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Contradicting Narratives on the Spirit of the Laws: Cognitive Discourse Analysis on Narratives in China and Central and Eastern Europe

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Abstract

The aim of the research is to deconstruct communicative narratives within speeches of China's President Xi Jinping thus identifying notions for common ground in cooperation with the European Union, as well as notions that contradicts the spirit of law of Europe. The scope of research materials includes speeches of Xi Jinping addressed in a particular format – cooperation platform with Central and Eastern European countries “17 + 1”. This cooperation platform has been chosen as a discourse frame because of its rich content (China addresses 17 countries with various themes and focuses of importance).

Research method utilised is cognitive discourse analysis (CODA) which focuses on those properties of discourse that are accounted for in terms of cognitive concepts. CODA allows to identify models of perceptions how cooperation and attitude toward common agreements should be formed.

Several communicative narratives were identified that directly contradicts to common sense of Europe how cooperation and agreements should be maintained. Most important to mention are: 1) narrative of *visible hand* – as a counter argument on liberal economics – ability to interrupt free market at any situation; 2) narrative of *silver bullet* – a twin narrative of *visible hand* only in domain of political decisions; it includes an assumption that effective cooperation with China as a leader within community

implies quick solutions to any decision-making problems via political intervention in business; 3) narrative of *inclusive globalisation* – includes expectation from all partners to respect deviations from democratic norms and western liberal values.

Keywords: China, 17 + 1, cooperation, Europe, Xi Jinping.

Introduction

Enlightenment in the Western world has been one of the most important steps in advancement of political, economic and legal processes. Because of philosophers and political economists of the time, the modern world both domestically and internationally has been shaped to advance the normative protection of the physical world. Due to increased complexity of societal relations and growing volume of legal norms, principles and regulations, the spirit of the law has become a core aspect to be reckoned with. No law can prescribe every situation and development. Therefore, the law must often be understood in a more inclusive, more conceptual way than it is written.

Differences in understanding, different narratives, different traditions and even different mentalities are often mentioned as reasons for both misunderstandings and conflicts in international relations. Drafting and concluding agreements between societies and countries has not disappeared, it has become more prominent with the globalisation. But, while the texts are being drafted, adopted, signed and ratified, it is the spirit of the law that is still at the core of the agreements. Mutual understanding, if one may, and European understanding of the spirit of the law often tends to differ from that of other societies, cultures and regions. The European understanding of the spirit of the law is entangled in political, economic and cultural experiences of the last three centuries. Since Charles Montesquieu (1748) coined the term and contents of the spirit of the law, many essential developments have taken place.

Those developments, especially in international commerce, are tied to the modern Western understanding that the spirit of the law should also entail the principles of liberal market economies, division not only of political powers, but also of private business and public politics, the core values of human rights, and general trust in both the partner and competitor that they will “follow the rules”. When concluding cooperation and trade deals between Europe and China, the understanding of the “spirit of the law” is affected by distrust. Spirit of the law cannot be followed unless both are “on the same page”. This research argues that China and Europe are far from being “on the same page” as discursively both sides are interpreting and following different approaches.

The approach of Chinese government, the ruling Communist Party of China (CPC), and the President Xi Jinping is to seek control over economic processes. Private business is seen as a competitor not only internationally, but also as a potential political competitor domestically. Adam Smith’s “invisible hand” (1776) that is seen to bring general prosperity to the society in the West, is seen as promulgation of individual greed in the Chinese society. Consequently, politicians and party functionaries are there to manage

the problems of the free market. State and its bureaucratic apparatus are perceived very differently in China and European countries. China seeks to see it as an instrument, while European countries, especially the Western European countries, see government as restraining and intrusive power that impedes economic freedom. While Europe wishes to see private entrepreneurship as a source of advancement of wellbeing, Chinese leadership sees it as both an instrument internationally and a threat domestically to the political power (Bērziņa-Čerenkova, 2020).

What Europe expects from China's offer for cooperation is the research question of this article. Framing China's interests and focusing on strategic foreign policy messages and cooperation potential with various partners, in this case, Central and Eastern European countries, is at the core of this research. The research deconstructs strategic foreign policy narratives of Xi Jinping; nevertheless, concepts of the previous President of China Hu Jintao are also used to detect the internal dynamics of the concepts of the foreign policy discourse.

To answer the research question, the authors have carried out a mapping of agents of Chinese foreign political discourse and identified Xi Jinping's narratives addressed to the European partners. From an epistemological point of view, the authors have chosen international relations social constructivism by Nicolas Onuf. This approach is inextricably linked to the research method – cognitive discourse analysis. The authors have synthesised and applied a new model to analyse cognitive discourse of both China and Europe on the “spirit of the law”. The research employs the latest generation of cognitive discourse analysis authors – Thora Tenbrink (2015), Christopher Hart (2013), Gitte Kristiansen (2008), René Dirven (2007), Martin Müller (2001), Luisa Godinho (2016), etc., and more classical texts of Teun Adrian van Dijk (1990, 2006, 2008), Norman Fairclough (1995, 2012), Iver B. Neumann (2002) etc. From method delivery perspective, the authors have screened through speeches of Xi Jinping and grouped the narratives around dimensions of topics, implicit meanings, presuppositions, local text coherences, and lexical meaning and connotation. For grouping texts and meaning, the programme MAXQDA was used.

Considering the growing importance of China in Central and Eastern Europe, where the potential impact on the projection of its power is contributed by several sources, identification of the potential and obstacles is an important additional value to the research. Cooperation platform “17 + 1” has been chosen as a discourse frame because of its rich content; China addresses 17 countries with various themes and focuses of importance, adjusting its message while following local topicality of the particular partner within “17 + 1” format. That allows identifying the full scope of meaning that has been expressed in foreign policy discourse. During the research, more than 200 speeches of Xi Jinping were analysed (between 2012–2017). Therefore, the authors have identified a chain of narratives that serve as obstacles for future cooperation with Europe, because of their content in contradiction to Europe's common sense; as well as a chain of narratives that can help to maintain and develop fruitful cooperation between China and Europe, CEA countries in particular.

Xi Jinping and China Dream – Politics and Interests behind Cooperation

Foreign policy concepts such as *peaceful development* and *harmonious world* directly addressed to international society have been in China's agenda since Hu Jintao's address in 2004 (Guo, 2021). These concepts include a renaissance of China internally and its emergence into global governance from an international perspective. The *China Dream* was introduced in 2012 by Xi Jinping, previous concepts of Hu were integrated in a much more assertive perspective on China's development. Indeed, 2013 was a turning point in which China's ambitions became more real, hand in hand with the newly elected President Xi Jinping at the end of 2012, who started new political initiatives. The reasons for this were international as well as internal interests.

From the economic perspective, the year 2013, with its more or less clear borderline as the end of the world financial crisis, has shown which countries came out of the crisis more successfully. China was one of them. Although there are indications of inner longer-term structural problems in China's economy – like productivity fall and deformed state of the balance of payments – it is not comparable with the crippled tempo of growth in Europe and other Western countries around 2013. The main number which is used in China strategic messages as a success story backbone is the GDP growth; according to this number, China always follows the planned path. Thus, since 2013 China's attitude toward the West (especially Europe) has been more self-confident than ever before (Chen, 2018).

Equally important is the role of the U.S. in Asia in 2013. A partial shift of attention in the international area, and simultaneous partial inability to make sharp decisions in the case of Syria conflict which aroused in international agenda in reality had changed the *sense of balance* in Asia, and China was keen to take the initiative. Experts on international relations and China especially have given a new name to China's mode of activity in response to the shift of poles on a global scale – “assertive authoritarianism”. This mode of action includes two levels: international and national (Moore, 2013).

Looking from an international perspective, the “assertive authoritarianism” of the President Xi Jinping shapes the region in terms of a China-centred Asia Pacific since 2013. This indicates a chain of precisely planned and delivered activities. First is the infrastructure investment strategy – Beijing has pledged to build a significantly new Asia connection facility to connect the region through railways, roads, and pipelines. This also includes enhanced regional trade and financial cooperation. Expansion of infrastructure and economic ties cannot be seen separately from Beijing's expansion and enforcement of Chinese sovereignty claims in the region.

Phraseology of mutual friendship becomes questionable when looked at China's attitude and reactions to issues of territorial integrity starting Xi Jinping's presidency. China's decision to impose an Air Defence Identification Zone (ADIZ) over a large part of the East China Sea has heightened tensions in an already volatile area, turning from exceptional to an already conventional strategy on territorial integrity issues in 2018. The ADIZ was

the first in a series of Chinese actions that seem to show a contradiction in the way that China engages its neighbours. The above-mentioned ASEAN example purely supports this argument – China appears to have largely succeeded in building the image of a peaceful partner in the region while swaying between the fear of an assertive giant up north and the temptation of doing business with the world's second largest economy, all at a time of growing uncertainty about U.S. reliability in this part of the world (Holmes, 2013).

On the national level, the President Xi Jinping since 2013 has been proceeding on a straight course of political power consolidation. Firstly, *cleansing* along political party lines has been maintained through an anti-corruption programme – particularly against those senior Chinese officials who suffer from the perception of being disloyal. Secondly, broad and varied limitations are implemented in the online environment against dissenting voices. Thirdly, and equally importantly, the President Xi is institutionalising his weight in security and economic policy with the help of newly founded organisations which are under his direct control. The first of these is the Chinese equivalent to the U.S. National Security Council, which will give the President Xi a direct impact on the country's vast domestic security apparatus and its foreign security policy. The establishment of this National Security Council takes over from the Central Committee and from the Politics and Law Commission (Buzan, 2010).

The second established organisation of the President Xi is an advisory and reform team, the mandate of which is to report directly to the top leadership rather than to the government. With this step, a powerful bureaucracy and its policies, which are resistant to change but very ambitious, are balanced by the autonomy of the presidential institution. "The team will be in charge of designing reform on an overall basis, arranging and coordinating reform, pushing forward reform as a whole and supervising the implementation of reform plans," reported Xinhua, the PRC's news agency (Xinhua, 2013).

Mentioned above are realities that China has been implementing under the umbrella of the presidency of Xi Jinping and the concept of China Dream's historical and political context since 2013. Nevertheless, from social constructivism theory perspective and role of language in strategic foreign policy formation, it is important to acknowledge the linguistic frameworks and contexts of "fixed language" and messages included in documentation of China or so-called normative aspect of China's foreign policy in Xi Jinping's presidency.

Written Strategies behind Xi Jinping's Speeches and Addresses to International Society

The normative perspective behind Xi Jinping's speeches and addresses to international society is rooted in written sources of the PRC considering its foreign policy and international affairs aims. As one of the core documents can be mentioned Foreign Policy Strategy of the PRC (2013–2023) (Global Strategy, 2013). Within the respective Strategy, China's peaceful development concept is present accomplished with elements

which are novelty comparing with the period before Xi Jinping. Taking into account that, at least from the Western perspective, China's evaluation is mostly expressed in radically polarised views (one side argues that all strategic concepts of China include threats to International Stability and Order and leads to "Rise of China", while representatives of opposite view argue that China is going "unique China's way" and these efforts only stabilize International Order), all strategically normative outgoing strategies are based on "middle grounding process" of mentioned polarisation. This means China is implementing different aspects from both views in mentioned dialectics. Nonetheless, there are two important directions that can be outlined from Foreign Policy Strategy of the PRC (2013–2023) which are relevant to representative addresses of the President Xi.

First, in the new foreign policy strategy of China, alongside peaceful development ideas protection concept of China's national interests and their protection grows more intensely. Thus, strategic vision of China becomes more reality oriented and politically pragmatic. Nevertheless, it also shows growth of ambitions of China (Global Strategy, 2013).

Second, in real policy agenda, China tries to implement partials from peaceful development concept, which includes region stabilisation and role increase in International Order. Therefore, both in theory and reality, China's peacefulness and ambitions go side by side – making it a more "real" player in International Order than ever before – because times with just theorising are over, and China expresses real not normative concepts to other countries. It also includes quite a controversial approach toward soft power elements which are implemented simultaneously. China keeps the option to choose when it is convenient to use realistic approach strategy and when to use soft power elements (Haas, 2017). Such a two-level game is a definitive novelty (especially with the number of real-politics and geopolitical interests) and even not comparable with peaceful development road of Hu Jintao's period.

Strategic Messages in Speeches of the President of the PRC Xi Jinping

The most vivid example where strategic messages of the President Xi Jinping definitely can be found in his speech were delivered at the 19th National Congress of the Communist Party of China, October 18, 2017. The essence of the nature of the speech from strategic messaging perspective can be formulated quoting Matthew P. Funaiolo and Bonnie S. Glases:

"...The portrayal of China as a governance model for other nations is especially worrisome as it suggests a newfound willingness to offer an alternative to the Western liberal international order and directly confront the United States, which has previously been eschewed. As articulated in the Party Congress work report, Xi's vision for the future may signal an intention to double down on challenging elements of the prevailing world order that Beijing sees as contrary to Chinese interests. Should this come to pass, the international community might look back at the 19th Party Congress as the moment

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when China's long march toward reclaiming its great power status was matched with the confidence needed to present China as a buttress against Western liberalism..." (Funaiolo, Haas, 2017)

Examining the speech and take-aways from it, several novelties can be found. China sees volatile international order with elements of multipolarisation as a potential to increase its power and maintain its interests. The elements of mirroring the USA from this perspective as the next global power not only in economics but also global governance is clearly present, and for the first time, also fixed in a precise and focused narrative. China's national development plan until 2049 delivered by the President Xi consists of two phases: first phase (2020–2035) is for reaching China's global leadership in innovations in economics; second phase (2035–2050) aims to geopolitical perspectives to become a "global leader in terms of comprehensive national power and international influence". From international order perspective, global leadership is a novelty compared with political messages of China in the past 15 years.

There is a clear competition to the Western type of democracy in the perspective of China – or strong advocacy of regimes which from the Western perspective could be labelled as hybrid-regimes, or in worst cases an authoritarian rule. It includes not only Xi Jinping's warning that the PRC would never copy political systems in other countries and China's leaders have no interest in western notions of democracy, but also a signal to other countries that Western democracy is not the only way to go. It is a momentum of negative soft power toward Western democracy, but represented in a very authoritative way, which was unimaginable under previous presidency of China.

A very distinct outline is a direct addressing the issues of People's Liberation Army with its strategic purpose to increase capacity and readiness to stand for China's interests. Open delivery of PLA power and necessity to increase its capacities is a signal of much more pragmatic and geopolitically oriented China than ever before since opening to the West. Another finding is that issues of territorial integrity were strongly present, sending the message about China's territorial unity both to internal and external actors. Quoting Xi "We will not tolerate anyone, using any means, at any time to separate one inch of land from China [...] Blood is thicker than water" (Xi, 2017).

The mentioned points are a clear novelty to previous discourse of China and, in fact, announces new era in China's attitude toward foreign policy and international order on global scale. Thus, screening of Xi Jinping's speeches on matter of cooperation with European countries, and in "17 + 1" format gives opportunities to see dynamics and expectation from regional partners.

Cooperation within "17 + 1" – Specific Format on Its Own

Over the past 30 years, the PRC and the countries of Central and Eastern Europe have experienced fragmented phases of relationship. The "17 + 1" format initiative serves both as a new regional approach and as a platform for cooperation for the most ambitious policy of other relationship initiatives, and as part of the major strategic narratives of

the PRC (Vangeli, 2019). The start of institutionalisation for the “17 + 1” format is considered 2011 when, on an official visit to Hungary, the Prime Minister of the PRC Wen Jiabao announced the commitment of the PRC to develop an enhanced relationship with the CAEV countries, and that a new format of cooperation and institutional mechanism should be developed to realise this commitment.

In parallel to this format, the “Road and Belt” initiative strengthens the existing “17 + 1” cooperation and acts as a separate vision, with China’s own foreign policy views more dominating (MFA of Latvia, 2016). It is essential that, together with the development of cooperation, “12 measures” were also adopted at the meeting of the Prime Ministers of the Member States, which included the aims of international cooperation and the way in which cooperation would also be pursued in the context of policy instruments and practical interaction between actors (Belt and Road Centre, 2017).

After China’s offer for special cooperation with the countries of the region concerned, the prevailing discourse in the western community included reaction and view that China already has a well-established and detailed plan with the terms of cooperation (Li, 2019). However, although perceived as a tactical initiative at policy level, the “17 + 1” format actually includes a set of messages that are as fragmented and voluminous as strategic level concepts in the foreign policy of the PRC, by obtaining a widespread and used designation, a multilateral multi-level cooperation initiative or the so-called multi-layered multilateralism (Minghao, 2016).

As described by Weidong Liu and Michael Dunford, to understand the “17 + 1” format of the PRC in the context of the “Road and Belt” initiative, it is necessary to understand the dynamics of sustainable economic growth in the PRC and its interpretation in the vision of China’s political elite, viewing its place in globalisation, both as its driver and user of globalisation goods (Liu and Dundorf, 2016). Consequently, it is essential to see foreign policy initiatives of China in the context of major strategic narratives, as they are not a vertical derivative, but rather a parallel framework with their own strategic messages. Consequently, in their internal logic and narrative dynamics, there are not only direct parallels and similarities, but also deviations with their considerable logic.

In the “17 + 1” context, there is also a significant increase in China’s economic impact and concerns about China’s economic interests abroad. One of the most important effects is the increase in interdependence, highlighted by the Covid-19 pandemic, revealing asymmetry in favour of China (Kugiel, 2016). This has been accompanied by instrumental activities in China’s foreign policy to achieve certain objectives. Reciprocal trade volumes have increased, but Chinese export flows to CAE countries are significantly higher compared to CAE exports. This has contributed to the development of a negative trade balance with China and its gradual deterioration, with CAE’s trade deficit growing rapidly in recent years.

The impact of the benefits of China’s protected domestic market is multifaceted for European companies. It puts pressure on EU competitors by reducing their income and global market share. In sectors where China’s advantage is most extreme, it also

could lead to deterioration of financial creators of EU companies or even bankruptcy of companies. In other words, it artificially directs revenues and profits from Europe to China, threatening European companies. This in turn has an impact on job creation and can significantly restructure an economy with high and long-term adaptation costs, particularly in high-tech sectors. Such an impact could lead to protectionism of European companies by reducing public support for free trade (Kratz and Ortel, 2021).

Considering this, it is clear that “17 + 1” format is unique case study possibility where China delivers various political messages and instruments for cooperation. Narratives of cooperation and attitudes toward legal frameworks as well as design of agreements are first to understand to explain potential and obstacles in common future of China and CAEV.

Narratives on Cooperation and Agreements in Speeches of Xi Jinping

Cognitive discourse analysis (CODA) which focuses on those properties of discourse that are accounted for in terms of cognitive concepts was used for screening more than 200 speeches of Xi Jinping (between 2012–2017). Following narratives were identified with specific content addressed to “17 + 1 partner states”.

“17 as 1” narrative. From China’s perspective, effective cooperation of “17 + 1” requires internal cooperation between partner countries of the PRC on political scale. The regions can only develop together, and this cooperation should take place under leadership of the already existing largest partner – PRC itself. In practical terms it means demanding partner states to act as one, but agenda how this unity should be delivered should be drafted by China. Actors from the business sector thus are strongly dependent on political mindset of their country toward China.

Obligated to enthusiasm narrative. Partner states should voluntarily express their enthusiasm for cooperation with China. The principle of setting up the “17 + 1” secretariat includes the need for partner countries to take an initiative to cooperate with China, which puts itself in the superior partner position, while simultaneously creating distinction between the PRC and other countries through the branched bilaterality – communication is maintained through the secretariat and with individual countries. This creates a narrative advantage for China by fragmenting its partner – and by expecting a single, but in practice, separate communication from 17 countries. It is obvious that *17 as 1 narrative* contradicts *Obligated to enthusiasm narrative* on the first sight, but looking beyond the first impression – *17 as 1 narrative* includes total support for cooperation with China as a base line within CAEV countries, while the second narrative demands showing good will on regular basis.

Narrative of visible hand. In most speeches, Xi Jinping highlights expectations of the speed of political agreements for the speed of agreements at other levels, through

which, in principle, the restrictive institutional aspects of partner countries are criticised. In the context of expressionism, a strong executive power of policy decision-making is expected, which in most “17 + 1” partner countries are a nonexecutive task due to existing regulatory traditions and democratic conditions. Governments which can speed up business and remove institutional obstacles are perceived as a visible hand (a counter argument to visible hand of Adam Smith). This narrative strongly conflicts with the Western mindset of division between politics and free market as well as the principle of division of power.

Silver bullet narrative. This is a twin narrative of *visible hand* only in domain of political decisions. It includes an assumption that effective cooperation with China as a leader within community implies quick solutions to any sorts of decision-making problems via China’s expertise, resources, and political experience. China as a saver, donor and superior in status to CAEV countries automatically puts them in asymmetrical position. Thus, China sees CAEV partners as underdeveloped and the wish to cooperate should be taken as an opportunity even if China has better options in agreements on cooperation.

Narrative of inclusive globalisation. China as a mover of globalisation and a transformer of the values of globalist capitalism expects tolerance toward values that deviate from liberal democracy. In international relations with other countries this means not including Western democracy rhetoric in negotiations, and even more, it expects total lack of criticism toward China. To some extent, the PRC in this format is able to distinguish itself from the potential criticism of the values of democracy while maintaining its place at the negotiating table.

Conclusions

The aim of the research was to deconstruct communicative narratives within speeches of China’s President Xi Jinping, thus identifying notions for common ground in cooperation with the CAEV countries as well as notions that contradict the spirit of law of Europe. The scope of research materials included speeches of Xi Jinping addressed in a particular format – cooperation platform with Central and Eastern European countries “17 + 1”. This cooperation platform was chosen as a discourse frame because of its rich content where China addresses 17 countries with various themes and focuses of importance. As a research method cognitive discourse analysis (CODA) was used that allowed to identify models of perceptions how cooperation and attitude toward common agreements should be formed.

Several communicative narratives were identified that directly contradicts a common sense of Europe how cooperation and agreements should be maintained. Most important to mention are: 1) narrative of *visible hand* – as a counter argument on liberal economics – ability to interrupt free market at any situation; 2) narrative of *silver bullet* – a twin narrative of *visible hand* only in domain of political decisions, which includes

an assumption that effective cooperation with China as a leader within community implies quick solutions to any decision-making problems via political intervention in business; 3) narrative of *inclusive globalisation* which includes expectation from all partners to respect deviations from democratic norms and Western liberal values.

Clearly, China's messages and expectation are multi-layered, delivering expressions of superiority and dualism of modesty in the PRC in various speeches and manifestations. China positions itself as a developing country, a power-recovering superpower and a peaceful global player. Xi Jinping's speeches are a targeted attempt to strategically drive the change of ideas by unifying the international identity of the PRC through practical cooperation formats. China is ready to cooperate, but it clearly demands cooperation according to China rules of the game, which in detail contradicts to Spirit of Laws of Europe.

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