

Comments on William's article : Huawei Deserves Justice

Dr. Wordman's

William's (**Is Huawei a Pawn in the Trade War? The Politics of the Global Tech Race**, Snap, Foreign Affairs, January 30, 2019, Robert Williams) article on Huawei is a factual description of what happened and reported in the U.S. media, hence it carried a political significance which may not be the author's intended view but nevertheless carry a message echoing the U.S. media and government's view. That view is ONE that Huawei's subsidiary company may have violated the U.S. law of sanction against Iran and TWO that Huawei's telecommunication equipment used by the U.S. military and government may pose a "national security" concern which the author highlighted as: China's one party controlled government may exercise a control over Huawei even though Huawei is a private company, thus it may pose the above "national security" concern which the U.S. is worried about and is urging all her allies to boycott Huawei equipment as she does.

What the U.S. media and William's article does not emphasize is that no one has presented any evidence that Huawei has built anything into its telecommunication equipment to facilitate "national security" exploitation. Judging on Edward Snowden's exposure on the U.S. spying on many countries including her allies through telecommunication and internet communication, it is understandable that the U.S. may have a suspicious mind on the successful Chinese telecommunication company Huawei (it has passed Ericsson as the world's number one telecommunication company) However, punitive legal action based on suspicion (that we have done it before you May do it) does not stand well with the U.S. democratic honorable justice system. The arrest of Huawei's CFO, Ms Meng Wanzhou, by Canada upon an extradition order from the U.S. applying a US sanction law with no equivalent Canadian law and having no concrete evidence plus treating her as a criminal detaining her more than a week without giving her due legal procedure to defend and free herself from custody gives the world, particularly the developing world a shocking impression and a bad taste about injustice.

One may recall a national uproar many years ago about citizen surveillance in the U.S. PRISM is an information monitor program, which has been used beginning in 2007 in the wake of the passage of the protect America Act under the Bush Administration after the 9-11 terrorists attack to gather information on citizens. The program is operated under the supervision of the U.S. Foreign Intelligence Surveillance Court (FISA Court, or FISC) allowed by the Foreign Intelligence Surveillance Act (FISA). Its existence and national and international impact was bravely leaked six years later by NSA contractor Edward Snowden, now in exile, who warned that the extent of mass data collection (done by the U.S. authority) was far greater than the public knew and included what he characterized as "dangerous" and "criminal" activities.

One recalls that the U.S. Administration (her security agencies FBI the like) opposed the Congress legislating laws to protect the U.S. citizens from eavesdropping, phone tapping and monitoring as well as scooping data from Internet service providers' servers such as by the Prism program. Finally, the Congress legislated a protection law leaving a window open that the government authority on legitimate legal ground can demand telecommunication and internet service providers to yield the data they collected on customers (citizens) to the administrative authority for investigation. I am not sure that China has similar laws to protect her citizens' privacy, but even that the U.S. succeeded in forcing China to legislate the above similar law, can "national security" concern be eliminated? It is doubtful, just like in the U.S., a window will be open for the national intelligence agencies. We may extrapolate, if the U.S. law enforcement can track and prevent terrorists and international spies under the U.S. laws, wouldn't the Chinese government want to do the same?

When the U.S. has the rationale that spy work or any information gathering made on an ally is not a "national security" concern for the ally, but a possibility of an equipment being used by an 'enemy state' to gather information on the U.S. poses a "national security" concern to the U.S., it is obvious that we have an obscured viewpoint and we may justify the above tactics against Huawei. But Huawei is a legitimate private company doing business with nearly hundred countries including signing up 50 contracts for its 5G telecommunication equipment. The U.S. is applying pressure to her allies not to use a Huawei equipment but I am not sure we will win many friends this way. In the trade war with China, we protest Chinese government put its hands in corporations and interfere with their business or help their business, aren't the tactics and actions placed on Huawei by the U.S. government on behalf of our telecommunication industry a clear interference under a 'national security' disguise. In decades ago when the U.S. telecommunication industry was leading the world, the U.S. companies dominated the world's telecommunication business, would we accept anyone's refusal of buying our equipment for national security concern at that time?

China has risen up like many developed countries through embracing industrialization and absorbing and upgrading technologies. Every developed country including the U.S. had gone through that process; nearly everyone (UK, France, Germany, Japan, the U.S.) invoked war or aggression against another country (or colony) except China. China's rising has not induced any war against any neighbor or colonize any territory. The crucial question for the U.S. to ponder is why is China being labeled as an 'enemy state' not as a competing trading partner?

China is in the process of accelerating "open and reform"; the U.S. should be observing and encouraging China's effort but refrain from interfering or dominating China's domestic affairs. The Issue we must face is how can we compete with a 1.4 billion people diligently work to elevate themselves to middle class. How do we exploit that population and huge market to apply our technologies.

Whether or not the U.S.-China relation should be a collaborative one or confrontational one should not depend on competition in technology development. Technology comes

with competition, without competition, it will become obsolete and die. Even though Huawei is a major player in the 5G technology, the U.S. and many developed countries should be still capable to compete. Every developed or developing nation has stolen technologies from another advanced developed country; Asian countries, European countries and the U.S. are no exceptions. (Stolen technologies are just like spilled milk) So it is not honorable to charge China when China is now the highest patent recipient. The U.S. is still leading in many technologies but some are facing serious competitions such as airplanes, medicines etc. Technologies need to be developed into applications and exported to markets to generate returns, then they can sustain further innovation and evolve into new technologies.

Unfortunately in the past and luckily now, China has a large population (burden before vibrant today) and a huge market (invaded by world powers before now envious by others today). It is so obvious that the U.S. and China should collaborate for mutual benefits rather than take defensive technology sanction measures against each other preventing technology advances and upgrades. The U.S. would be better off to pump up "American Can Do" spirit to remain competitive in the world rather than retreat to a defensive position, worse yet, using devious means to thwart competition.