluctant, to say the least, to accept any supranational institution or legislation such as the Kyoto Protocol, the Statute of the International Criminal Court, the Convention against Torture, and the Protocol to the Vienna Convention, the UN Convention on the Law of the Sea,⁹⁴ among others. The controversial legality of the Bush doctrine seems to be one of Obama’s reasoning of shift, accompanied by the key words of multilateralism v. unilateralism, modesty v. arrogance, and dumb power v. smart power. However, no matter what differences among all the presidential doctrines (Truman doctrine, Eisenhower doctrine, Nixon doctrine, Reagan doctrine, Bush doctrine, Obama doctrine), there is a determined doctrine which has never and will never be altered: US leadership and hegemony around

⁹¹ R. Kagan, *America, the World, and George W Bush*, 87 FOREIGN AFF. 39 (2008).

⁹² K. Roth, *Setting the Standard: Justifying Humanitarian Intervention*, 26 HARV. INT’L REV. 62 (2004). [Emphasis added]

⁹³ *Supra* note 61, at 80.

⁹⁴ There are certain US authors take the position of urging US’s ratifying the treaty in counterbalancing Chinese threat. See S. Ashfaq, *Something For Everyone: Why the US Should Ratify the Law of The Sea Treaty*, 19 J. TRANSNAT’L L. & POL’Y 358-398 (2010).

the globe.

As Lee Kuan Tew observes, “The US should ... accept that no single power, religion, or ideology can conquer the world or remake it in its own image.”⁹⁵ Many US scholars and government officials do not understand China’s cultural uniqueness with such a long tradition of tyranny. They often ignore the fact that democratization takes time and endurance, especially for the Central Kingdom. Treating China as an equal - neither as an inferior to be bossed about, nor as a superior to be kowtowed to - will be the best western policy towards China. Greater Chinese involvement in international institutions will give China a greater stake in the current world order. Excluding or ‘containing’ China will only induce Chinese nationalists to reject the West and pursue a separate, China-centered Asian order, which would indeed lead to a real threat. Rule of Law deeply rooted in Christian tradition can only have long-term international standing the powerful realize the importance of peaceful co-existence and mutual understanding among the several and separated civilizations.

VI. Conclusion

China, with its deep-rooted Confucius spirit of tolerance and passiveness, is not and will not be a threat to any other country in the world. The essence of ‘Chinese threat’ is nothing but based on: misunderstandings concerning Chinese culture and history; wrongfully reasoned historical experiences of rising and conflict of powers; the great gap between Christian civilization and Chinese cultural uniqueness; and the inherent nature of expansiveness of the former.

One should review the basic Chinese foreign policy of the Five Principles of Peaceful Coexistence, which were written into the Constitution of the People’s Republic of China: (1) mutual respect for sovereignty and territorial integrity; (2) mutual nonaggression; (3) noninterference in each other’s internal affairs; (4) equality and mutual benefit; and (5) peaceful coexistence.⁹⁶ Therefore, one could easily notice the contradictions between the Chinese ‘Five Principles’ and the tenets behind the Bush Doctrine of preemptive intervention, democracy export, and military supremacy.

Chinese culture, which differs from Christianity on the basic points of (1) who

⁹⁵ Kuan Tew Lee, *The US, Iraq, and The War on Terror: A Singaporean Perspective*, 86 FOREIGN AFF. 2 (2007)

⁹⁶ P.R.C. CONST. pmbl.

is the creator of the world, God or man? (2) guilt v. virtue; (3) Love of God v. Love of Benevolence; (4) the inherent expansiveness of Christianity v. culture of Chinese tolerance, makes China a secularist and idolatrous nation waiting involuntarily to be enlightened by gospel, with little chance of being spiritually ‘conquered’ by Christian civilization. The Bush Doctrine, as the ‘successor’ of Christianity, bears the following four key points: (1) unilateral action with the utmost confidence and without a slim of hesitation; (2) “Axis of Evil”; (3) pre-emptive strike; (4) America’s duty to democratize the rest of the world. It might be a potential threat to China, especially if the June 4 massacre of Tian An Men Square would reoccur or the heated Sino-Japan relationship somehow would lead to military conflict. Moreover, considering the historical and geographic factors in the Sino-Japanese relationship which make them highly susceptible to conflict, a US protected Japan without pleading guilty of war crime during World War II is and will be a real threat to China.

China’ rise might result in its use of economic superiority to seek political support from other parts of the world. However, with its ‘inward transcendence’ culture and internal unrest plus outside threats, it is unlikely for China to impose its own political norms on other nations by its economic superiority, let alone by any aggressive military actions.

Historically, the US had done great favors to China and the Chinese people, including helping China to build a modern system of higher education, pursuing the “doctrine of non-recognition” concerning the Japanese military invasion of 1931 and the occupation on Manchuria, and being the most important ally in the unification of resisting Japanese invasion during World War II. The new type of relationship to-be-developed between China and the US should carry forward the history. China’s unification and domestic stability would be the greatest contribution to world peace. Any support of ‘Chinese threat’ would turn out to be the biggest threat, which would set up a great barrier for the future reform of the UN’s collective security regime.

