U.S. POLICY TOWARD TAIWAN

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INTRODUCTION

U.S. policy toward Taiwan is based on (1) the Taiwan Relations Act, (2) the three Communiqués between the United States and the People's Republic of China (PRC), (3) the six assurances given to Taiwan, and (4) the Taiwan Policy Review.

Over the past twenty-plus years, U.S. policy toward Taiwan has been longstanding and consistent. The friendship of the American people and the people of Taiwan is firm, and the United States remains committed to faithful implementation of the Taiwan Relations Act.

There are several elements of U.S. policy toward Taiwan. First, the U.S. acknowledges that there is one China; however, how to define and realize that is best left to the two sides of the Strait on a mutually acceptable basis. Second, Washington encourages the cross-strait dialogue but will remain even-handed and will not apply pressure or mediation to either side. Because Taiwan is a democracy, any arrangements between the two sides will have to be acceptable to the people of Taiwan. Third, the U.S. insists that the Taiwan issue be resolved peacefully. The U.S. would regard hostile action against Taiwan as a threat to the peace and security of the Western Pacific and a as matter of grave concern.

The fourth element of U.S. policy towards Taiwan is that, in accordance with the Taiwan Relations Act, the U.S. will provide defense articles and services necessary for Taiwan to maintain a sufficient ability to defend itself. The fifth element regards Taiwan's international space: in recognition of Taiwan's importance role in international issues, the U.S. will support Taiwan's membership where statehood is not a prerequisite, and will support opportunities for Taiwan's voice to be heard in organizations where its membership is not possible.

THE BASIS OF U.S. POLICY TOWARD TAIWAN

1. The Shanghai Communiqué (February 1972)

When the Korean War broke out in 1950, the U.S. froze its relations with the PRC for twenty years. Washington imposed sanctions on Beijing, froze the PRC's assets in the U.S., embargoed trade and banned U.S. ships and aircraft from calling at the PRC's ports and airfields.¹

Towards the end of the 1960's, relations across the Strait changed. The Soviet invasion of Czechoslovakia in 1968 and the border clashes between Chinese and Soviet forces in March 1969 made closer relations with the U.S. against the Soviet threat more attractive to Beijing. Meanwhile, normalizing relations with the PRC would help the U.S. disentangle itself from Vietnam. It turned out that National Security Adviser Henry Kissinger paid a secret visit to mainland China in July 1971 and, on February 28, 1972, the Shanghai communiqué was signed during a state visit to mainland China by President Richard Nixon. However, in the communiqué, the U.S. merely acknowledged that both Taipei and Beijing agreed that there was only one China. The U.S. also reaffirmed its interest in a peaceful settlement of the Taiwan question by the Chinese themselves.

2. The Normalization Communiqué (January 1979)

Beginning in 1978, the United States and the PRC developed a common perception that the Soviet threat was significantly growing. Both sides believed that normalization would serve to offset their respective deteriorating strategic situation.⁴

In June 1978, President Jimmy Carter decided to permit Western nations to sell military equipment to Beijing. In July, he vetoed a plan to sell 50 F-4 fighter-bombers to Taiwan in what

was interpreted as a move to gain favor with Beijing. Four months after, Carter rejected Taiwan's request for F-5G fighter planes, leaving Taiwan no way to upgrade its air force. At the same time, he finally announced the normalization communiqué. On December 15, 1978, the U.S. and the PRC agreed to establish diplomatic relations as of January 1,1979. Both sides affirmed the principles of the 1972 Shanghai Communiqué and stated their desire to reduce the danger of international military conflict. The United States acknowledged the Chinese position that there is but one China and that Taiwan is part of it, while maintaining cultural, commercial and other unofficial relations with Taiwan.⁵

In its accompanying statements of the normalization communiqué, Washington further averred that, "The United States is confident that the people of Taiwan face a peaceful and prosperous future. The United States continues to have an interest in the peaceful resolution of the Taiwan issue and expects that Taiwan issue will be settled peacefully by the Chinese themselves."

The normalization of relations with mainland China involved ending official relations with Taiwan, withdrawing the remaining troops and terminating the security treaty. But an understanding was reached that whereas Beijing would not renounce the use of force, the U.S. would continue to sell arms to Taiwan. This was followed up in April 1979 by U.S. domestic legislation known as the Taiwan Relations Act.⁷

3. The Taiwan Relations Act (April 1979)

When President Carter announced that diplomatic relations between the U.S. and the PRC would be established on January 1, 1979, his decision was not very well received in the U.S. Many Americans felt uncomfortable that the U.S. was breaking off normal ties with the Republic of

China, a longstanding friend and ally. The U.S. Congress, in an unprecedented display of bipartisan cooperation, crafted the Taiwan Relations Act (TRA), which was signed into law by Carter on April 10, 1979.⁸

The TRA is a unique domestic law of the United States. It establishes itself as the basis for a foreign relationship of the U.S. with Taiwan. Moreover, the U.S. Congress over several years made an effort to have the administration publicly acknowledge that a law such as the TRA took precedence over any communiqué.

Under the TRA, the policy of the United States is:

- (a) To preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the U.S. and the people of Taiwan;
- (b) To declare that peace and stability in the area are in the political, security, and economic interests of the U.S., and are matters of international concern;
- (c) To make clear that the U.S. rests upon the expectation that the future of Taiwan will be determined by peaceful means;
- (d) To consider that any effort to determine the future of Taiwan by other than peaceful means, including by boycotts, or embargoes, to be a threat to the peace and security of the Western Pacific area and of grave concern to the U.S.;
- (e) To provide Taiwan with defensive arms; and
- (f) To assert the right to resist any resort to force or other forms of coercion that would jeopardize the security or social and economic systems of the people of Taiwan. ¹⁰

4. The Shanghai II Communiqué (August 17, 1982)

When President Carter signed the TRA into law in April, the PRC delivered a formal note of protest to U.S. Ambassador Leonard Woodcock in Beijing. The language was not strong, however; the TRA was simply "unacceptable." ¹¹

On the contrary, the response from the press in mainland China was noticeably different. This reflected major differences over Taiwan policy between the Left, which controlled the media, and the Right, or President Deng Xiaoping's reformist supporters, in the Chinese Communist Party and the government. A representative example of the invective from the media was the *China News Agency's* warning that,

The TRA is a serious obstacle to the development of PRC-U.S. relations. If the United States does not revise the act and continues to sell arms to Taiwan, grave consequences for PRC-U.S. relations will follow. The TRA seriously infringes upon international law and seriously violates the principle of the agreement on the establishment of PRC-U.S. diplomatic relations. The act simply prepares so-called legal grounds for creating two Chinas. ¹³

After Ronald Reagan became president, the mainland Chinese media became even more hostile toward the United States and sought to make an issue of Taiwan. It strongly chided the U.S. for arms sales to Taiwan.

In any event, the U.S. responded. The State Department sought to aid President Deng by agreeing to limit arms sales to Taiwan. Secretary of State Alexander Haig, who led the effort, reasoned that Deng was pro-U.S., and that Deng's opponents, if they gained the upper hand, would turn Beijing to the left and backward politically and evoke a return to a hostile, isolationist mainland China if the U.S. did not help him. Haig was also concerned with containing Soviet aggression and considered a strategic partnership with the PRC to be an essential component of his containment policy.

The result was the announcement of the August 17 Communiqué of 1982, in which the U.S. declared that it did not seek to carry out a long-term policy of arms sales to Taiwan; that its arms sales to Taiwan would not exceed, either in qualitative or quantitative terms, the level of those supplied in recent years since the establishment of diplomatic relations between the U.S. and mainland China; and that it intended to reduce its sales of arms to Taiwan gradually, leading over a period of time to a final resolution. ¹⁵

5. The Six Assurances (July 1982)

As the August 17 Communiqué went a long way toward meeting the PRC's conditions, many members of Congress reacted angrily. Several senators blames the "perfidy" of the U.S. State Department, with one charging that as soon as "the PRC threatened to downgrade relations if the question of arms sales were not resolved, we rushed to the negotiation table." Several senators pointed out that nothing in the TRA says arms sales should be reduced either in quantity or in quality. ¹⁶

Assistant Secretary of State John Holdridge insisted that the new agreement was completely consistent with the TRA. He argued that the U.S. had not agreed to a termination date for arms sales. He further said that there had been "no change in our longstanding position on the issue of sovereignty over Taiwan, and that there were no plans to seek revisions to the TRA."

Ta Kung Pao, a Hong Kong newspaper, also reported that "It is noticed that the U.S. leaders and some U.S. media, when talking of those points concerning the U.S. arms sales to Taiwan in the communiqué, have stated that they are completely consistent with the TRA, that U.S. arms sales to Taiwan will be carried on in accordance with the TRA."

During the communiqué negotiations, the U.S. kept Taiwan informed of developments.

On July 14, 1982, a month before the communiqué was announced, the U.S., through an appropriate channel, made six assurances known to the ROC that it:

- (a) Had not agreed to set a date certain for ending arms sales to Taiwan;
- (b) Had not agreed to engage in prior consultations with Beijing on arms sales to Taiwan;
- (c) Would not play any mediation role between Taipei and Beijing;
- (d) Had not agreed to revise the TRA;
- (e) Had not altered its longstanding position on the issue of sovereignty over Taiwan; and
- (f) Would not attempt to exert pressure on Taiwan to enter into negotiations with the PRC. ¹⁹

The August 17 Communiqué pledged a general reduction in U.S. weapons supply to Taiwan so long as conditions in the Strait remained peaceful. But neither the President Reagan nor subsequent administrations adhered fully to the spirit of the agreement. In the ensuing years, weapons continued to be sold to Taiwan within the structures of the lessening quantity stipulated in the August 17 Communiqué. However, since this was calculated by total price, the unit cost of weapons could be reduced or adjusted for inflation, allowing more to be sold for less cost. Sometimes, more advanced weapons were sold, due to the fact that new copies of the original weapons sold were no longer available. The communiqué did not mention restrictions on the transfer of technology, and the designs for weapons and delivery systems were made available.²⁰

In 1992, President George Bush decided to sell Taipei 150 F-16 aircraft to offset the threat of the PRC's Su-27 fighter planes. This convincingly demonstrates that U.S. policy is to ensure a balance of forces across the Strait.²¹

6. The Taiwan Policy Review (September 1994)

In the first ten years after the U.S. shifted its recognition to Beijing in 1979, the unofficial relationship with Taiwan was stable relative to the events of the next decade. The focus of attention for both the U.S. and the PRC was the Soviet Union. It was in the interests of both that the Western Pacific region remained peaceful during that time.²²

After 1989, the American view of mainland China had obviously been transformed. The Tiananmen Square massacre made clear the nature of the Communist Party's rule over the Chinese people, and the collapse of the Soviet Union against whom the U.S.-PRC relationship was based, called into question the necessity for America to avoid offending Beijing.²³

By the early 1990s, Taiwan was undeniably a thriving democracy and had become America's sixth-largest trading partner. American exports to Taiwan were \$16 billion in 1993, more than twice as much as to mainland China. Where mainland China was the dream of the future for American business, Taiwan represented the profits of the present day. American corporations were rushing to Taipei to compete with European firms for the contracts in a \$300 billion public works program. U.S. defense contractors were eagerly testing to see whether the Bush administration's approval of F-16s to Taiwan had opened the way for more arms sales. The business interest in Taiwan grew stronger year by year.²⁴

When it first took office in 1992, the Clinton administration had initiated a comprehensive review of American policy toward Taiwan. At the time, that policy seemed to be in flux. In its last weeks, the Bush administration had sent U.S. Trade Representative Carla Hills to Taiwan, the first cabinet-level official from America to visit the island since the rupture of diplomatic relations in 1979. In the late summer of 1994, the Clinton administration finally announced the results of this review. ²⁵

In his testimony on Taiwan Policy Review before the Senate Foreign Relations

Committee on September 27, 1994, Assistant Secretary of State Winston Lord stated that "For the first time in fifteen years, we have systematically enhanced the ways in which we promote American interests and manage our relationship with Taiwan. The administration has carefully examined every facet of our unofficial ties, with a view to correcting their anomalies and strengthening their sinews."

The highlights of the policy adjustments include:

- (a) The Taiwan Relations Act and the three communiqués will continue to be the heart of U.S. policy;
- (b) The cross-strait talks between Taiwan and mainland China have been important in prompting stability in the region and the security of Taiwan. The U.S. will neither interfere in nor mediate this process. But the U.S. welcomes any evolution in relations between Taipei and Beijing that are mutually agreed upon and peacefully reached;
- (c) Permitting Taiwan's top leadership to transit U.S. territory for their travel convenience, for periods of time normal for transits, but without undertaking any public activities. Each case will be considered individually;
- (d) Initiating a sub-cabinet economic dialogue with Taiwan,
- (e) In recognizing Taiwan's important role in transnational issues, the U.S. will support more actively Taiwan's membership in international organizations accepting non-states as members, and look for ways to have Taiwan's voice heard in organizations of states where Taiwan's membership is not possible;

- (f) Permitting all American Institute in Taiwan (AIT, de facto embassy) employees, including the Director and Deputy Director, access to the ROC Ministry of Foreign Affairs;
- (g) Permitting U.S. cabinet-level officials from economic and technical departments to meet with Taiwan representatives and visitors in official settings; and
- (h) Agreeing that the name of Taiwan's official office be changed from the Coordination Council for North American Affairs to Taipei Economic and Cultural Representative Office in the U.S.²⁶

THE 1995-96 TAIWAN STRAIT CRISIS

1. President Lee's Visit to the U.S.

On May 2, 1995, the U.S. House of Representatives voted 396 to 0 in favor of granting President Lee Teng-hui an entry visa. The Senate followed six days later, voting 97 to 1 to permit Lee to make a visit to Cornell. The lone opponent was Senator Bennett Johnston of Louisiana, a strong supporter of the PRC, who was preparing to retire and would later seek to profit from business ventures in mainland China. Cornell University itself was eager to have President Lee come; he was the only Cornell alumnus who was a head of state.²⁷

There was never any doubt what President Clinton himself wanted to do about President Lee's request. He said, "In our country, we have the constitutional right to travel. It is very difficult in America to justify not allowing a citizen of the world to come to his college reunion and to travel around our country. Just as the PRC demands to be respected in its way, it had to respect our way. And our values with respect to President Lee coming here were reflected in the congressional majorities."²⁸

Thus, on May 22, 1995, the U.S. announced that President Lee had been granted a visa to enter the country. Following the announcement that a visa was to be issued, State Department and other officials repeatedly tried to assure Beijing that fundamental U.S. policy had not changed, that the mainstay of President Clinton's mainland China policy remained constructive engagement, and that the mechanisms of democratic politics had left the White House with limited options.

Despite these efforts, Beijing's response was hostile. The Ministry of Foreign Affairs issued a strong protest on May 23, which accused the U.S. of causing the creation of two Chinas,

violating a one-China principle of the three joint communiqués and jeopardizing PRC-U.S. relations. The visa decision was regarded as confirmation that U.S. policy had shifted from engagement to containment, and that the U.S. was seeking to heighten Taiwan's international profile.²⁹

Early in 1992, the Bush administration, in violation of its pledge in a 1982 U.S.-PRC arms sales communiqué to reduce the quantity of U.S. arms sales to Taiwan, sold 150 F-16 warplanes to Taiwan. In 1994, the Clinton administration revised the Taiwan Policy Review, which Beijing regarded as upgrading Taiwan's status in the U.S., and the administration allowed President Lee to visit the United States the next year. From the PRC's perspective, Washington seemed determined to continue revising its Taiwan policy, thus encouraging Taiwan's leader to move closer toward a declaration of sovereignty from mainland China.³⁰

The PRC has stated that such a declaration of independence would lead to war, but it made only limited protests against the F-16 decision and the 1994 Taiwan Policy Review. While the PRC leaders believed that the U.S. policy shifts were minimal concessions to political pressures by administrations committed to honoring the historical understandings on Taiwan, but the visa for President Lee suggested that the United States was ignoring mainland China's interests. Coming just as Taiwan's presidential election was entering its final stage, it had the potential to encourage Taiwan's candidates to declare support for a sovereign Taiwan.³¹

2. U.S.-PRC Confrontation

During the ten months following President Lee's visit to Cornell, the U.S. and mainland China reopened their difficult negotiations over U.S. policy toward Taiwan. The negotiations reached a climax in March 1996, when mainland China displayed a dramatic show of force

consisting of military exercises and missile tests targeted near Taiwan, and the U.S. responded with an equally dramatic deployment of two aircraft carrier battle groups led by *Independence* and *Nimitz*.³² Deployment of one aircraft carrier battle group could be seen as a symbol, a demonstration, or political theater; two represented a more real capability.³³

In 1995, the United States, reading the Taiwan Relations Act narrowly, reacted passively to the PRC's missile firings in the Taiwan Strait. In 1996, however, when Beijing further escalated tensions, the U.S. government chose to read the TRA quite broadly, interpreting it as a pledge to defend Taiwan. The PRC was understandably surprised at this change in U.S. interpretation. The 1996 decision to deploy the two aircraft carrier battle groups to the region may well also have been fortunate, since some evidence suggests that continued U.S. passivity might have encouraged Beijing to proceed with invading one or more of Taiwan's offshore islands, for which they had already massed the needed forces.³⁴

The 1995-96 Taiwan Strait confrontation was the closest the U.S. and mainland China had come to a crisis since the early 1950s. Following the deployment of two carrier battle groups, the U.S. succeeded in maintaining its pre-confrontation reputation, leaving the credibility of U.S. deterrence intact. Administration officials believed that if the U.S. did not respond forcefully, Beijing would doubt Washington's commitment to escalating its military activities in a future confrontation, thereby increasing the likelihood of hostilities, and a far more serious U.S.-PRC crisis. The Defense Department explained that Washington needed to communicate its determination that mainland China resolve its differences with Taiwan peacefully. It could not allow the PRC's leaders to conclude that the U.S. had lost interest in this area of the world.³⁵

As Secretary of Defense William Perry later recalled, the United States had to demonstrate the military resolve behind its Taiwan policy. He told a visitor from mainland China

in March 1996 that, "You have underestimated the political will of the U.S. The U.S. has vital national security interests, which these actions threaten. You have not taken adequate consideration of the correlation of forces in the region. The U.S. has more than enough military capability to protect its interests in the region and is prepared to demonstrate that." ³⁶

The Taiwan Strait crisis led to a major modification in the U.S. policy of calculated ambiguity toward cross-strait relations. From 1971 on, Washington had refused to say how it would react in the event of conflict between the two sides of the Strait. That policy was designed to deter without antagonizing Beijing, while simultaneously reassuring Taiwan and discouraging it from reckless actions that might precipitate a cross-strait war. The 1996 crisis showed that the U.S. was prepared and able to defend Taiwan against unprovoked PRC attack.³⁷

Furthermore, expressions of support for the American position by Asian leaders and the guidelines for the U.S.-Japan alliance of September 1997, which called for cooperation to meet "situations in areas surrounding Japan," provided a boost to other countries in the region, including Taiwan. Although Taiwan was not mentioned specifically, there were strong suggestions, fed by comments from the Japanese side, that it could very well be included in such cooperation in the event of conflict with the mainland.³⁸

3. The Three "Nos"

Following the March 1996 crisis, there was widespread recognition in the administration that the U.S.-PRC relationship had been damaged and needed repairing. For Washington, the U.S. priority was to maintain regional stability: the Taiwan issue and the U.S.-PRC relationship should be placed within a larger, comprehensive strategic framework. State Department officials believed that a state-level U.S.-PRC summit could help put the relationship on the right track. In

a November 1996 meeting in Manila, Presidents Clinton and Jiang agreed to exchange state visits in 1997 and 1998.³⁹

When President Jiang paid a visit to the U.S. in October 1997, President Clinton assured him that the U.S.:

- (a) Did not have a "one-China, one-Taiwan" or a "two-China" policy;
- (b) Did not support Taiwanese independence; and
- (c) Did not support Taiwan membership in the UN or in other international organizations requiring sovereignty for membership.

President Clinton's three pledges, which were dubbed the "three nos," were publicly reiterated by him in Shanghai on June 30, 1998. Critics of the president claimed that, while the U.S. had always maintained a "one-China" policy, the "three nos" amounted to adopting the PRC's version of it, thereby representing a significant change in U.S. policy. 40

In response, Congress passed a resolution in July affirming the U.S. commitment to Taiwan's security. The House of Representatives also called on President Clinton to urge mainland China to renounce the use of force against Taiwan. And in a letter to Senator Robert Torricelli, President Clinton affirmed U.S. support for Taiwan's membership in international organizations that do not require statehood, and stated that the U.S. would find appropriate ways for Taiwan's voice to be heard in those that do. President Clinton also reiterated the U.S. commitment to the TRA, and agreed to call on mainland China to renounce the use of force against Taiwan.⁴¹

Soon after the President Clinton's summit visit to mainland China, Chairman Richard Bush of the American Institute in Taiwan went to Taipei to meet the leading figures inside and outside government. In a press conference on July 8, 1998, Bush stated, "President Clinton did not change policy toward Taiwan and did not damage Taiwan's interest. Whatever achievements occurred in U.S.-PRC relations did not have a negative effect on Taiwan. This is not a zero-sum game."

He also emphasized that all of the elements of the U.S. policy before the summit were longstanding and remained in place. These elements were:

- (a) U.S. one-China policy;
- (b) The three communiqués;
- (c) The TRA, including the mandate to provide defense articles to assume Taiwan's sufficient self-defense capacity;
- (d) The so-called three nos are three statements of non-support;
- (e) U.S. abiding interest that the Taiwan issue be settled peacefully;
- (f) U.S. encouragement expressed to both sides that cross-strait dialogue resume;
- (g) The six assurances of 1982; and
- (h) The Taiwan Policy Review of 1994, including support for Taiwan's voice in international organization and membership in organizations for which statehood is not a requirement.⁴²

THE SPECIAL STATE-TO-STATE RELATIONSHIP

1. Major Points

Since most countries in the world recognize Beijing as the sole legal government of China, Taipei worries that political dialogue under the PRC's one-China principle would make Taiwan's future a domestic issue of the PRC. With such an image, it would be more difficult for Taipei to seek foreign protection of and arms sales to Taiwan. On the other hand, if Taiwan can further clarify its independent sovereignty with the concept of "state-to-state relationship," it would not hesitate to open political talks with Beijing. Taipei and Beijing could then discuss any issues on the base of equal state-to-state relationship, including political negotiation and the three links. ⁴³

During an interview with the Voice of Germany (*Deutsche Welle*) on July 9, 1999, President Lee told the interviewer that:

The Republic of China has been a sovereign state since its founding in 1912. Following the establishment of the PRC in 1949, the two sides of the Taiwan Strait have been under divided rule and separate jurisdiction;

The ROC's constitutional amendments in 1991 have designated cross-strait relations as a state-to-state relationship or at least a special state-to-state relationship, rather than an internal relationship between a legitimate government and a renegade group, or between a central government and a local government. The Beijing authorities' characterization of Taiwan as a "renegade province" is historically and legally untrue; and

At present, the ROC has become the first democracy in the Chinese community. We would like to take a more active role in the Chinese mainland's modernization process; therefore, we hope that the authorities there can proceed with democratic reforms to create favorable conditions for democratic unification. This is the direction of our efforts. We want to maintain the status quo, and maintain peace with Beijing on this foundation.⁴⁴

2. The Reactions of Beijing and Washington

President Lee's special state-to-state declaration predictably infuriated the PRC. This declaration was taken by Beijing as a deliberate attempt to strengthen both domestic and international acceptance of Taiwan as a sovereign nation entirely separate from and equal to Beijing and to prevent Lee's successor from pursuing a more accommodating policy toward the mainland.

Beijing responded as its officials at various levels gave the impression that mainland China was considering some form of military action against Taiwan. This prompted heated rhetoric between Beijing and Washington, thus further worsening what had again become, by mid-1999, a tense relationship.⁴⁵

Beijing demanded the United States remain steadfast on the one-China principle, criticized Washington for increasing its arms sales to Taiwan, and linked continuing Straits dialogue to the condition that Taipei withdraws its "two states theory." Beijing also made it clear that if Taiwan further revised its constitution to accommodate the "two states theory," Beijing would regard it as Taiwan's de jure independence and thus resort to military means as the final solution. 46

During July and August, propaganda from Beijing grew shriller, and threats mounted to fold the "rebel province" back into mainland China, even if that meant using force. The PRC held naval exercises in the South China Sea, flew patrols through the area and paraded large armored forces through Beijing in a threatening rehearsal for the massive display on October 1 to mark the fiftieth anniversary of the founding of the PRC. Talk of facing down the U.S. and warnings of the possible beginning of "World War III" filled the air.

At the same time, however, the PRC carefully sounded out the U.S. on its position should conflict break out. Beijing recognized that it was no match for U.S. military power; if anything,

the years since 1996 had shown how far behind the PRC's military was.⁴⁷ In order to avoid the no-win choice of stumbling into conflict with the PRC on the one hand or being seen to abandon a longstanding democratic friend on the other, the Clinton administration sent Assistant Secretary of State Stanley Roth and the National Security Council's Kenneth Lieberthal to Beijing to urge caution and to discourage the use of force.⁴⁸

At the same time, AIT Chairman Richard Bush was sent to Taipei to exchange views with Taiwan's senior officials, and he later issued a departure statement at the CKS International Airport on July 25. Washington's reaction was that its policy toward Taiwan had not changed. In the statement, Chairman Bush said.

The friendship of the American people and the people of Taiwan is rock solid. All the elements of the Administration's policy towards Taiwan remains in place. The United States remains committed to faithful implementation of the Taiwan Relations Act. Most important among the elements of U.S. policy is our abiding interest in the peaceful resolution of the cross-strait issue.

The U.S. has stressed the importance of cross-strait dialogue. It has a simple approach to very complicated issues: steps that promote a reduction in tensions, cross-strait dialogue, and peace and stability in the region are good; steps that result in increased tensions, a freezing of dialogue, and regional instability and conflict are not good. Obviously, progress must occur on a mutually acceptable basis. With regard to the one-China principle, how to specially define it and how to concretely realize it are best left to the two sides of the Strait on a mutually acceptable basis. How to promote cross-strait dialogue, and cooperation is up to the two sides.⁴⁹

When Beijing's rhetoric became more intense, the U.S. seem to feel that it had to take further steps from its own position. On August 13, 1999, Rear-Admiral Timothy Keating, commander of one of the battle groups that had sailed into the Taiwan Strait in 1996, stated that "The PRC will know if they attempt to undertake any kind of operation—whether it's Taiwan or

anything—that they are going to have the U.S. Navy to deal with. We are there in numbers, we are trained, we are ready and we are very powerful." The dangers of a clash rose dramatically. In mid-August, President Lee called for an island-wide missile-defense system, indicating that Taiwan was unwilling to back down. 50

On February 21, 2000, Beijing issued a white paper "The One-China Principle and the Taiwan Question." The 11,000-word document was meant to influence Taiwan's presidential elections, which were to be held on March 18. It is also the first time the PRC's leaders had warned Taiwan that it must move toward setting a date for reunification talks or risk a bloody war in the Formosa Strait. The white paper indicated, "If the Taiwan authorities refused, *sine die*, the peaceful settlement of cross-strait reunification through negotiation, then the PRC will only be forced to adopt all drastic measures possible, including the use of force." ⁵¹

Once again, the U.S. responded firmly and stated that this issue should be resolved by peaceful means alone and with the assent of the people of Taiwan.

CURRENT ISSUES

1. Cross-Strait Dialogue

Insisting on peaceful resolution of differences between the PRC and Taiwan will remain U.S. policy in the future. The U.S. believes that dialogue between the PRC and Taiwan fosters an atmosphere in which tensions are reduced, misperceptions can be clarified, and common ground can be explored.⁵²

One of the most salutary developments during the early 1990s was the beginning of a dialogue between Taiwan's Straits Exchange Foundation (SEF) and the mainland's Association for Relations Across the Taiwan Strait (ARATS). Cancellation of the dialogue in July 1995 aggravated the tensions of the time, for it closed off a channel of communication. In 1998, with the encouragement of the U.S., the two sides resumed the dialogue through the visit of Dr. Ku Chen-fu, chairman of SEF, to Shanghai and Beijing in October of that year. ⁵³

It is clear that cross-strait dialogue becomes more difficult when one side or the other mistrusts the other's intentions. However, dialogue is still the best way to eliminate mistrust. At present, official dialogue between the two sides has been halted due to mainland China's insistence that Taiwan explicitly accept the one-China principle before talks can begin. The inability to find a way to resume cross-strait dialogue exacerbates misunderstandings and misperceptions and makes a further security crisis much more likely.

To use unofficial track-two dialogue to supplement official contacts can have considerable value in clarify issues and dispelling misperceptions. Such dialogue allows a deeper and more direct enlargement with issues and long-term trends. It could also involve broader participation by influential people on both sides, especially the various political parties on

Taiwan. This reflects the fact that, in Asia, track-two dialogue is a well established way of dealing with sensitive issues in a responsible but informal manner, and that broader participation would help build the political base on Taiwan for a redefined relationship with the mainland, whether on an interim basis or on a final arrangement.⁵⁴

In Taiwan, the pros outweigh the cons for an active U.S. role in track-two diplomacy.

Beside providing a sense of security and trust, the presence of an international witness will be a force of mediation and monitoring that Taiwan and mainland China will not slide into emotionalism and get bogged down in the passion of their historical feud, but will instead be able to negotiate pragmatically. Wang Dao-han, chairman of ARATS, has also said that although the cross-strait issue must be settled directly without outside interference, track-two dialogue could be useful because people from the three sides could speak with candor and convey honest views about possible future courses of action. 55

Although the U.S. encourages the cross-strait dialogue, it is not for the U.S. to suggest or dictate a substantive solution to the Taiwan Strait issue. As the U.S. has steadfastly held, Washington will avoid interfering as the two sides pursue peaceful resolution of differences because it is only the participants on both sides of the Strait that can craft the specific solutions which balance their interests while addressing their most pressing concerns.⁵⁶

Why would the U.S. not seek to mediate this dispute? First, the U.S. has acquired some experiences in mediating disputes between the two sides. In the late 1940s, in a vain attempt to head off civil war in China, General George Marshall undertook to effect peace between the Nationalist and Communist parties. That effort failed because neither side possessed the political will to coexist with the other and because each believed that General Marshall was siding with

the other. Today, the circumstances between Taiwan and the PRC are very different, but the Marshall mission remains a useful historical lesson on the dangers of good but naïve intentions.

Second, the test of any negotiated settlement is the commitment of the parties directly concerned to abide by it. That commitment is likely to be higher for a settlement that the parties themselves have negotiated and less in a case in which a mediator is involved and can be blamed for the compliance failures of the other. To be concrete, any arrangements achieved as a result of negotiations between Beijing and Taipei alone are more likely to endure than those facilitated by an American go-between.

Though the situation in the Taiwan Strait is better than it was five years ago, it is still not stable, which is not in anyone's interest. The U.S. hopes that both sides will demonstrate creativity in finding ways to foster more stability and less tension, and to take advantage of the opportunities for cooperation. It is not for the U.S. to suggest or dictate a substantive solution to the Taiwan Strait issue. For the U.S., what is important is how decisions are made, not what those decisions are.⁵⁷

2. Taiwan Security

Since the early 1990s, the focus of the PRC's military strategy has been on preparing for potential military contingencies along mainland China's southeastern flank, especially in the Taiwan Strait and South China Sea. Beijing's military strategy emphasizes acquiring capabilities to counter improvements to Taiwan and other regional military forces, as well as preparing for capabilities the United States might bring to bear in any conflict.⁵⁸

After the 1996 Taiwan Strait confrontation, Beijing concluded that it must acquire the military capability to inflict unacceptable costs on Taipei if it is to deter Taiwan from moving toward de jure independence.⁵⁹ Specific military systems relevant to such capabilities include:

- (a) Large amphibious landing craft, especially those capable of traversing wide, shallow mud flats as are found on the west coast of Taiwan;
- (b) Medium-range fighter / interceptors and attack helicopters;
- (c) Short- and medium-range ballistic missiles;
- (d) Conventional attack submarines;
- (e) Improved C³I (command, control, communications, and intelligence) and carrier detection systems; and
- (f) Long-range, standoff, anti-ship weapons, including cruises missiles and anti-carrier torpedoes. 60

However, this buildup has had a number of consequences, including re-energizing Taiwan's search for unilateral security through theater missile defense and more weapons purchases from the United States.⁶¹

The PRC claims that Taiwan is an inalienable part of China and has reserved the right to use force to unify Taiwan with the mainland if Taiwan declares independence, if Taiwan is occupied by a foreign country, if it acquires nuclear weapons, or if Taiwan indefinitely refuses the peaceful settlement of cross-strait reunification through negotiation. ⁶²

There are nine key events and trends that might trigger a military confrontation:

- Indicators that the PRC was preparing for an invasion of Taiwan
- A decision by Taiwan to develop weapons of mass destruction
- A U.S. decision to sell theater missile defense systems to Taiwan
- A PRC announcement of a timetable for reunification

- Economic meltdown/chaos in mainland China
- A trend towards "creeping independence" for Taiwan
- A trend toward overt American support for Taiwan
- A trend toward increasing "Taiwan identity" and indefinite delay of reunification, and
- Trends in overall military balance across the Taiwan Strait.⁶³

The PRC is relatively weaker than the United States: would Beijing still attack Taiwan despite the risk of U.S. intervention? Four related beliefs or perceptions in some combination could cause the leaders of PRC to use its military power to challenge American interests and, if deemed necessary, to attack American forces in East Asia:

- (a) If mainland Chinese leaders believe that they are backed into a corner and that refraining from force is prohibitively costly to the regime; in such an instance, Beijing's high degree of concern about a particular issue such as Taiwan and its perception that it cares much more about the issue than does Washington might lead Beijing elites to decide to use force despite the risk of American intervention;
- (b) If the PRC leaders believe that they can deter effective U.S. intervention or compel U.S. withdrawal by raising the prospect of casualties or by actually killing or wounding American service personnel, as happened in Somalia in 1994;
- (c) If Beijing's leaders perceive the U.S. military as sufficiently distracted or tied down in other parts of the world that the United States could not or would not take on a belligerent PRC effectively; or
- (d) If mainland Chinese leaders believe that the United States can be separated from its regional allies by political persuasion or military coercion targeted at those allies.⁶⁴

Several red lines that might indicate that a PRC invasion of Taiwan was imminent, include:

• Assembling an armada of fishing boats

- Sabotage or attacks on Taiwan's early warning radar or intelligence collection facilities
- A major logistics buildup opposite Taiwan
- Forward deployment of PRC troops and equipment
- Major improvements in PRC sealift capability, and
- Publication of PRC invasion plans.⁶⁵

It appears that several broad classes of military contingency are possible. First, the PRC could launch an invasion of Taiwan or an offshore island, using amphibious or other sea or air transported forces. Second, Beijing could try to impose a blockade on Taiwan's commerce as a means of coercing political concessions. Third, the PRC could try to coerce Taiwan by means of air or missile strikes on Taiwan's population, military assets, or economic infrastructure.

Associated with each of these options would be some PRC's strategy for avoiding, discouraging, forestalling, or reacting to a possible U.S. intervention on Taiwan's side. 66

If Beijing perceived that war was inevitable, it would attempt to contain and limit the conflict, but fight with sufficient force and tactics to achieve a military solution before outside powers could intervene militarily, and before vital trade and foreign investment were disrupted.⁶⁷ Taiwan must therefore try to avoid vulnerability to a sudden assault whereby mainland China seeks to invade Taiwan or compel its capitulation through massive coercion so quickly that the United States is unable to respond in a meaningful, timely manner.⁶⁸

The United States takes its obligation to assist Taiwan in maintaining a self-defense capability very seriously. This is not only because it is mandated by U.S. law in the TRA, but because it is in U.S. national interests. As long as Taiwan has a capable defense, the environment will be more conducive to peaceful dialogue, and thus the whole region will be more stable. The United States actively monitors the security situation in the Taiwan Strait, and provides articles and services to Taiwan to ensure it can maintain a sufficient self-defense capability. Among the

defensive system Taiwan has acquired from the U.S. in recent years are F-16 fighters, M-60A tanks, and the modified Air Defense System, a Patriot System derivative.

As part of U.S. policy to ensure it provides appropriate defensive capability to Taiwan, the 1994 Taiwan Policy Review expanded U.S. non-hardware programs with Taiwan. These programs focused on such areas as defense planning, air defense, maritime capability, antisubmarine warfare, logistics, joint force integration, and training. These non-hardware programs serve multiple purposes. They allow Taiwan to better integrate newly acquired systems into its inventory and ensure that the equipment Taiwan has can be used to full effectiveness.

These initiatives also provide an avenue for exchanging views on Taiwan's requirements for defense modernization, to include professionalization and organizational issues, and training. Such programs also enhance Taiwan's capacity for making operationally sound and cost-effective acquisition decisions and, more importantly, to use its equipment more effectively for self-defense. 69

The overarching U.S. goal is to avoid any use or threat of force to resolve differences in the Taiwan Strait. Thus, its goals include that the PRC be persuaded against or deterred from attacking or threatening attack; that if a threat is made it is unavailing; and that if an attack is made, it is unsuccessful. In the latter case, the U.S. goal would be that Taiwan should defend itself without outside assistance or, as a fallback, that it defend itself long enough to permit outside assistance, and that the combination of Taiwan and U.S. forces defeat a People's Liberation Army (PLA) attack on Taiwan, should the U.S. decide to intervene.

Moreover, the U.S. has goals associated with the outcome of any conflict, apart from the primary goal of defending Taiwan against unprovoked attack. Washington's commitment to maintaining approximately 100,000 troops to foster stability in East Asia for the foreseeable

future is well known throughout the region. It would want any U.S. intervention to reassure other allies and friends and discourage other aggressions, strengthening or at least not weakening its future military relations in the region. ⁷⁰

3. Theater Missile Defense

Following the Gulf War in which twenty-eight U.S. soldiers were killed by a single Iraqi Scud missile, the U.S. embarked on programs to develop and deploy improved theater missile defenses to protect its forces. The U.S. allies in East Asia, concerned by the growth of longer range, increasingly accurate and lethal theater ballistic missile systems and the threat they pose to their populations, have also expressed an interest in how missile defense might contribute to their self-defense.⁷¹

In July 1998, a congressional panel chaired by former Secretary of Defense Donald Rumsfeld⁷² concluded that the U.S. faced a growing danger from emerging ballistic missile programs in "rogue states" like North Korea, Iran, and Iraq. As if to prove the "Rumsfeld report" correct, just one month later on August 31 North Korea test-fired a Taepo Dong ballistic missile, which overflew Japan. This launch solidified political support for theater missile defense (TMD) to protect American troops abroad, allies and friends and national missile defense (NMD) to defend the U.S. itself.⁷³

On September 20, 1998, the U.S. and Japan issues a joint statement agreeing to closer cooperation on TMD. Four days later, the U.S. House of Representatives passed the 1999 National Defense Authorization Bill, which was accompanied by a conference report asking the Department of Defense to study "the architecture requirements for the establishment and

operation of a theater defense system in the Asia-Pacific" in order to protect key regional allies and friends, including Japan, Taiwan and South Korea. The Senate later on also passed the bill.⁷⁴

Beijing's reaction was fierce. On October 6, 1998, the PRC declared its deep concern and strong opposition, denounced clauses in the bill as being "anti-PRC," and warned that it would be detrimental to the security and stability of Taiwan and the region. Beijing objects to TMD because:

- (a) It could be interpreted by Taipei as a de facto restoration of the mutual defense treaty and as a further source of encouragement to move toward formal independence;⁷⁵
- (b) It would integrate Taiwan into the U.S.-Japan Security Alliance;
- (c) It further elevates the role of Japan in regional security; and
- (d) It signals America's intention to strengthen its military presence in the region and prevent mainland China's emergence as the predominant regional leader. ⁷⁶

The following month, London's *Financial Times* cited a Pentagon report suggesting that Beijing had up to 200 M-9 and M-11 ballistic missiles targeted on Taiwan, which it planned to increase to around 650.⁷⁷

Beijing's fierce reaction to what were still only theoretical proposals adds to concern about its long-term intentions. In the statement that Secretary of State Madeleine Albright made in Beijing in March 1999, she urged the PRC to consider the reactions to its missile deployments and to exercise restraint. Secretary Albright said, "Instead of worrying about a decision that has not been made to deploy defensive technologies that do not yet exist, Beijing should focus its energies on the real source of the problem, the proliferation of missiles, and reduce the perceived need for missiles or missile defense."⁷⁸

In a biannual report issued in August 2000, Taiwan's defense ministry also said that mainland China had stepped up development of missiles in provinces facing the island: the PRC has 400 missiles of various ranges, including intercontinental ballistic missiles in the Dong Feng, or East Wind, series. The number is likely to exceed 600 by the year of 2005.⁷⁹

Continued increases in mainland China missile deployment will complicate U.S. efforts to maintain the peace and stability of the Taiwan Strait. In response, the Department of Defense seeks to provide sufficient defense capability to Taiwan consistent with the requirements and intentions of the Taiwan Relations Act.

The Taiwan Relations Act serves as the basis for the relations between U.S. and Taiwan. The TRA stipulates that the U.S. will make available to Taiwan such weapons as may be necessary to enable Taiwan to maintain a sufficient self-defense capability. The TRA states that "the President and Congress shall determine the nature and quantity of such defense articles and services based solely upon their judgment of the needs of Taiwan, in accordance with procedures established by law." The TRA further asserts that "such determination of the Taiwan's defense needs shall include review by the U.S. military authorities in connection with recommendations to the President and the Congress."

The key geographic feature dominating the architecture requirements and options for the defense of Taiwan against the PRC is the short 110 miles sea barrier between Taiwan and mainland China. Shorter-range missiles could fly over that barrier and remain inside the atmosphere for their entire trajectory. With the size of mainland China, an attack could come from multiple directions. Moreover, the PRC possesses theater ballistic missiles with longer ranges. These features make early warning surveillance for cueing purposes essential for an effective missile defense.

Developments of Taiwan missile defense architecture options were based on short- and medium-range ballistic missile threats that are expected to increase significantly over the next several years. Both missile types have apogees outside the atmosphere. The medium-range missile also has re-entry speed likely to preclude a high probability of intercept by lower tier systems.

There are several levels of missile defenses. Lower tier TMD weapons, such as the Patriot, attempt to intercept shorter-range missiles as they descend toward their targets. Upper tier TMD weapons (now under development) aim to intercept missiles while they are still above the atmosphere, thus protecting wider areas of territory. Current leading upper tier proposals include the land-based Theater High Altitude Area Defense (THAAD) and the Navy Theater Wide (NTW) system, which would be deployed on Aegis destroyers.

Five architecture options were examined for the defense of Taiwan. They are:

- Land-Based Lower Tier
- Sea-Based Lower Tier
- Land-Based Upper Tier / Upper Tier Radar
- Sea-Based Upper Tier / Sea-Based Upper Tier Radar, and
- Sea-Based Fast Upper Tier / Sea-Based Upper Tier Radar.

An analysis was made of the capabilities of the lower tier land-and-sea based architectures.

Against shorter-range theater ballistic missiles, either lower tier system could adequately defend most of Taiwan's critical assets. However, neither architecture can provide any defense against longer-range theater ballistic missiles.

To address the full range of threats, three land-and-sea-based upper tier options were explored. One land-based upper tier fire unit with additional THAAD radar would be able to cover the entire island of Taiwan. This system could intercept incoming missiles both inside the atmosphere (endo-atmosphere) and outside the atmosphere (exo-atmosphere). This architecture

is referred to as an endo-exo option. Either sea-based upper tier exo system could cover all of Taiwan. Only one ship position is required for either sea-based exo upper tier system. The fast exo upper tier system would also provide shoot-look-shoot coverage for portions of Taiwan. 81

Taiwan's most important asset is its ability to maintain air superiority over the Taiwan Strait and thus repel any PRC invasion force. The fear among analysts in the United States and Taiwan is that the mainland may gain the ability to offset Taiwan's air superiority by early, heavy and concerted ballistic and cruise missile attacks on airstrips, the bunkers that house fighter planes, the critical E-2 airborne early warning aircraft, communication nodes, and command and control centers. An effective TMD system might help blunt the PLA's ability to destroy these assets and slow or stop the scrambling of Taiwan's air forces long enough for the PLA to gain air superiority and attempt a fait accompli. Its acquisition could deter Beijing from launching a risky offensive or defend against one if deterrence fails.⁸²

No decisions on deployment have currently been made other than for protecting forward-deployed U.S. forces in the region. Any future decision by Taiwan to develop and deploy advanced missile defenses must take into account a wide range of factors, including foreign policy interests, economic criteria, and domestic concerns. U.S. support for such decisions will be guided by the Taiwan Relations Act and considerations related to Taiwan's security, as well as maintenance of peace and stability in the region. 83

CONCLUSION

In the three communiqués, the U.S. merely acknowledges the Chinese position that there is but one China. It states that how the one-China principle is defined and how concretely it is realized are best left to the two sides of the Taiwan Strait on a mutually acceptable basis.

In his inaugural speech on May 20, 2000, President Chen Shui-bian expressed his confidence in dealing with the question of one-China with Beijing. He pledged that during his term in office, as long as the Chinese Communist Party regime has no intention of using military force against Taiwan, he will not declare independence, change the national title, push forward the inclusion of the so-called state-to-state description in the constitution, or promote a referendum to change the status quo in regards to the question of independence or unification.

Under the same condition, the abolition of the National Unification Council or the Guidelines for National Unification will not be an issue. Moreover, throughout his speech, President Chen mentioned the Republic of China several times, while using either "the mainland" or the "CCP regime" to refer to the People's Republic of China. This could be interpreted symbolically as President Chen having avoided creating a picture of two Chinas, by juxtaposing the ROC and the PRC in his inaugural speech.

Despite President Chen's conciliatory gesture, Beijing still insists that only if Taipei offers a clear commitment that it will adhere to the one-China principle can Straits dialogue be resumed. As for President Chen, he can discuss the one-China principle as an issue with the mainland but can not accept it as a precondition for negotiations; he also indicates that Taiwan's security or dignity must not be harmed. The question of one-China should also be discussed under the principle of democracy and parity.

Beijing's longstanding strategy is to prepare for the day when it might need to use force to resolve the Taiwan issue. This policy is not working. The United States deployment of the two aircraft carrier battle groups has bolstered its strategic position and increased confidence in Washington's commitment to its Asian allies and friends. Following the 1996 confrontation, uncertainty in Beijing over U.S. intentions significantly diminished. The U.S. insists that the Taiwan Strait issue be resolved peacefully. The PRC policymakers must now assume that regardless of the source of a future crisis, the U.S. will almost certainly intervene militarily against the PRC's use of force.

As long as the government of the ROC was able to maintain control over Taiwan, there was no reason for it to renounce its role as the government of a state. The PRC, although it has never governed Taiwan, demands that the ROC relinquish sovereignty over the territory that remains under the ROC's effective control. In failing to comply with the PRC's demand, Beijing has accused Taipei of seeking independence.

Beijing seems to fear that acknowledging the statehood of Taiwan now will preclude unification in the years ahead. However, it is not the statehood of Taiwan that impedes unification but the absence of incentives for Taipei to sacrifice the autonomy it has for what Beijing has to offer.

The PRC must accept the reality of Taiwan's democracy. The Taiwanese public has become an actor in cross-strait relations, and its attitudes are shaped by mainland behavior. On key issues such as sovereignty, Taiwan's role in the international arena, and the use of force, there has emerged a broad public consensus on the island. The public in Taiwan does not appreciate steps taken by the mainland that it perceives as threatening. The missile tests in the Taiwan Strait in 1995 and 1996 and the concerted efforts by the PRC to restrict Taiwan's

international space are among the official actions of the PRC that have eroded whatever possibility there was that Taiwan's residents might have been lured to view unification with the PRC as desirable.

The island-wide consensus is that the governing authorities on Taiwan possess sovereignty. A corollary of that point is that Taiwan deserves a greater international role. The "one country, two systems" model is outdated, particularly given the fact that Hong Kong enjoys fewer freedoms than Taiwan would demand. Beijing needs to create incentives to counteract the negative impressions in Taiwan of the PRC's hostile and authoritarian ways. It should change to relying on incentives rather than threats and recognize the right of the people of Taiwan to choose their own future.

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