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Thunder and Lightning Over Taiwan

by

Martin L. Lasater

The joint communique on 17 August 1982 between the United States and the People's Republic of China over future US arms sales to Taiwan was a carefully crafted document responsible for preventing a likely downgrading of relations between Washington and Beijing. Vaguely worded, the communique enabled Deng Xiaoping to set at rest domestic critics intent on derailing his "socialist modernization" of China and permitted the Reagan administration to continue the two-track objectives of American China policy. These are to improve relations with the People's Republic, or PRC, and to pursue satisfactory resolution of the Taiwan issue.*

These two goals were clearly enunciated by President Ronald Reagan in his statement accompanying the issuance of the communique: "Building a strong and lasting relationship with China has been an important foreign policy goal of four consecutive American administrations. Such a relationship is vital to our long-term national security interests and contributes to stability in East Asia. It is in the national interest of the United States that this important strategic relationship be advanced. This communique will make that possible, consistent with our obligations to the people of Taiwan."

Yet inherent within the communique were a number of minefields over which this or future administrations must tread if the two goals of American foreign policy toward China are to be maintained. A brief examination of these and other potential problems facing Sino-American relations indicate that US policy-makers must remain cautious in their assessment of future cooperation with Beijing. Indeed, maintenance of the status quo may be in the best interests of all parties concerned, but the dynamics of the situation may well be out of the hands of leaders in both Washington and Beijing.

Problems Within the Communique

The most serious obstacles to future cooperative relations between the United States and the PRC center on both countries' policies toward Taiwan. In paragraph 6 of the communique, the United States clearly says that "it does not seek to carry out a long-term policy of arms sales to Taiwan, that its

*The full text of the joint communique can be found at the end of this article.

arms sales to Taiwan will not exceed, either in qualitative or in quantitative terms, the level of those supplied in recent years since the establishment of diplomatic relations between the United States and China [1 January 1979], and that it intends to reduce gradually its sales of arms to Taiwan, leading over a period of time to a final resolution." In presenting the communique to their respective domestic audiences, the United States and the PRC interpreted this and other provisions in a way calculated to best appeal to critics.

Thus, John H. Holdridge, Assistant Secretary of State for East Asian and Pacific Affairs, told the House Committee on Foreign Affairs on 18 August 1982, that limitations on arms sales were premised on Beijing's pursuit of a peaceful solution to the Taiwan issue. Secretary Holdridge said:

"Let me summarize the essence of our understanding on this point: China has announced a fundamental policy of pursuing peaceful means to resolve the long-standing dispute between Taiwan and the Mainland. Having in mind this policy and the consequent reduction in the military threat to Taiwan, we have stated our intention to reduce arms sales to Taiwan gradually, and said that in quantity and quality we would not go beyond levels established since normalization While we have no reason to believe that China's policy will change, an inescapable corollary to these mutually interdependent policies is that should that happen, we will reassess ours."¹

The *People's Daily* editorial on the communique, on the other hand, stated categorically that the level of arms sales could not be linked to a peaceful approach to the Taiwan problem. The official organ said:

"Taiwan is China's territory, and it is purely China's internal affairs as to in what way the Taiwan problem should be resolved. The United States has no right to ask China to make any commitment on the way in which the Taiwan problem should be settled, still less to demand settlement of the Taiwan problem by peaceful means as a precondition to the cessation of U.S. arms sales to Taiwan, since it would constitute an interference in China's internal affairs to do so."²

Further complicating the problem of connecting arms sales to Taiwan to China's peaceful approach to reunification are the English and Chinese versions of the communique, particularly the word "fundamental" used in paragraph 4 to describe China's policy toward Taiwan. President Reagan in his statement emphasized the importance of this word in his decision to sign the document.

"Regarding future U.S. arms sales to Taiwan, our policy, set forth clearly in the communique, is fully consistent with the Taiwan Relations Act. Arms sales will continue in accordance with the Act and with the full expectation that the approach of the Chinese government to the resolution of the Taiwan issue will continue to be peaceful. We attach great significance to the

Chinese statement in the communique regarding China's 'fundamental' policy; and it is clear from our statements that our future actions will be conducted with this peaceful policy fully in mind."

Likewise, Secretary Holdridge in his testimony before the Committee on Foreign Affairs, stressed repeatedly the significance of the Chinese use of the word "fundamental." The Secretary summarized, "as I have previously noted, the communique *contains a strong Chinese statement that its fundamental policy is to seek to resolve the Taiwan question by peaceful means* (Para. 4). In this context, I would point out again that the reference to their 'fundamental' policy carries the connotation in Chinese of 'unchanging and long-term.'"³

Yet, Hungdah Chiu and other Chinese experts in this country have pointed out that in the Chinese version of the text the words "fundamental policy" are referred to as "tazheng fangzhen," which, if translated into English from Beijing's *Handbook on Chinese-English Terms (Hanyin cihui shouce)*, actually mean "major policy" or "guideline."⁴ The differences between "fundamental" and "major" when referring to a nation's foreign policy are considerable.

But perhaps the most dangerous difference glossed over in the communique is the US and PRC respective positions regarding the validity of the Taiwan Relations Act signed by President Carter on 10 April 1979. As we have seen, President Reagan has stated that the communique was "fully consistent with the Taiwan Relations Act" and, further, that US "arms sales will continue in accordance with the Act." Moreover, in testimony before the Senate Subcommittee on Separation of Powers on 27 September 1982, State Department legal advisor Davis R. Robinson told the committee that the communique "is not an international agreement and thus imposes no obligations on either party under international law. Its status under domestic law is that of a statement by the President of a policy which he intends to pursue The Taiwan Relations Act is and will remain the law of the land unless amended by Congress. Nothing in the Joint Communique obligates the President to act in a manner contrary to the Act or, conversely, disables him from fulfilling his responsibilities under it."⁵

The Chinese, on the other hand, take strong exception to the legality of the Taiwan Relations Act and rejected all inferences that it might be linked in some way to the communique. The Foreign Ministry of the PRC in its statement on the joint communique said:

"It must be pointed out that the present Joint Communique is based on the principles embodied in the Joint Communique on the Establishment of Diplomatic Relations between China and the United States and the basic norms guiding international relations and has nothing to do with the 'Taiwan Relations Act' formulated unilaterally by the United States. The 'Taiwan Relations Act' seriously contravenes the principles embodied in the Joint Communique on the Establishment of Diplomatic Relations between the two countries, and the Chinese government has consistently been

opposed to it. All interpretations designed to link the present Joint Communique to the 'Taiwan Relations Act' are in violation of the spirit and substance of this communique and are thus unacceptable."

The *People's Daily* editorial on the communique was even more ominous in its tone. Perhaps presaging a future confrontation over the Taiwan Relations Act, the editorial said:

"It must be pointed out that the fundamental obstacle in the way of the development of Sino-U.S. relations remains to be the Taiwan Relations Act of the United States. This so-called Act entirely contradicts the principles of the Joint Communique on the Establishment of Diplomatic Relations between China and the United States. Should the policy-makers in Washington insist on handling the relations between the two countries according to this internal law, Sino-U.S. relations, instead of being further developed, will certainly face yet another grave crisis."⁶

The PRC's strong objections to the Taiwan Relations Act may well lead to a concerted Chinese effort in the future to repeal or amend the Act. Senator Howard H. Baker, Senate Majority Leader, found during his trip to China in May and June 1982 that Chinese officials were focused, not on arms sales to Taiwan, but rather on the Act as the major obstacle to Sino-American relations. According to Senator Baker, "on a number of occasions, I was asked by Chinese officials whether the Act could be amended."⁷

Should the Act not be changed—and changes would be very difficult given the political emotions surrounding the Taiwan issue in the US Congress—then a very real possibility exists that in the future Beijing may try to force an American president to face squarely the unpleasant dilemma of deciding which of the two aspects of current US China policy is more in American interests: continued friendly and cooperative relations with the PRC, or continued support to our old friends and allies on Taiwan as specified in the Taiwan Relations Act.

This difficult choice might well occur because the Act is specific in its guidelines on US policy toward the security of Taiwan. Section 2(b) (3-6) states that it is the policy of the United States:

"(3) to make clear that the United States decision to establish diplomatic relations with the People's Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means;

"(4) to consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States;

"(5) to provide Taiwan with arms of a defensive character; and

"(6) to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan."

Section 3(a-c) of the same act directs that Taiwan's security should be maintained by the United States through the sale of necessary defensive weapons. Section 3 of the Act states:

“(a) In furtherance of the policy set forth in section 2 of this Act, the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.

“(b) The President and the 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. Such determination of Taiwan's defense needs shall include review by United States military authorities in connection with recommendations to the President and the Congress.

“(c) The President is directed to inform the Congress promptly of any threat to the security or the social or economic system of the people on Taiwan and any danger to the interests of the United States arising therefrom. The President and the Congress shall determine, in accordance with constitutional processes, appropriate action by the United States in response to any such danger.”

Given the explicit language of the Act, a number of possible scenarios might occur over the next 5-15 years which could bring into conflict the policy guidelines established by the Joint Communique of 17 August and the Taiwan Relations Act. Without elaboration or attempt to be exhaustive, these might include:

- a gradual or sudden buildup of the PRC's amphibious capabilities;
- the purchase or development by the PRC of an advanced, all-weather, day-night fighter and its deployment to bases close to the Taiwan Straits;
- the growth and modernization of the People's Liberation Army to a point where Taiwan would be unable to maintain a sufficient self-defense capability without qualitative or quantitative improvements in US arms sales;
- a hardening of Beijing's attitude toward Taiwan by the current leadership;
- a change in Chinese leadership to one more likely to seek a military solution to the Taiwan problem.

Under these circumstances—none of which is unreasonable—the United States would be hard pressed to finesse a policy not in obvious contradiction to either the communique or the Act. Therefore, it appears to be in US interests to support the status quo in our relations with the PRC and the people on Taiwan. In a rational sense, the status quo also appears to be in the interests of the current leadership in Beijing and Taipei, both of which need peace and stability to solve economic and

political problems at home, and a domestic and international environment conducive to an eventual satisfactory settlement of the reunification issue.

External Factors

Reason, however, may not be the controlling influence over future Sino-American relations. Other compelling factors, bureaucratic and strategic for example, may prove to be more important than reason in determining relations between Washington and Beijing. The fact that the communique was vaguely worded in order to enable both governments to "sell" the document to their respective critics indicates that domestic pressures, rather than reasoned statesmanship, may play the final arbiter in future policy decisions over Taiwan.

Deng Xiaoping, who is respected as a pragmatic statesman in Taipei, as well as in Washington and Beijing, stated in the recent Twelfth National Congress of the Chinese Communist Party that the return of Taiwan was one of the three major goals for China during the remainder of this decade. In his words: "To step up socialist modernization, to strive for China's reunification and particularly for the return of Taiwan to the motherland, and to oppose hegemonism and safeguard world peace—these are the three major tasks of our people in the 1980s."⁸

Such a policy statement is a two-edged sword. On the one hand, it is useful as a negotiating strategy to increase pressure on Washington and Taipei to respond favorably to Chinese peace proposals to the Kuomintang. On the other hand, if sufficient progress on reunification has not been made toward the latter part of the decade, then domestic pressures will mount on Deng and his protégés to force the issue. Hardliners within the Chinese bureaucracy can be expected to use the Taiwan issue to oppose the moderates' economic and political strategies. To appease these critics, the Deng faction may well elect to follow a harder line on Taiwan. It should be recalled here that one of the arguments advanced in support of the communique in the United States was that its signing by President Reagan would increase Deng's stature in China at a time when his modernization program was running into significant opposition from domestic critics.⁹ Thus, moderate leaders in Washington and Beijing may find their policy options narrowed in the future as domestic opposition focuses on the Taiwan issue as a political symbol.

Yet another external factor intimately involved with the future of Sino-American relations is the state of Beijing's relations with Moscow. Hu Yaobang in his address to the Twelfth National Congress on 1 September 1982, officially expressed what many observers had been predicting for some time: that China would henceforth pursue a more balanced policy between the superpowers and concentrate on establishing itself as a leader of the Third World.¹⁰ The talks held in October 1982 in

Beijing between Soviet Deputy Foreign Minister Leonid F. Ilyichev and his Chinese counterpart were an indication that both sides sincerely want to ease tensions.¹¹

Whether China and the Soviet Union will be able to resolve some of their major differences—such as the Soviet presence in Mongolia and Afghanistan, and Moscow's assistance to the Vietnamese in their invasion of Kampuchea—is unknown at this time. But more importantly from the US point of view, also unknown are the full implications of a Sino-Soviet thaw on American strategic interests.

As former president Richard Nixon said in *The New York Times* for 11 October 1982, mutual strategic concerns over Soviet policy first drew the United States and China together. He wrote that "the key factor that brought us together 10 years ago was our common concern with the Soviet threat, and our recognition that we had a better chance of containing that threat if we replaced hostility with cooperation between Peking and Washington. This overriding *strategic* concern dominated our dialogue, and our relationship, during the first decade."¹²

This strategic concern still forms much of the bedrock of US relations with the PRC, as evidenced by President Reagan's statement on the 17 August communique that "it is in the national interests of the United States that this important strategic relationship be advanced." Moreover, a great deal of American overseas deployments, intelligence gathering, and covert activities in Southeast and Southwest Asia are undertaken with Sino-American strategic cooperation assumed.

One of the most important unanswered questions of the immediate future is how US security plans must be altered to compensate for the apparent Chinese decision to reduce the level of confrontation with the Soviets. In terms of US policy toward Taiwan, another crucial question needs to be asked: will future American presidents be tempted to withdraw US support from Taipei in an effort to salvage a critical portion of PRC strategic cooperation, or will US leaders determine that further compromise on Taiwan is unnecessary because China no longer can be counted upon to counter Soviet moves in Asia?

Quite obviously, answers to these and similar questions would have a tremendous impact on Sino-American relations. Unfortunately, as we have seen, Sino-Soviet relations and other events beyond the control of the United States may make these alternatives academic.

What We Must Do

For our purposes little would be gained from a further elaboration of problems clouding the horizon of Sino-American relations. Whether one turns to an examination of trade and investment issues, technology transfers, or those involving exchanges of students and dance troupes,

significant differences exist in both the perceptions and interests of the United States and the PRC. The case this spring of the tennis player Hu Na illustrates the point.

Regardless of one's views on specific issues such as Taiwan, friendly, cooperative Sino-American relations are in the US interest. The final determination of the nature of those relations, however, is largely out of American hands. Washington can compromise only so far on Taiwan without violating the Taiwan Relations Act or its own principles. The United States can exercise only limited influence over Sino-Soviet normalization talks. American policy-makers can do little to determine the outcome of bureaucratic maneuvering in Beijing and Moscow. US administrators are themselves subject to the unpredictable outcome of political infighting.

In view of the uncertainties surrounding future Sino-American relations, certain guidelines may be appropriate in our China policy as it relates to Taiwan.

First, the two-track policy of improving relations with the PRC while pursuing a satisfactory resolution of the Taiwan issue should remain in effect. The preservation of the status quo in the Taiwan Strait is in our interests and should be maintained until a peaceful solution is found.

Second, we should exercise caution lest we be manipulated into prematurely upporting a Chinese peace proposal. We must remain neutral on the reunification issue, even though pressures will undoubtedly mount over the next few years for the United States to choose sides.

Third, the maintenance of at least a minimal military deterrence is essential to Taiwan's economic and political stability. This fact should govern our interpretation of the 17 August communique.

Fourth, we need to develop, in close consultation with our allies, contingency security plans in view of the uncertain outcome of the Sino-Soviet normalization talks.

And fifth, we need to determine future negotiating positions with the Chinese. We need never give up something without something being given in exchange. Specifically, we need to determine the US position on PRC requests for foreign aid and security assistance, and to prepare for an onslaught against the Taiwan Relations Act. There is perhaps some room for maneuver on the former issues, but the Act must remain inviolate.

Notes

1. See prepared statement of John H. Holdridge in U.S. Congress, House of Representatives, Committee on Foreign Affairs, *China-Taiwan: United States Policy*, 97th Cong., 2d sess., 18 August 1982, p. 13. Hereafter referred to as *China-Taiwan*.

2. "People's Daily Urges U.S. to Strictly Observe Agreement," Embassy of the People's Republic of China in Washington, D.C., Press Release No. 82/017 (August 17, 1982), p. 9. Hereafter referred to as *PRC Press Release No. 82/017*.

3. *China-Taiwan*, p. 14.

4. Hungdah Chiu, "An Analysis of Certain Problems of the U.S.-China Joint Communique on U.S. Arm Sales to Taiwan (17 August 1982) and the Need to Clarify the U.S. Position on Certain Vital Issues," p. 1, ms.

5. Statement of Davis R. Robinson, Legal Advisor, Department of State, before the Subcommittee on Separation of Powers of the Senate Judiciary Committee, 27 September 1982, pp. 1-2, 4, ms.
 6. *PRC Press Release No. 82/017*, p. 9.
 7. U.S. Congress, Senate, *The United States and China: A Report to the United States Senate by the Senate Majority Leader*, 97th Cong., 2d sess., June 1982, p. 3.
 8. Deng Xiaoping, "Opening Speech, September 1, 1982," *The Twelfth National Congress of the CPC* (Beijing: Foreign Language Press, 1982), p. 4. Hereafter referred to as *Twelfth National Congress*.
 9. See, for example, *The Wall Street Journal*, 20 August 1982, p. 24.
 10. Hu Yaobang, "Create a New Situation in All Fields of Socialist Modernization, September 1, 1982," *Twelfth National Congress*, pp. 54-64.
 11. See, for example, *The Washington Post*, 18 October 1982, p. A19; and *The New York Times*, 18 October 1982, p. A1.
 12. Richard M. Nixon, "America and China: The Next 10 Years," *The New York Times*, 11 October 1982, p. A19.
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United States-China Joint Communiqué of 17 August 1982

1. In the Joint Communiqué on the Establishment of Diplomatic Relations on 1 January 1979, issued by the Government of the United States of America and the Government of the People's Republic of China, the United States of America recognized the Government of the People's Republic of China as the sole legal government of China, and it acknowledged the Chinese position that there is but one China and Taiwan is part of China. Within that context, the two sides agreed that the people of the United States would continue to maintain cultural, commercial, and other unofficial relations with the people of Taiwan. On this basis, relations between the United States and China were normalized.

2. The question of United States arms sales to Taiwan was not settled in the course of negotiations between the two countries on establishing diplomatic relations. The two sides held differing positions, and the Chinese side stated that it would raise the issue again following normalization. Recognizing that this issue would seriously hamper the development of United States-China relations, they have held further discussions on it, during and since the meetings between President Ronald Reagan and Premier Zhao Ziyang and between Secretary of State Alexander M. Haig, Jr., and Vice Premier and Foreign Minister Huang Hua in October 1981.

3. Respect for each other's sovereignty and territorial integrity and non-interference in each other's internal affairs constitute the fundamental principles guiding United States-China relations. These principles were confirmed in the Shanghai Communiqué of 28 February 1972 and reaffirmed in the Joint Communiqué on the Establishment of Diplomatic Relations which came into effect on 1 January 1979. Both sides emphatically state that these principles continue to govern all aspects of their relations.

4. The Chinese government reiterates that the question of Taiwan is China's internal affair. The Message to Compatriots in Taiwan issued by China on 1 January 1979 promulgated a fundamental policy of striving for peaceful reunification of the Motherland. The Nine-Point Proposal put forward by China on 30 September 1981

represented a further major effort under this fundamental policy to strive for a peaceful solution to the Taiwan question.

5. The United States Government attaches great importance to its relations with China, and reiterates that it has no intention of infringing on Chinese sovereignty and territorial integrity, or interfering in China's internal affairs, or pursuing a policy of "two Chinas" or "one China, one Taiwan." The United States Government understands and appreciates the Chinese policy of striving for a peaceful resolution of the Taiwan question as indicated in China's Message to Compatriots in Taiwan issued on 1 January 1979 and the Nine-Point Proposal put forward by China on 30 September 1981. The new situation which has emerged with regard to the Taiwan question also provides favorable conditions for the settlement of United States-China differences over the question of United States arms sales to Taiwan.

6. Having in mind the foregoing statements of both sides, the United States Government states that it does not seek to carry out a long-term policy of arms sales to Taiwan, that its arms sales to Taiwan will not exceed, either in qualitative or in quantitative terms, the level of those supplied in recent years since the establishment of diplomatic relations between the United States and China, and that it intends to reduce gradually its sales of arms to Taiwan, leading over a period of time to a final resolution. In so stating, the United States acknowledges China's consistent position regarding the thorough settlement of this issue.

7. In order to bring about, over a period of time, a final settlement of the question of United States arms sales to Taiwan, which is an issue rooted in history, the two governments will make every effort to adopt measures and create conditions conducive to the thorough settlement of this issue.

8. The development of United States-China relations is not only in the interests of the two peoples but also conducive to peace and stability in the world. The two sides are determined, on the principle of equality and mutual benefit, to strengthen their ties in the economic, cultural, educational, scientific, technological and other fields and make strong, joint efforts for the continued development of relations between the governments and peoples of the United States and China.

9. In order to bring about the healthy development of United States-China relations, maintain world peace and oppose aggression and expansion, the two governments reaffirm the principles agreed on by the two sides in the Shanghai Communique and the Joint Communique on the Establishment of Diplomatic Relations. The two sides will maintain contact and hold appropriate consultations on bilateral and international issues of common interest.

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