

## Review – The Scientist and the Spy

Written by Richard W. Coughlin

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# Review – The Scientist and the Spy

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RICHARD W. COUGHLIN, NOV 14 2020

### ***The Scientist and the Spy: A True Story of China, the FBI and Industrial Espionage***

**By Mara Hvistendahl**

**Penguin Random House, 2020**

Mara Hvistendahl's *Scientist and the Spy* offers, as the subtitle suggests, a true story about U.S. – China relations. The truth, in this case, might go some way in the direction of setting us free of a conspiratorial conception of China as America's new nemesis in the world. Hvistendahl tells the story of Robert Mo, a Chinese national living in the United States and employed the Chinese agribusiness Dabeinong or DBN. Part of Robert's work with DBN was to procure proprietary hybrid corn seeds for the company from the corn belt states of the Midwest. Robert did this by stealing corn seed from experimental cornfields in Iowa, Illinois and Indiana. The FBI caught on to Robert's activities and launched a two-year investigation, culminating in Robert's conviction under the terms of the 1996 Foreign Espionage Act. That is the essential story of the book which Hvistendahl lays out in rich detail.

Why should students of IR care about a Chinese national rooting around in a midwestern cornfield? Hvistendahl answers this question by uncovering the transnational context in which this story unfolded. At the center of this story is the FBI, which, since the Chinese Revolution of 1949, has carried out counterintelligence investigations against Chinese nationals in the United States. During the Cold War period, these investigations were geopolitical in orientation, focused on nuclear weapons, and targeted on the employment of Chinese nationals and Americans in university departments, government agencies and defense contractors. In all of them, ethnicity was taken as a sign of potential disloyalty; persons of Chinese descent were considered suspect as a class.

After the end of the Cold War, the FBI's concerns shifted from geopolitics to geo-economics. Chinese students poured into U.S. universities and many stayed on to take stem-oriented jobs in industry. For the FBI, these students and high-tech workers were regarded as vectors of foreign influence, according to the so-called "thousand grains of sand" theory of Chinese espionage (p. 101). Through an army of amateur spies China would, according to the theory, engage in the theft of U.S. intellectual property and thereby accumulate the economic power with which to challenge – presumably – U.S. hegemony in the world.

One of pitfalls of geo-economics is to identify U.S. national security interests with corporate interests. Hvistendahl wonders whether corporate intellectual property rights really rise to the level of being a serious national security interest. General Motors was the victim of intellectual property theft for one of its car designs, but this does not change the fact that GM sells more cars in China than it does in the United States (p. 25-6). More to the point of Hvistendahl's narrative, Robert stole intellectual property from Pioneer Seeds and Monsanto. But Pioneer nonetheless controls 12% of China's seed market. Hvistendahl remarks, in this regard, that "[p]retty much the only people that haven't made money on China's rise are American wage workers and farmers, starting with the farmers that grow inbred seed. Nor would they be helped by efforts to find a Chinese man accused of swiping corn" (p. 26).

For its part, Monsanto was acquired by the German Bayer corporation in 2018. Bayer then dropped the Monsanto name in order to avoid the negative publicity of Monsanto's carcinogenic weed killer, Roundup. Prior to the merger, Monsanto had bought out smaller seed companies, created more consolidation up and down the corporate supply chain, doubled the price farmers paid for seed and used the courts to bully farmers into complying with its

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increasingly extensive intellectual property rights claims (p. 44). But when it came to Robert, Monsanto was the victim (p. 50). Robert received his prison sentence – 36 months in federal prison – but was any larger national interest served?

Kevin Montgomery, a Ph.D. in agricultural science and an FBI informant in Robert's case, doubts the DBN had the expertise to reverse engineer proprietary hybrids from Monsanto and Pioneer (p 169). Even if they did, achieving long term competitive success in the global seed market would require long term development of the DBN's research and development capabilities. The point that Hvistendahl is suggesting here is that the competitive advantages associated with intellectual property theft are typically overblown. She argues that estimates on the extent of Chinese intellectual property theft are imprecise, poorly documented and brandished by organizations – from McAfee to the FBI – whose sales and budgets (respectively) depend on fomenting the perception of China as a national security threat (p. 187-9).

This is a point in the text that might be argued more forcefully. An article in the *Harvard Business Review*, for example, notes that “[i]n fact, more money is lost to software piracy in the U.S. than in any other country. The 2016 losses in the U.S. were \$8.6 billion, compared with China's \$6.8 billion, and Hong Kong's \$277 million. On a per capita basis that is about \$5 in China and \$26 in the United States” (paragraph 7). A stronger argument here is important to counter one of the common reasons why Americans are likely to think that China is a national security threat to the United States – because China steals “our” intellectual property and “our” wealth. Hvistendahl is critical of this point, but such criticisms are hard to discern because they are deeply embedded within the story she is telling rather than systematically developed. Consequently, one has to be attentive to both the Hvistendahl's narrative and the critical reflections she formulates along the edges of it.

A strength of this book is Hvistendahl's concern with the ways in which ordinary people are affected by the U.S. government's defense of corporate intellectual property rights. The Trump administration's trade war with China, after all, has also been fought for the sake of protecting these rights. But for Iowa farmers, the losses they have suffered as a result of the trade war have greatly outweighed any losses associated with theft of a few seed varieties. Nor have these losses been compensated by higher levels of federal aid to farmers (p. 251). Hvistendahl also focuses on the costs borne by Chinese Americans and nationals. Presumptions of intellectual property theft have left them working and living under a permanent cloud of suspicion. At an FBI public relations event with the Minneapolis chapter of the Chinese-American Alliance, the FBI warned audience members that they might be approached by individuals seeking industrial secrets for China. An audience member asked about the role of the FBI in the internment of Japanese Americans after Pearl Harbor, suggesting that Chinese Americans might be subject to the same fate (p. 241). The Trump administration has done very little to allay these concerns. The State Department's new director of Policy Planning warned that China is the U.S.'s first ‘non-Caucasian’ great power competitor and Trump advisor Steve Bannon revived the Cold War Committee on the Present Danger, with China as the main enemy (p. 254).

Hvistendahl's book is a poignant and richly detailed case study that reminds us to remain wary about the relationship between corporate interests and U.S. national security interests. We ought not blithely to think – as the FBI would no doubt encourage – that what is good for corporate American is naturally good for America. Hvistendahl's book is readable and highly accessible. Instructors can use it as a supplemental text in courses on national security, international political economy as well as special topics courses on U.S.-Chinese relationships. More generally, Hvistendahl's book merits attention as an example of a way in which journalistic writing can illuminate the everyday lived reality of international relations, not only for policy elites, but also more ordinary people that we might encounter, perhaps, in a corn field somewhere.

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