Non-Apologies: Culture, Competition, & Ethics at Hainan

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"For others, in spite of myself, from myself." – Emmanuel Levinas

The practice of international politics has been grounded in a theoretical analysis that frames international relations as a series of competitions – economic growth, hegemonic power, and even happiness is indexed. Nation-states are framed as threats that challenge each other for positions of power in a system of rivalries. The consequence of this threat framing is a system rooted in suspicion and violence legitimized by the creation of ethical immorality born out of a politics of pragmatic self-interest. Rather, we should hypothesize an international system rooted in ethical interactions based on mutual recognition instead of latent hostility.

The Hainan Island Incident provides a unique case study for the analysis of how such threat frameworks interact with cultural differences and the necessity for an anthropological analysis to aid in understanding the different ways in which culturally distinct nations situate events. By analyzing the framing and political responses of both the U.S. and China to the incident, the enduring symbolic meaning of Hainan, and the ethical consequences of the political "solution," we can identify the source of the serial policy failure Hainan represents and propose an alternative theoretical framework for international politics with the ethical philosophy of Emmanuel Levinas.

2001 saw the inauguration of the administration of President George W. Bush. The new administration saw two important shifts in the dynamics between the United States and the People's Republic of China. First, the shift of American policy toward China from the Clinton administration's "constructive strategic partnership" to Bush's "competitor in a strategic plane."[1] Second, the new administration was considered to be, generally speaking, anti-China. Whether due to their "hawkishness" or previous experience as "Cold Warriors," their pro-Taiwan stance, or the general attitude of the Republican political party towards China, this perception framed both the politics of the administration (as they had to play to their party platform) and China's perception of U.S. policy in East Asia.[2]

The shifts in these two ideological factors of U.S. policy towards China materialized in political changes that constituted the foreign policy doctrine of "containment." While openly continuing to support the "one China" policy, the new administration began to shift from "strategic ambiguity" to a commitment to the defense of Taiwan. This included consideration of the inclusion of Taiwan into the U.S.-Japan Theatre of Missile Defense program and a greater emphasis on the building or expanding of a series of bilateral alliances with nations surrounding China including Japan, South Korea, Australia, the Philippines, and Thailand[3] (something that the Obama administration would try to build upon with the Trans-Pacific Partnership).[4] By 2001, the bilateral trade relationships meant to contain China had totaled $80 billion.[5]

Against this backdrop, the incident at Hainan Island marks a specific confrontation between the U.S. and China where both countries engaged each other with a new framing of the others'

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[1] Joseph Y. S. Cheng and King-Lun Ngok, "The 2001 "Spy" Plane Incident Revisited: the Chinese Perspective," *Journal of Chinese Political Science* 9, no. 1 (2004), 64.

[2] Ibid., 64-5.

[3] Ibid., 65.

[4] Arlo Poletti, "Containment Through Trade? Explaining the US Support for the Trans-Pacific Partnership," *Università degli Studi di Bologna* (2017), 18-9.

[5] Eric Donnelly, "The United States – China EP-3 Incident: Legality and 'Realpolitik,'" *Journal of Conflict & Security Law* 9, no. 1 (2004), 26-7.

intent. As such, Hainan Island provides a unique insight into the way a theory of international relations rooted in an adversarial competition between nations breeds suspicion of each nation's motivations and exacerbates tensions.

As a part of the military implementation of containment policy, the U.S. Navy had an EP-3 surveillance aircraft conducting operations off the coast of Hainan Island on April 1, 2001. The Chinese military responded by dispatching two F-8 fighter aircraft to intercept the EP-3.[6] While the specifics of what happened next are disputed, the conclusion is certain. The EP-3 and one of the F-8's collided. The Chinese pilot, Wang Wei, died when his plane was destroyed in the collision. The EP-3 was damaged and conducted an emergency landing at the People's Liberation Army (PLA) airbase on Hainan Island without Chinese authorization.[7] The Chinese detained the twenty-four crew members of the surveillance aircraft and took the plane into their custody.[8]

After the immediate event, the two nations began negotiations and publicly presented their own versions of the events in the attempt to cast blame upon the other nation. The Chinese argued that the American surveillance operation was an illegal violation of their sovereignty and national security by acting against Chinese interest within their Exclusive Economic Zone (EEZ) as per the United Nations Convention on the Law of the Sea (UNCLOS).[9] The unauthorized emergency landing only exacerbated the perceived illegality of the American's actions. The crash itself, per the Chinese authorities, was the result of an exaggerated turn by the EP-3 that went against normal flying conventions and resulted in the collision.[10] As such, the Chinese demanded an apology, compensation, and a commitment against future infringements from the U.S. for its role in the violation of Chinese sovereignty and the collision that resulted in the loss of a Chinese citizen.[11]

For its part, the U.S. argued that the Chinese pilot, Wang Wei, had been the immediate cause of the accident. The validation of this argument was twofold. First, that Wang Wei was piloting the faster and more maneuverable plane and thus had the responsibility for avoiding collision with the relatively large and cumbersome EP-3.[12] Secondly, and a corollary to the first, was that rather than taking on this responsibility, Weng Wei flew recklessly in an attempt to intimidate the Americans. A comparative characterization of the two pilots was presented by the Americans in an attempt to determine fault through intent (*mens rea*). Shane Osborn, the American pilot, was presented as a steady Midwestern American while Wang Wei was characterized as a "hotshot maverick" dubbed, "China's Tom Cruise," alluding to the American film, *Top Gun*.[13]

As for the matter of the legality of the proximate events preceding and following the collision itself, the Americans relied on their own interpretations of international law contrary to the Chinese versions. While both nations agreed the collision occurred approximately 70 nautical miles

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[6] Dexin Tian and Chin-Chung Chao, "The American Hegemonic Responses to the U.S.-China Mid-Air Plane Collision," *International Journal of Communication* 2 (2008), 1.; Peter Hays Gries and Kaiping Peng, "Culture Clash? Apologies East and West," *Journal of Contemporary China* 11, no. 30 (2002), 173.

[7] Dexin Tian and Chin-Chung Chao, "The American Hegemonic Responses to the U.S.-China Mid-Air Plane Collision," *International Journal of Communication* 2 (2008), 1.

[8] Ibid., 1.

[9] Chinese Embassy Statement, "U.S. Seriously Violates International Law," April 15, 2001, Date Accessed: May 4, 2021, http://webcache.googleusercontent.com/search?q=cache:http://www.china-embassy.org/eng/zt/zjsj/t36383.htm.

[10] Dexin Tian and Chin-Chung Chao, "The American Hegemonic Responses to the U.S.-China Mid-Air Plane Collision," *International Journal of Communication* 2 (2008), 2.; Eric Donnelly, "The United States – China EP-3 Incident: Legality and 'Realpolitik,'" *Journal of Conflict & Security Law* 9, no. 1 (2004), 28-9.

[11] Chinese Embassy Statement, "U.S. Seriously Violates International Law," April 15, 2001, Date Accessed: May 4, 2021, http://webcache.googleusercontent.com/search?q=cache:http://www.china-embassy.org/eng/zt/zjsj/t36383.htm.

[12] Peter Hays Gries and Kaiping Peng, "Culture Clash? Apologies East and West," *Journal of Contemporary China* 11, no. 30 (2002), 175.

[13] Ibid., 175-6.

off the coast of Hainan, determining the legality of surveillance operations at this distance is more difficult.[14] Furthermore, both nations disputed the legality of the unauthorized emergency landing. Part of the difficulty in the legal cases presented by both nations is the fact that the U.S. Senate had not ratified UNCLOS. Moreover, the definition of the EEZ provided by Article 58 includes a vague provision that legitimizes, "other internationally lawful uses."[15] The U.S. had, since President Reagan, read this as allowing overflight operations.[16] As for the emergency landing, the U.S. cited centuries old maritime law that guaranteed "safe harbor" for military vessels and crews in distress.[17] Following these legal arguments, the U.S. demanded the immediate return of the crew and aircraft and reparations for the Chinese pilot's actions and the violation of their aircraft.[18]

Reconciling the legal positions of the two nations is a daunting task beyond the pursuits of this paper. Eric Donnelly analyzes the positions of the two nations in depth and comes to the conclusion that, "states' responses to such incidents are frequently founded on *realpolitik*, rather than by any regard for a strict adherence to international law."[19] Thus, the legal analysis offered by each nation betrays a political rather than strictly legal posture. As such, an analysis of ideology and culture is offered by the presentation of their respective "cases."

What followed was eleven days of tense negotiations that culminated in the, "Letter of the Two Sorries," that finally led to some form of reconciliation, the return of the plane and crew, and the de-escalation of tensions.[20] How this letter managed to reconcile the situation will be discussed shortly, however, it requires an understanding of the differing perspectives and cultural attitudes that brought about its necessity.

In approaching the cultural analyses of the U.S. and China towards Hainan Island, there are three primary areas to address. First, how does each country situate the events at Hainan in a historical and geopolitical context. Second, how do they each approach notions of responsibility and apology. Finally, how did the responses of the other nation's violate the home country's cultural norms and thus constitute an insult, escalating the hostility between the two nations.

Some of this broader geopolitical and historical context for the U.S. has already been provided with the analysis of the Bush administration's political strategy of "containment" towards China. The U.S. viewed the People's Republic as a rising power that threatened American dominance in East Asia.[21] With both hawkish and anti-communist influences in the administration, it is then easy to understand the threat construction of China by the U.S. that both demanded active military surveillance of potential military expansion in the South China Sea and a projection of strength, particularly against any Chinese demands that may require anything resembling capitulation.

More effective would be to then analyze the cultural approach to apologies in the U.S. and then situate apologies within a historical and geopolitical context. In English, the word "apology" is a contranym meaning both a defense of an action or contrition for an action. Certainly, the U.S.'s response to the incident is a display of the first definition – a defense of their actions through a legal framing of the incident. This involved both a denial of legal culpability but also attempted to

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[14] Eric Donnelly, "The United States – China EP-3 Incident: Legality and 'Realpolitik,'" *Journal of Conflict & Security Law* 9, no. 1 (2004), 30-1.
[15] Ibid., 31-3.
[16] Ibid., 32.
[17] Ibid., 30.
[18] Ibid., 41.
[19] Ibid., 25.
[20] Ibid., 42.
[21] Dexin Tian and Chin-Chung Chao, "The American Hegemonic Responses to the U.S.-China Mid-Air Plane Collision," *International Journal of Communication* 2 (2008), 4.

downplay the incident itself. For the U.S., the crisis of Hainan was not the crash itself but the escalation that followed as a result of a belligerent China's demand for an apology.[22]

The denial of culpability lies at the heart of the U.S.'s rationale for denying China any form of the second definition for apology. For the U.S., apologies are an admission of guilt or legal responsibility. Peter Gries and Kaiping Peng utilize cross-cultural psychological analysis to compare the different ways in which Western and Eastern cultures assign responsibility.[23] In explaining their findings, they utilize the analogy of two different legal cultures found in U.S. state laws regarding fault standards for automobile accidents. The U.S. mirrors Ohio state law in which there is an "at fault" standard used to determine who is responsible for the accident.[24] As such, there is always blame and guilt to be assigned following an event. By demanding an apology, the U.S. understood China as demanding an admission of wrongdoing and thus subjecting the U.S. to the relevant legal sanctions.

Considering the framing of China as a rising threat, this would have meant abandoning those practices deemed necessary to contain China such as future surveillance missions. Thus, beyond even the payment of reparations, China's demand was viewed as a legal criticism of American military strategy. Admitting the surveillance was illegal would have been an admission that decades of global policing and military practices were at the least unethical if not outright violations of international law. Even if past actions would not be susceptible to legal action, future endeavors to preserve national security interests would have been prohibited and thus weakened the U.S.'s position in a world of international competition.[25]

Secondly, America has a general reticence towards apologies. Certainly, some of this is tied to the above discussion of fears over legal liability and reparations – such as America's history of slavery or the bombing of the Al-Shifa pharmaceutical factory in Sudan. However, a broader historical analysis can also situate America's hesitancy to apologize within an international political context. Considering America's rise to power following World War II, in particular the mythos surrounding the adoption of America's role as an international steward from Great Britain, much of America's international politics is premised upon not repeating the mistakes that cost Great Britain their imperial role, in particular the policy of appeasement towards the rise of Nazi Germany.[26]

Whether directly linked to Great Britain's policies and WWII or more generally an unwillingness to appear weak, apologies are often cast as acts of appeasement that threaten America's hegemonic position.[27] This is particularly true of the Republican Party – as typified by Mitt Romney's book released prior to his 2012 presidential campaign entitled, *No Apology: The Case for American Greatness*.[28] As the subtitle suggests, apologies are perceived of as challenges to American exceptionalism. The twofold reasoning being the admission of wrongdoing and the consequential denial of American legitimacy. Thus, when combined with an underlying theoretical framework of international competition, apologies effectively reduce America's international standing and invites

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[22] Jay Reynolds Patterson, "Testing Foreign Policy Apologia: A Rhetorical Analysis of the Hainan Incident" (master's thesis, Baylor University, 2009), 90.

[23] Peter Hays Gries and Kaiping Peng, "Culture Clash? Apologies East and West," *Journal of Contemporary China* 11, no. 30 (2002).

[24] Ibid., 175.

[25] Dexin Tian and Chin-Chung Chao, "The American Hegemonic Responses to the U.S.-China Mid-Air Plane Collision," *International Journal of Communication* 2 (2008), 3.

[26] Stacie E. Goddard, "The Rhetoric of Appeasement: Hitler's Legitimation and British Foreign Policy, 1938-39," *Security Studies* 24 (2015), 98.

[27] Charles A. Kupchan and Bruce W. Jentleson, "Obama's Strong Suit," *The World Today* 68, no. 6 (2012), 15.

[28] Angie Holan and Katie Sanders, "Mitt Romney Says Barack Obama Began His Presidency 'With an Apology Tour,'" *PolitiFact*, October 17, 2012, Date Accessed: May 4, 2021, https://www.politifact.com/factchecks/2012/oct/17/mitt-romney/mitt-romney-says-barack-obama-began/.

challenges by the international arena.[29] Offering an apology to China following Hainan would then constitute both an admission of legal guilt, invitation to challenge, as well as an act of appeasement that runs contrary to the hostile containment strategy built from the perception of China as a competitive rival.

Indeed, the very demand from China for such an act of capitulation was then taken by the Bush administration as a demand for weaking the American position and a surrendering of the narrative of exceptionalism. This explains why the Bush administration viewed the crisis of the event as being, not the collision, but the Chinese demand for an apology.[30] In a speech by President Bush on April 2, he says as much when discounting the accusations made by China's Foreign Ministry spokesperson Zhu Bangzao and instead reframes America's involvement in Hainan in a more positive light.[31]

How then does China situate Hainan along these three lines – historical geopolitics, apologies, and escalation? While China engages with the U.S. in a similar competitive framework, their position is not the same as the global hegemon. Furthermore, the historical legacy of Western interactions with China frames their perception of U.S. actions, including the events preceding the collision. China situated Hainan as a continuation of Western aggression that goes back to the "Century of Humiliation."[32] This brings to light the first major contrast between the U.S.'s understanding of Hainan versus China's.

Whereas U.S. culture focuses on the immediate event and alludes to historical context only insofar as they serve to support present objectives, China is a "high-context" culture where historical narratives frame contemporary actions.[33] Thus, as Raymond Cohen describes in *Negotiating Across Cultures*, "The idea that something that occurred hundreds of years ago might be relevant to a pressing problems is [for the U.S.] almost incomprehensible."[34] Meanwhile, China's historical focus engages in victor-victim narratives where victim narratives describe the Century of Humiliation while the victor narrative describes the rise of China following the Communist revolution.[35] However, through the 1990s, China shifted back to using the victim narrative to describe its relationship with the West, and in particular the U.S.[36]

The act of surveillance was seen by China as a belligerent act by the U.S. meant to continue the subjugation of China. When seen through the victim narrative, the rhetoric and actions of the Bush administration preceding April 2001 were clearly intended to weaken China's position making them susceptible to foreign interference. The increased frequency of surveillance, despite Chinese requests for the U.S. to cease such behavior, only provided material evidence for this contextualization.[37] Thus, Hainan was not an immediate event to the Chinese but rather part of

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[29] Stacie E. Goddard, "The Rhetoric of Appeasement: Hitler's Legitimation and British Foreign Policy, 1938-39," *Security Studies* 24 (2015), 108.

[30] Jay Reynolds Patterson, "Testing Foreign Policy Apologia: A Rhetorical Analysis of the Hainan Incident" (master's thesis, Baylor University, 2009), 89-92.

[31] Ibid., 90.

[32] Ibid., 64.

[33] Ibid., 64.

[34] Raymond Cohen, *Negotiating Across Cultures: International Communication in an Interdependent World* (Washington D.C., United States Institute of Peace Press, 1999.), 35.

[35] Jay Reynolds Patterson, "Testing Foreign Policy Apologia: A Rhetorical Analysis of the Hainan Incident" (master's thesis, Baylor University, 2009), 64.; Peter Hays Gries, *China's New Nationalism* (Berkeley, CA: University of California Press, 2005), 48.

[36] Jay Reynolds Patterson, "Testing Foreign Policy Apologia: A Rhetorical Analysis of the Hainan Incident" (master's thesis, Baylor University, 2009), 65.

[37] Ibid., 66-7.

"China's historical memory of the U.S. hegemonic behavior," compiling events such as the bombing of the Chinese embassy in Belgrade in 1999 and the *Yinhe* Incident of 1993.[38]

Beyond this historical context, differences in cultural approaches to apologies also fomented tensions. Continuing from the aforementioned automobile analogy offered by Gries and Peng, China follows the Michigan approach where accidents can be determined to be "no fault" collisions. Essentially, provided there is no *mens rea* there is no legal culpability for the accident. Rather, the focus is on the consequence rather than the intent.[39] Put another way, an accident can occur rather than always being caused.

China's consequence-orientation meant that they assigned responsibility for the collision to the U.S. not out of any particular legal liability for the collision as such (though the Chinese did maintain the illegality of the U.S. surveillance operation), but rather because of the U.S.'s role in the event that led to the death of a Chinese citizen.[40] The refusal to apologize was, therefore, a highly offensive act that demeaned the Chinese loss.[41] As Gries and Peng note, "an American focus on culpability clashed with a Chinese stress on consequences, exacerbating the resolution of an already difficult situation. Cultural differences did, therefore, play a significant role in Sino-American apology diplomacy."[42]

The different cultural approaches to apology become more apparent with a linguistic analysis of the various words used for apologies and their relationships with ideology. Hang Zhang builds upon the linguistic analysis of Su Liu on the different approaches to apology between native American English speakers and Chinese English learners.[43] Zhang takes Liu's analysis and applies it to the Hainan case. Within Chinese, there are six different forms for the concept of "sorry" or "apology" that increase in levels of severity and intent from a simple, "sorry" or expression of "regret" to what would amount to an "admission of one's error and asking for punishment."[44] Figure 1 in the Appendix displays the variety of Chinese apologies. This indicates three things, first, that in Chinese culture there is a greater emphasis on the role of apologies for interpersonal relationships.[45] Second, that apologies come with differing levels of contrition and thus do not always imply culpability or requirements for restitution for the offense.[46] Finally, that the demand for an apology for the collision and loss of life can, for China, be distinct from the question of the legality of the surveillance operation that precipitated the event – a distinction not recognized by the *mens rea* approach of the U.S.

Distinct Chinese cultural approaches were not altogether unknown to the U.S. Media presentations of the demand by the Chinese provide evidence for the recognition of cultural distinctions. However, some media presentations also show how these approaches were often misconstrued to fit within the rivalry narrative of a competitive nation-state system. For example, appearing on *Larry King Live* Connie Chung identified the role of victim narratives and Confucian tradition in the demand for an apology.[47] Reverend Jesse Jackson recognized the Chinese cultural

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[38] Joseph Y. S. Cheng and King-Lun Ngok, "The 2001 "Spy" Plane Incident Revisited: the Chinese Perspective," *Journal of Chinese Political Science* 9, no. 1 (2004), 69.

[39] Peter Hays Gries and Kaiping Peng, "Culture Clash? Apologies East and West," *Journal of Contemporary China* 11, no. 30 (2002), 175.

[40] Ibid., 176.

[41] Ibid., 176.

[42] Ibid., 176.

[43] Su Liu, "Apology Behavior: A Comparison Between Native Speakers of American English and Chinese English Learners" (master's thesis, University of Illinois Urbana-Champaign, 1987).

[44] Hang Zhang, "Culture and Apology: The Hainan Island Incident," *World Englishes* 20, no. 3 (2001), 384.

[45] Ibid., 384.

[46] Ibid., 384.

[47] Connie Chung, *Larry King Live, CNN*, April 11, 2001.

emphasis on the role of apology while also identifying the reticence of American politicians to apologize saying, "the Chinese culturally, they want to hear the word apology. Culturally, we will not apologize even for slavery. We're hung up on that with a kind of cultural war."[48]

While these examples demonstrate a culturally relativist approach, writ large the media promoted a negative or orientalist approach to the "China threat."[49] This ranged from depicting China's demand as an irritational emotionalism born of an injured pride amongst a culture overly concerned with self-image in *The Washington Post* to an outgrowth of Confucian conformity from Chinese child-rearing practices at the heart of a cruel Communist tyranny in *The New York Times*.[50]

While identifying these culturally distinct approaches, certainly similarities do reveal themselves. Specifically, the way in which each nation views the other as a hostile or at least threatening rival to whom the only response appropriate is a display of strength. At the heart of the diplomatic crisis of Hainan is a zero-sum game of "saving face."

Interstate rivalries are not a new concept. Various theories – anthropological, philosophical, political, and psychological in origin – all anticipate and explain how groups construct "in" and "out" or "us" versus "them" dynamics. With the "in" or "us" group, wrong actions are written off as a product of something beyond the control of the friendly agent. Meanwhile, the "out" or "them" groups is assigned sinister intent when under similar circumstances.[51] The reactions to Hainan by both nations were similarly characterized with the most menacing conjecture rather than recognition of potential misunderstanding. Every action was observed as intentional rather than potentially a byproduct of cultural difference.

As such, the nations approached the situation with inherent hostility which grew as the demands each nation made were dismissed. Thus, the responses were framed by the rivalry rather than on retrospection or accommodation of differences. Each country then measured the outcome of Hainan on a scale which determined success not as a rapprochement but rather as an opportunity for restructuring the power dynamics. Both nations sought to solidify or strengthen their position by compelling the other to yield while maintaining a position of strength for themselves.[52]

Often the term used in relation to China for the disavowal of weakness is the concept of "saving face," where the worst outcome of any political interaction would be humiliation. Often this term is used condescendingly in an orientalist manner akin to the media presentations discussed earlier. Saving face seeks to avoid humiliation and, if not provide a victorious presentation of strength, at least allows for a mechanism for dealing with a particular situation by not showing weakness. Essentially, saving face establishes a metric or goal for success in which the position of one nation is not weakened, albeit not necessarily with any meaningful resolution of the underlying complications.

Hainan reveals that both nations sought to save face. China wished to avoid being subjected to another victim narrative event reminiscent of the Century of Humiliation. The U.S. wished to avoid any depiction of wrongdoing or appeasement to their rival.[53] The result of the rivalry and its demand for showing strength or saving face manifested in the rhetoric that escalated tensions. Nationalists in each country criticized their own leaders for any signs of weakness while also launching humiliating attacks against their rival nations. The culmination of which was an escalation

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[48] Jesse Jackson, CNN, April 10, 2001.

[49] Chengxin Pan, "The 'China Threa' in American Self-Imagination: The Discursive Construction of Other as Power Politics," *Alternatives* 29 (2004), 306-7.

[50] Peter Hays Gries and Kaiping Peng, "Culture Clash? Apologies East and West," *Journal of Contemporary China* 11, no. 30 (2002), 174.

[51] Ibid., 176.

[52] Ibid., 176-7.

[53] Ibid., 177.

born of a "negative interdependence" in which the very existence of the rival nation is a threat demanding a delegitimization of the other as inherently morally unacceptable.[54] Such negative interdependence was observable in the aftermath of Hainan with the China-bashing and America-bashing campaigns that followed.

Saving face, however, did provide a mechanism to escape this immediate cycle of escalation. After eleven days of negotiations, U.S. Ambassador Prueher delivered a letter that has become known as the "Letter of the Two Sorries."[55] This letter expressed regret for the loss of the Chinese pilot and the violation of Chinese airspace while avoiding taking any responsibility for the event itself.[56] Indeed, it was carefully constructed such that the non-apology gave off an appearance of being an apology.[57]

However, China and the U.S. were able to utilize this letter to sufficiently save face. The U.S. having never used the word "apology" could claim to have never appeased their rival. Albert Yee engages in a linguistic analysis of the Letter of the Two Sorries and describes the differing presentations and meanings of the letter to the Chinese audience:

> Since the official American letter was in English, both sides were able to make their own Chinese translations. In the American translation issued by the US Embassy in Beijing, the first "very sorry" was translated as "*feichang wanxi*" (i.e., great sympathy) to the Chinese people and the family of Wang Wei. The second "very sorry" was translated as "*feichang baoqian*" (i.e., extremely sorry) that the American plane landed without Chinese permission. In the Chinese translation printed in the *People's Daily*, however, the two "very sorries" were translated s "*shenbiao qianyi*" (i.e., deep expression of apology or regret), which in the Chinese language entails an admission of wrongdoing and an acceptance of responsibility.[58]

Yee goes on to describe how this semantic ambiguity enabled the satisfaction of each nation's foreign policy agenda through the use of two-level bargaining. By deflecting criticism from their domestic hardliners each nation could save face and claim victory.[59] However, by not solving the underlying construction of the other nation as a threat this only served to remedy the immediate crisis while allowing the underlying condition to fester. This is particularly true in the Chinese context as the broader historical situating of the event meant that China did not simply "let go" or "forget" about what transpired in the American fashion.

Perhaps no more striking evidence of the long-term failure of the Letter of the Two Sorries is the twentieth anniversary of the event in April of 2021. While the event was largely ignored by American media outlets (evidence of the focus on immediacy in American culture), the Chinese held official events that were heavily publicized. The PLA conducted military drills in the South China Sea, a think tank based in Beijing (South China Sea Strategic Situation Probing Initiative or SCSPI) released an article describing the increase in U.S. surveillance operations in the region, and Chinese "netizens" posted commemorative messages of the event.[60] An official Chinese WeChat account

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[54] Peter Hays Gries and Kaiping Peng, "Culture Clash? Apologies East and West," *Journal of Contemporary China* 11, no. 30 (2002), 177-8.

[55] Edward Slingerland, "Collision with China: Conceptual Metaphor Analysis, Somatic Marking, and the EP-3 Incident," *International Studies Quarterly* 51, (2007), 54.

[56] Dexin Tian and Chin-Chung Chao, "The American Hegemonic Responses to the U.S.-China Mid-Air Plane Collision," *International Journal of Communication* 2 (2008), 3.

[57] Hang Zhang, "Culture and Apology: The Hainan Island Incident," *World Englishes* 20, no. 3 (2001), 386.

[58] Albert S. Yee, "Semantic Ambiguity and the Hainan Negotiations Joint Deflections in Two-Level Bargaining," *China: An International Journal* 2, no. 1 (2004), 78-9.

[59] Ibid., 79.

[60] Liu Xuanzun, "PLA Launches Drills in S. China Sea on 20th Anniversary of Fatal Mid-Air Collision," *Global Times*, April 1, 2021, Date Accessed: April 23, 2021, https://www.globaltimes.cn/page/202104/1220085.shtml.

posted an article entitled, "April 1, the Most Complicated Day for Chinese People," listing a series of historical events that occurred on that date that harmed Chinese interests.[61] Overarching in the commemorations of Hainan was the criticism of U.S. foreign policy (i.e. the statement in the WeChat message, "The world is scared when the U.S. gets mad") and marking the occasions as testament to the shift in Chinese military strength as depicted in the common refrains from the Chinese netizens, "Today's China is no longer the China of 20 years ago that would only take orders from the United States," and "China's military strength has gradually caught up with that of the United States."[62]

If two-level games and linguistic tricks, which were so successful in maneuvering between the complex international paradigms of interstate competition, fail to resolve the underlying problems particularly for nations that situate events such as Hainan in a historical context, what alternative remains? Put another way, if the Letter of the Two Sorries fails to solve the cycle of negative interdependence, what alternative should the U.S. employ?

Game theory is dependent upon finding solutions that resolve situations based on openly articulated problems whether they be liberal theory problems such as public perception or strategic realist concerns such as resource competition. This is to say that game theory does nothing to reconcile negative interdependence or hostile framings of another nation's intent. Rather, any alternative that seeks to overcome the fundamental problem needs to engage in a systematic realignment of how nations conceptualize their interactions. Put another way, ethical interactions need to be given primacy over perception and material concerns.

Such an ethical system is offered by Emmanuel Levinas. For Levinas ethics precedes ontology.[63] Levinas premises this upon the dependency of the self on the difference of the other, or, "The strangeness of the Other, his irreducibility to the I, to my thoughts and my possessions, is precisely accomplished as a calling into question of my spontaneity, as ethics."[64]

To betterunderstand this, consider the following hypothetical. Imagine that there is only a singular individual, one self sans any other comparable being. Individuality to that person would be fundamentally meaningless, there would be nothing against which that person could distinguish themself. As such, there is no individual, that person is the totality of their category of being. Only when difference is introduced can there be uniqueness and, with it, individual subjective identity. Imagine then that this solitary person comes across another person. In that moment, a self emerges. However, as a precondition to that individuality, the first hypothetical person had to engage in an ethical interaction with the second. Specifically, the first person did not destroy the second. Had they done so, the first person would return to their condition prior.

As it was only with the second person's arrival, with all of their uniqueness and difference, that the first gain any sense of individual identity, the construction of the subject was dependent upon the ethical interaction. This creation of the individual subject is an ontological construct – the determination of the facticity of the self, the discerning of their own uniqueness born of the differences between them and the "Other." However, the ontological construction depended upon the preceding ethical interaction. As such, ethics must necessarily precede ontology.

Elevating this to the level of the nation-state may actually provide greater clarity to this relationship between ethics and ontology. Nation-states do not merely exist, but rather are

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[61] Central News Agency, "Chinese Official Media Highlight 20th Anniversary of Hainan Island Incident," Chinascope CNA in Chinascope, April 1, 2021, Date Accessed: April 23, 2021, http://chinascope.org/archives/26360.

[62] Ibid.

[63] Emmanuel Levinas, *Totality and Infinity: An Essay on Exteriority*, trans. Alphonso Lingis, (Boston, MA: Martinus Nijhoff Publishers, 1979), 43.

[64] Ibid., 43

dependent upon recognition. The difficulty in determining the actual number of nation-states is born of the discrepancy in which states are recognized. Most commonly, membership in the United Nations is a recognition of a nation-state's nationhood. However, the U.S., for example, recognizes other states outside of the UN, such as Kosovo. Furthermore, some states within the UN are not full members and have limited recognition status, such as Vatican City or the Palestinian Authority.

What can be discerned from this is that legitimacy as a nation-state is preconditioned upon recognition by other states. Sovereignty (a state's closest equivalency to subjectivity) requires acceptance by other nations, even the Peace of Westphalia implies this ethical condition. For a state to be recognized requires ethical interactions between that state and others. While other preconditions may exist, ethical interactions is certainly a determinative one. For example, no major state or significant number of states ever gave consideration to recognizing the legitimacy of the Islamic State. Thus, Levinas' primacy of ethics to ontology certainly has a practical relationship with the operations of the interstate system.

From this premise, the conclusions of Levinasian ethics may then offer insights into how states ought to operate within this system. Specifically, the employment of Levinas' construction of apology in international relations. Danielle Celermajer attempts to do this very work by theorizing the role of Levinas' apology for interpersonal interactions to the level of the nation-state.[65]

Celermajer argues for a focus on a politics that is ethically necessary.[66] Such a politics would attempt to transcend friend/enemy distinctions through a recognition and proximity to the differences of the "Other."[67] Within this framework of ethical politics, the political apology does not function within the legalist or consequentialist ethical context but rather functions outside of strategic calculation based instead on ethical praxis which takes precedence over the material conditions that underly conventional analyses.[68]

The difference between these frameworks lies in the effects of their practice. As Celermajer states:

> My apology can suppress and silence the other in her uniqueness, independence and difference, representing a 'so as to be done with responsibility' and effecting a return to my self same identity. Or, it may be the conversation act in which I face the other, recognize her in her difference and confront the reality of unremitting responsibility.[69]

The role of apology, in a Levinasian sense, is twofold. Firstly, the recognition of wrongdoing and thus the need to take responsibility for the transgressive act. For Levinas, this recognition of wrongdoing is not an obliteration of the past act, but rather the creation for the possible transcendence beyond the transgression to reconstitute the self. It is the necessary precondition for the self to break free from an identity defined by the ethical violation.[70]

Secondly, apologies recognize and respect the differences of the other. Inherent to the ethical wrong of the transgressive act was the lack of respectful recognition of the validity of the difference of the other. This is to say that inherent to the transgression was a delegitimization of the other. Rather, Levinas contends that one has an infinite obligation to the other. Thus, to repair the damage of the violation, one must recognize the validity of the other which can only occur through

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[65] Danielle Celermajer, "Apology and the Possibility of Ethical Politics," *Journal for Cultural and Religious Theory* 9, no. 1 (2008).
[66] Ibid., 30-1.
[67] Ibid., 30-1.
[68] Ibid., 15.
[69] Ibid., 18-9.
[70] Ibid., 18-9.

the apology which recognizes the failure to satisfy this obligation.[71]

In the Hainan context, the Letter of the Two Sorries fails to meet these necessary conditions for a Levinasian apology. Rather than recognizing their role in violation of their ethical relationship with China, the U.S.'s letter attempts to discard the past act and deny their responsibility. As such, the apology continues the cycle of negative interdependence. The culmination of which is the perpetuation of that cycle which can be seen in the growth of Chinese military power and anti-Americanism that was on display during the twentieth anniversary commemorations.

This is not to say that had the U.S. simply offered a sincere apology to China in 2001 that Chinese growth would have halted and relations with the U.S. would have been amiable for the past twenty years. Rather, that the symbolic value of the incident at Hainan would not have been a tool in the perpetuation of this cycle.

This offers two distinct insights into the pragmatic versus idealistic approach to international affairs. First, is that the supposedly pragmatic, objective, and calculated international politics of the realist international system is shortsighted both in its limited ability to recognize the role of cultural differences to account for immediate consequences (i.e. the ability to understand what an apology meant to China in the moment), but also in its ability to predict long-term consequences. While pragmatically, the Letter of the Two Sorries offered a cool-calculated maneuver for both nations to save face, twenty years later, Hainan continues to effect the Chinese historical memory just as the Century of Humiliation has impacted Chinese politics for over half a century.

Secondly, the common critique offered by pragmatic realist approaches to idealist international relations is the criticism of relativistic ethics. Certainly Levinasian ethics, with its recognition and elevation of difference, can be considered a relativistic theory, yet, is it any more relativistic than the pragmatic politics that followed the collision? Both nations, following Hainan, judged their actions based on their cultural assumptions of the other – China demanded an apology because they wanted to humiliate the U.S., the U.S. could not show weakness to a China that only respects strength, the U.S. is an imperial antagonist that threatens world stability in their quest for power, and so on. Following these assumptions, both nations sacrificed their own ethical traditions and sought to "win" the interaction based on their presumptions of the other nation's character. Negative interdependence means each nation considers the other inherently immoral and seeks to defeat their rival by no longer limiting themselves to their own ethical constraints but, as the other is not worthy of ethical consideration, by engaging in the presumed immorality they ascribe to the other. It becomes a race to an ethical least common denominator.

Rather, the relativism of Levinasian ethics is a recognition of difference. Moreover, it is a recognition not an assimilation meaning neither a demand for an acceptance of "our" morals by "them" nor "their" morals by "us." As such, it is not a demand for the sacrifice of the American ethical identity but rather a commitment to it. While differences between ethical systems in America and China will continue to exist, the recognition and respect of this ethical difference offers an alternative to the negative interdependence that we might consider to be a "positive interdependence" wherein the uniqueness of the self is recognized through its distinctions from a valued other.

The events of April 1, 2001 illustrate the underlying problems of the pragmatic politics of realist competitive international theories. Culturally distinct approaches to the same events foster tension when framed with an underlying assumption of the hostility of the other nation. The U.S. and China each situated the event differently within historical and geopolitical contexts, had differing notions of apologia, and perceived different elements of the event as the "crisis moment"

[71] Danielle Celermajer, "Apology and the Possibility of Ethical Politics," *Journal for Cultural and Religious Theory* 9, no. 1 (2008): 16-7.

resulting in assumptions of the others intent which, when grounded in a competitive framework, gave rise to hostile interactions.

While solutions to immediate problems such as the Letter of the Two Sorries may be found, they fail to address the fundamental ethical problems that arise from a system of presumed hostile rivalries. Saving face thus functions only as a guise that betrays the real problematics of contemporary international relations. Rather, there needs to be a shift away from cycles of negative interdependence to a positive ethical relationship. Such an ethical system, like the one offered by Emmanuel Levinas, allows for recognition of cultural differences without the need to sacrifice the commitment to one's own ethical systems.