

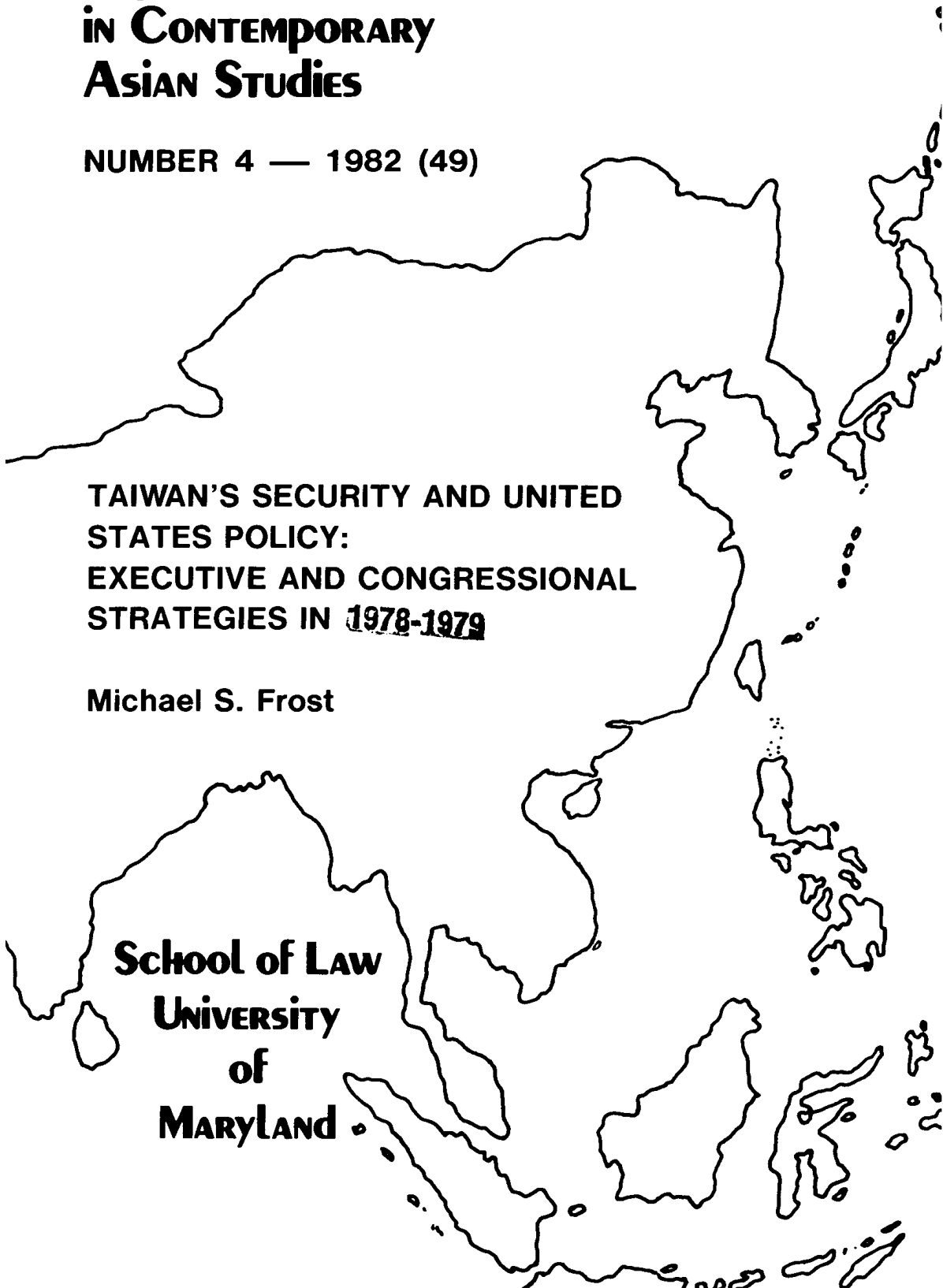
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**TAIWAN'S SECURITY AND UNITED
STATES POLICY:
EXECUTIVE AND CONGRESSIONAL
STRATEGIES IN 1978-1979**

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of
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*By Michael S. Frost**

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This study will look at Presidential and Congressional behavior in United States-Taiwan relations in 1979. Upon formalizing diplomatic relations with the People's Republic of China in December, 1978, President Carter severed diplomatic relations with the Republic of China on Taiwan, terminated the 1954 Mutual Defense Treaty, and imposed a one year moratorium on American arms sales to Taiwan. In so doing, Mr. Carter had reversed the thirty-year long American responsibility for the peace and security of Taiwan.

The first part of this study will examine President

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Carter's policy in this instance and show the negative effect it might have on Taiwan's security and the adverse impact it had on America's credibility as a defense partner. The second part will analyze Congressional response to the "derecognition" of the Republic of China on Taiwan and will look at the steps taken to restore the American commitment existing before 1979.

FROM THE SHANGHAI COMMUNIQUE TO NORMALIZATION

On February 21, 1972, President Nixon, Secretary of State Rogers, and National Security Advisor Henry Kissinger visited the People's Republic of China. It was the first visit by an American president to Communist China and, aside from the earlier Kissinger preparatory visits, the first high level American delegation to visit China since the Communist revolution. At the end of Mr. Nixon's stay the two countries issued the Shanghai Communique.

The Nixon talks with Chinese leaders (including the ailing Chairman Mao) were described as "frank and earnest,"¹ and each side "presented candidly to one another their views on a variety of issues."² One of the issues discussed was the Taiwan question, which the Chinese described as "the crucial question obstructing the normalization of relations between China and the United States."³ The Chinese side reiterated its contention that "the liberation of Taiwan is China's internal affair, in which no other country has a right to interfere."⁴ The Chinese also stated that "all US forces and military installations must be withdrawn from Taiwan."⁵

The United States declared that its troops would be gradually withdrawn "as the tension in the area diminishes."⁶ The American side also stated that it "acknowledges that all Chinese on either side of the Taiwan Strait maintain there is but one China and that Taiwan is part of China. The United States Government does not challenge that position." President Nixon ceded no ground to the Chinese on the Taiwan question. While his administration did not

1. "Joint U.S.-China Communique issued at Changhai, China", in *Of Grave Concern: U.S.-Taiwan Relations on the Threshold of the 1980s* (Washington, D.C.: The Center for Strategic and International Studies, Georgetown University, 1981), p. 46.

2. *Ibid.*

3. *Ibid.*, p. 49.

4. *Ibid.*

5. *Ibid.*

6. *Ibid.*, pp. 49, 50.

challenge the position held by Chinese on both sides of the Taiwan Strait that there is one China and Taiwan is part of China, it did not accept the claim of Communist sovereignty over Taiwan. The fact that the American side did not recognize the Chinese position also left open the possibility for the Chinese people there to choose a German model solution to their future.

The American side specifically avoided discussion of the US-ROC Mutual Defense Treaty. President Nixon was not willing to sacrifice our relationship with Taiwan in order to normalize relations with Peking. Immediately after his visit to Mainland China, Mr. Nixon sent Assistant Secretary of State Marshall Green to Taiwan with a message of reassurance, pledging that "faithfully honoring all our commitments remains a cornerstone of US policy."⁷ Between February, 1972 and the summer of 1974 the Nixon Administration reassured Taiwan fifty-two times that we would honor our commitment to them.⁸

It is not within the scope of this paper to analyze the Nixon Administration's reasoning for standing behind its commitment to Taiwan, but it can be deduced from the Shanghai Communique and other statements that Mr. Nixon understood the ethical and political implications involved in failing to maintain our defense commitment. In his 1971 foreign policy message, President Nixon stated that "(t)he evolution of our dialogue with Peking cannot be at the expense of internal order or our own commitments. Our attitude is public and clear. We will continue to honor our treaty commitments to the security of our Asian allies. An honorable relationship with Peking cannot be constructed at their expense"⁹ Seven years later, Mr. Nixon was to reaffirm this position in a letter to Representative Lester Wolff, Chairman of the House Subcommittee on Asian and Pacific Affairs. Mr. Nixon wrote that while normalization with Peking was important in building a structure of peace in Asia and the world, we must also be concerned with the strength of our international commitments: "at a time when US credibility as a dependable ally and friend is being questioned in a number of countries, it is . . . vitally important that the Taiwan issue be handled in a way which will reassure other nations — whether old friends, new friends, potential friends or wavering friends — that it is safe to rely

7. Hungdah Chiu, "The Taiwan Question in Sino-American Relations", in *China and the Taiwan Issue*, ed. Hungdah Chiu, (New York: Praeger, 1979), p. 180.

8. *Ibid.*

9. *Ibid.*, p. 178.

on America and to be America's friend."¹⁰

From the time Mr. Nixon left office until 1978, very little happened in the way of US-China rapprochement. The Ford Administration was preoccupied with healing domestic wounds and made no real progress in Sino-American relations. All presidents, from Eisenhower to Ford, had insisted that before normalizing relations with the PRC we must be *guaranteed* that the Taiwan issue will be settled peacefully. This was basically the American *sine qua non* up until the Carter Administration.

EXECUTIVE BEHAVIOR

The Carter Administration

Initially, President Carter had not been determined to normalize relations with the People's Republic of China. Committed to "abiding by the principles laid out in the Shanghai Communiqué", the new Carter Administration approached the normalization issue cautiously.¹¹ Four months into his term in office the President had settled on prerequisites for normalization: 1) Peking had to guarantee it would not resort to force to settle the Taiwan issue; 2) the PRC would have to agree to US-Taiwan relations at the liaison level; and 3) , Peking would have to allow a US pledge to Taiwan security.¹² But after one year in office, President Carter compromised on all three of these principles.

On December 15, 1978, President Carter announced that the United States and the People's Republic of China had reached an agreement to establish full diplomatic relations. This announcement was the culmination of an eight year process set in motion by President Nixon. In taking this step, however, the Carter Administration had made several major concessions on long standing US principles regarding Taiwan. Peking had always insisted that in order for the two countries to normalize relations the United States must first: 1) sever diplomatic relations with the Republic of China on Taiwan; 2) withdraw all American troops from Taiwan; and, 3) terminate the 1954 US-ROC Mutual Defense Treaty. The Carter Administration, unlike its predecessors, acquiesced to all three of these demands and went further to gratuitously state that the United States recognizes

10. *Ibid.*, p. 198.

11. Robert Downen, *The Taiwan Pawn in the China Game: Congress to the Rescue* (Washington, D.C.: The Center for Strategic and International Studies, Georgetown University, 1979), p. 20.

12. *Ibid.*, p. 22.

“the People’s Republic of China as the *sole legal government of China*” and “*acknowledges the Chinese position that there is but one China and Taiwan is part of China*” (emphasis added).¹³ The Joint Communique stated that it was within this context that the People of the United States and the People on Taiwan would maintain cultural, commercial, and other unofficial relations. In making these statements the Administration was not only withdrawing diplomatic recognition from Taipei, it was implicitly acknowledging PRC sovereignty over Taiwan. President Carter did not feel his behavior would jeopardize Taiwan’s security because he had stated that the United States has an *interest* in the peaceful resolution of the Taiwan issue and *expects* the issue to be settled peacefully by the Chinese themselves.

Administration Calculus

The Carter Administration did not rest its entire policy merely on its expression of “interest” and “expectation.” President Carter felt that several factors precluded the PRC’s use of force against Taiwan. These were: 1) The PRC has inadequate amphibious capability to mount a successful invasion of Taiwan; 2) Taiwan is heavily fortified, and the PRC would have to pay a high price for its capture; 3) The PRC has to contend with 44 divisions of Soviet troops along its northern border and hostile Vietnamese troops along its southern border; taking troops from these areas would leave the Chinese vulnerable where they can least afford it. Taiwan is less of an irritant to the PRC than the Soviet Union and Vietnam; 4) A PRC attack on Taiwan would reverse the political gains made in the West by the current regime and jeopardize continued US help for China’s modernization¹⁴; 5) The PRC has about 700,000 troops available in regions close to Taiwan. The Administration feels that although Taiwan has only 250,000 troops (excluding the offshore islands), the superior quality of the ROC forces would inflict enough damage on the PLA to make the venture too costly to undertake. To ensure the continued quality of Taiwan’s forces the Administration planned to continue to sell selected weapons to the island for defensive purposes.

In addition to these preclusions of force the Administration be-

13. “Joint Communique on the Establishment of Diplomatic Relations Between the United States of America and the People’s Republic”, in Downen, p. 51.

14. U.S. Congress, Senate, *Taiwan Enabling Act: Report of the Committee on Foreign Relations, United States Senate, S245, 96th Cong., 1st Sess., 1979.*

lieved that other alternatives had a substantial enough drawback that the PRC would forego hostilities. For instance, an economic boycott could be instituted by simply declaring that the PRC will not do business with countries trading with Taiwan. This could backfire on Peking, since some countries have more trade with Taiwan than the Mainland and would be compelled to sever trade relations with the lesser supplier or market.¹⁵

A more forceful approach would be for the PRC to institute a military blockade of Taiwan. Countries which accept the PRC assertion that Taiwan is part of China would adhere to the blockade. The problems for Peking here is that most of Taiwan's trade is shipped in foreign vessels and Peking does not wish to interfere with Western shipping.¹⁶ The Administration asserted that any PRC blockade would be a breach of the normalization agreement and the United States would therefore not honor it.¹⁷

From an American defense standpoint, the new approach to Taiwan security, as proposed by the Administration, would be one of "escalated response".¹⁸ If Taiwan were to be attacked, the United States would escalate its response as aggression against Taiwan escalated. We would, in other words, match tit for tat. In proposing this arrangement the Administration was replacing our previous policy of deterrence with a policy that would require Taiwan to face the risk of external assault before a US response could be formulated.

With regard to US security interests in Taiwan, the Administration's reasoning was that, as articulated by Defense Secretary Brown, "we now confront an Asia much less menacing than it appeared — and was — in the 1950s. when the Russians and Chinese acted in concert."¹⁹ In this view, Taiwan is no longer necessary to the American posture in the region. Deputy Defense Secretary Charles Duncan further enunciated the Administration's new strategic view of Taiwan:

At present our principle security concerns in Northeast Asia are the gradual buildup of Soviet military power and

15. *Ibid.*

16. *Ibid.*

17. U.S. Congress, House, *Taiwan Legislation, Hearings Before the Committee on Foreign Affairs, United States House of Representatives*, 96th Cong., 1st Sess., 1978, p. 17.

18. Ying-mao Kau, "The Security of Taiwan: An Evaluation of the Carter Approach", in U.S. Congress, Senate, *Taiwan: One Year After United States-China Normalization, A Workshop Sponsored by the Committee on Foreign Relations, United States Senate*, 96th Cong., 2nd Sess., 1980, p. 127.

19. *Taiwan Enabling Act*, p. 12.

the residual danger of conflict on the Korean peninsula. In Southeast Asia, we are concerned about developments in Indochina and Vietnam's close association with the USSR, which could lead to the establishment of bases there. US forces on Taiwan would not be well positioned to counter these components of the Soviet threat in Asia. While US bases on Taiwan could be useful for logistics support and refueling purposes, they are certainly not essential for the successful defense of South Korea.²⁰

Secretary Duncan went on to cite Administration plans to strengthen our military deployments in the Western Pacific. Older destroyers will be replaced by newer, more powerful ones. Plans provide for the large deck carriers to be carrying F-14s and E3 AWACS and for updating Air Force material in the Western Pacific. The Administration was also counting on increased ability to inject ground forces into the theatre as we improved our airlift capabilities.²¹

It is clear from all this that the Administration gave extensive thought to our strategic interests in Taiwan. The Carter strategy was to compensate for the loss of military bases on Taiwan by strengthening our mobile forces in the area. In weighing our interests in Taiwan against the perceived benefits of normalization, President Carter came to the conclusion that we could strategically survive without Taiwan. There is no reason to doubt any of the Administration's calculus here. The projected improvements in our Pacific force more than compensate for the withdrawal of our military presence from Taiwan. But strategic considerations should not be the only criteria in such decisions. President Carter failed to understand that the derecognition of Taiwan and the termination of the defense treaty would inevitably raise serious doubts about the credibility of American defense commitments.

Shortcomings of the Carter Strategy

World Opinion

In addressing the House Foreign Affairs Committee, Deputy Secretary of State Warren Christopher asserted that "the worldwide, virtual unanimous reaction has been to applaud our normalization of relations with the People's Republic of China."²² But Representative Mica had very different impressions from our allies:

20. *Ibid.*, pp. 12, 13.

21. *Ibid.*, pp. 13, 14.

22. Hearings Before the Committee on Foreign Affairs, p. 18.

“This Committee just last week had the opportunity of hosting members of the European Parliament and it was near unanimous that this action (derecognition of Taiwan and termination of the Mutual Defense Treaty) had brought great disgust in Europe and further pointed out the distrust for the American people.”²³ Besides disapproving of our treatment of Taiwan, our European allies worried that the Soviet Union might try to compensate for US-China rapprochement by bolstering its European defenses.

In the Asia-Pacific region the Carter Administration’s treatment of Taiwan met with something less than enthusiasm. While it eased Japan’s precarious positioning between Peking and Washington, not everyone in Japan applauded the move. An editorial in the *Japan Times* stated:

[The United States] chose to abrogate its security treaty with Taiwan. Although it is the first of more than forty postwar pacts of a similar nature the US has abandoned in peacetime, it does raise serious questions of American credibility, especially with its allies in this part of the world . . .

The American break with Taiwan has other ramifications in raising doubts among US allies whether they too might become expendable in the future. Despite strong and repeated denials by American officials, the impression remains that the US is gradually retreating from the East Asia region . . .²⁴

Phillipine Foreign Minister Carlos P. Romulo said that the US termination of the defense treaty with Taiwan would further cast doubt on the credibility of US commitments to its allies.²⁵ Israel, too, was said to have been concerned by the ease with which the US abandoned Taiwan. If the United States could drop Taiwan, with whom it had a treaty, how much easier would it be for it to drop Israel, a country with whom it has no treaty?²⁶

Nor did abandoning Taiwan meet with much fanfare at home. A *New York Times*-CBS poll, taken the weekend after the normalization announcement, found that Americans disapproved of closer ties with China at the expense of Taiwan by 45% to 27%. Another *New York Times*-CBS poll taken January 23 to 26, 1979, found that

23. *Ibid.*, pp. 20, 21.

24. Chiu, pp. 196, 197.

25. *Ibid.*, 197.

26. *Ibid.*

a majority of Americans still opposed normalization at Taiwan's expense.²⁷ American disapproval was summed up in the Wall Street Journal:

US acceptance of Peking's claim to rule over Taiwan is no mere confirmation of a 'simple reality', as President Carter described it . . . In trying to minimize the importance of what the US has surrendered for a remarkably low price, the President has aggravated the damage the agreement itself has done to the political credibility of this administration . . .

In return for this recognition (of implicit PRC sovereignty over Taiwan) and withdrawal of the US military alliance with Taiwan, the US has received . . . a statement that Peking has not contradicted US insistence that reunification not be attempted by force. It will be argued by the Administration that Peking can go no further without losing face . . . Perhaps so, but the concern for Chinese face betrays a certain lack of concern for US or Taiwanese face. To whatever degree the charges of a US 'sellout' have meaning in Asia and the world, it will be another in a series of signals that the US has become an unreliable ally in facing up to pressure from politically determined Communist nations. Face indeed is important in politics. It is the task of US administrations to worry about US face.²⁸

The reaction from the Soviet Union, over whom normalization was supposed to gain leverage, was not what the Administration was hoping for. After the announcement of US-PRC normalization, the Soviets quietly cancelled the SALT talks, increased their press attacks on China, and apparently urged Vietnam to launch a large scale invasion of Cambodia to eliminate Chinese influence there.²⁹

The immediate domestic and international reaction was far from the unanimous approval cited by Deputy Secretary of State Christopher, nor did US-China normalization have the desired effect on the Soviets. Although many of those countries that disapproved of the Carter move had diplomatic relations with Peking at the expense of Taipei, none of them had to terminate a security agreement with Taiwan in order to open relations with the PRC.

27. *Ibid.*, p. 196.

28. *Ibid.*, p. 195.

29. *Ibid.*, p. 197.

Long-Term Implications

Besides the immediate political repercussions, there are long term problems which must be considered. In reaching the decision to terminate our Mutual Defense Treaty with Taiwan, the Carter Administration considered Taiwan's *strategic* relevance to the United States; but Taiwan's real importance (aside from ideological or moral considerations) is *political*. If Taiwan were forcefully reunited with the mainland, in disregard of US expectations that the matter be settled peacefully, the blow dealt to our international prestige would be severe. First of all, it could only strengthen the determination of our adversaries in the region, who would feel the US lacks the will to enforce its commitments. Second, it would shake the foundation of faith and reliance upon which our security arrangements are based, having a disintegrative effect on our regional commitments. With no other option open to them, countries once friendly to the United States might seek to improve their relations with China or the Soviet Union or simply be more susceptible to their pressures.

In the Foreign Relations Committee report on normalization, Senator Helms relates a newspaper story of an ambassador from one of the states bordering the Indian Ocean littoral that had asked to be moved to Moscow because "that's where the power is."³⁰ This shows that US credibility as a world power is already eroding. The question to raise is how much more severe would that erosion be if China forcefully reunited Taiwan? One of the primary interests Third World countries have in either of the two superpowers is security protection. Those countries that do not feel they can rely on the United States to protect them from external aggression or Soviet-or-Chinese-inspired internal subversion would be unwilling to incur the wrath of either Peking or Moscow and would find it necessary to distance themselves from the US. While the fall of Taiwan would not necessarily usher in the collapse of other countries in the area, it would cause any government that relies on the United States for its protection to worry. Our allies and friends would trickle away one by one as they could no longer rely on us. It is essential for this *political* reason that the US should have made clear its continued commitment to Taiwan. Taiwan may not be at this time of strategic importance to us, but its loss would be of serious political concern. In the final analysis, political losses (or "disaffections") add up to strategic losses. In President Carter's eagerness to play the "China

30. *Taiwan Enabling Act*, pp. 54, 55.

card", he failed to reasonably assess the possible costs that jeopardizing Taiwan could incur.

Bargaining Failures

In early 1978, it began to appear that a stalemate in negotiations might stall the momentum of normalization.³¹ Memories of the failed Vance mission to Peking in August, 1977 may have strengthened the notion at the White House that China would not budge on the Taiwan issue. The Carter policy toward the Soviet Union was making it imperative that the President be able to use the China card against Moscow. The Administration had been unable to deal with Russian and Cuban adventurism in Africa or to make headway on the SALT negotiations. In order to induce the Soviets to be more cooperative it was felt that some leverage was needed, i.e., the "China card". But to secure this option it was necessary that the Administration relax its insistence on Taiwan's security. So in his negotiations with Peking, Ambassador Woodcock did not even broach the subject of a peaceful resolution to the Taiwan issue.

During the Foreign Relations Committee hearings on normalization, Chairman Church asked Ambassador Woodcock, "(a)t any time during the negotiations . . . was the matter of an express commitment by Peking against the use of force in settling the Taiwan issue posed?" To which Mr. Woodcock replied, "Not by me, Sir. No."³² Since the Ambassador was the chief party negotiating for the United States, no one else could have raised the issue. This question was also asked of Deputy Secretary of State Warren Christopher during the House Foreign Affairs Committee hearings. His response was that "we had been pressing for their (PRC) willingness not to contradict our statement that we felt that the issue regarding Taiwan should be settled peacefully. And it was in this period (mid-December) that they finally indicated a willingness that we could make such a statement and they would not contradict it."³³ Representative Mica asked Mr. Christopher if there was a "written response to this initiative?" Mr. Christopher responded that "this was a negotiation of a diplomatic character that took place between Ambassador Woodcock in Peking and his counterpart there."³⁴ On the issue of arms sales to Taiwan after normalization, Mr. Christopher said that "we had been pressing for the ability to make sales of defense arma-

31. Kau, p. 130.

32. *Taiwan Enabling Act*, p. 51.

33. Hearing Before the Committee of Foreign Affairs, p. 15.

34. *Ibid.*, p. 21.

ments to Taiwan in the postnormalization period after the Mutual Defense Treaty would have expired. This was a very contentious issue and it was only on the 14th of December that our position . . . was finally recognized by the People's Republic of China."³⁵ There was no Chinese acquiescence here, only a *recognition of our position*. Time has shown that the issue of arms sales to Taiwan has remained a contentious one.

A close look at the "concessions" made by Peking shows that they are not concessions at all. First, Leonard Woodcock did not even put forth the heretofore American position that the Taiwan issue must be settled peacefully. When Secretary of State Vance made his trip to Peking and referred to this same issue, the Chinese became emotional and declared that the Vance mission had actually damaged US-China relations. The Carter Administration, stung once, was not willing to let this happen again. Instead, they settled for getting Peking's permission to issue a unilateral statement expressing US concern that the Taiwan issue be settled peacefully. But private Chinese assurances that we could issue such a statement without PRC contradiction proved to be fallacious. Immediately after normalization, the Chinese repeatedly stated that the manner in which China reunited Taiwan with the motherland was strictly an internal affair with which no country had a right to interfere. And on the issue of arms sales to Taiwan, Hua Kuo-feng, at his press conference announcing US-China normalization, called these "strictly not acceptable". In return for terminating our Mutual Defense Treaty with Taiwan, we received no Chinese pledge against force, and we were publicly contradicted on both the peaceful solution and arms issues. Regardless of what private assurances American negotiators may have received from the Chinese, in the event of a future Sino-American conflict over Taiwan, the balance of the legal argument would clearly favor the PRC.

Teng himself said China is in no hurry to reunify Taiwan with the mainland. The Chinese can and will wait 10, 15, 20 years to retake Taiwan. The current leaders in Peking are willing to lay the groundwork now for a course of action to be taken in the future. This is why they were willing to wait for favorable normalization terms before settling down to negotiations. It was only a matter of time before Chinese patience won out and an American president would loosen our commitment to Taiwan. While this did not immediately deliver Taiwan back to the motherland, it was a move in the

35. *Ibid.*

right direction. As the Chinese saying goes, "a journey of a thousand *li* begins with one step."

On the other hand, President Carter rushed the normalization negotiations with Mainland China in order to gain immediate leverage over the USSR. But had the Administration been more reserved, it probably could have received a better deal from Peking. As Senator Helms pointed out during the Congressional hearings, China needs us more than we need them. We do not have to rely on normalized relations with Peking to convince China to hold the Soviets in check. The Chinese loathe the Russians and will serve as an irritant to them whether we have formal relations with Peking or not. Had the Carter Administration gone into negotiations with China in a stronger stance, and not been so eager to consummate a deal, Taiwan's security could have been more assured from the start. The Administration badly wanted to play the China card against the Soviet Union, and so backed itself into a corner on the Taiwan issue. The sense of urgency with which the Administration approached normalization put it in a subservient bargaining position from the beginning and has allowed the PRC to portray the United States as a "world wide eunich" unwilling to stand up for its principles.³⁶

Another flaw in the Administration's bargaining approach was the intentional use of ambiguous wording in the normalization agreement with Peking. The Joint Communiqué stated that the "Government of the United States *acknowledges* the Chinese position that there is but one China and Taiwan is part of China." The Administration contended that it was only taking note of Peking's position and not accepting it. But the PRC purposefully mistranslated the word "acknowledge" as "*cheng-jen*" in the Chinese version of the Communiqué, which in English is more literally translated "recognizes". Because the US did not challenge this wording in the Chinese version it is now possible for the PRC to rely on its version of the Communiqué to claim the US had actually recognized its sovereignty over Taiwan.³⁷ In an attempt to counter criticism, the Administration said that the US adheres only to the English translation.

This sort of intentional obfuscation may suffice under present circumstances, but in the future under different circumstances could be the cause of a US-China conflict. In order to avoid any such difficulties each party's position should leave no room for interpretation

36. James Lilly, "Security Considerations in Taiwan's Future", in *Taiwan: One Year After United States-China Normalization*, p. 138.

37. Chiu, p. 185.

or interpolation by the other party. Given the ROC's popularity in the United States and considering the blow a PRC attack on Taiwan would deal US international credibility, we could not let aggression against Taiwan go unpunished. We would be forced into hostilities with the PRC. The Carter plan, while being ambiguous enough to give the PRC the idea that America is not fully committed to Taiwan's security, does not relieve the US of responsibility for the islands' safety.

The Problem of China's Leadership

There are several questions which complicate the issue of normalization and Taiwan's security. There is first the matter of how trustworthy the Chinese leadership is; a second is the question of the stability of the present regime; and, third, the dubious position held by the Carter Administration that the threat of withholding Western technology will deter Peking from assaulting Taiwan.

Trustworthiness

In normalizing relations with Peking President Carter was not only seeking the short term political gain of the China card, but was hoping to build a long term, mutually beneficial relationship with the People's Republic of China. But it is fairly certain that the Chinese did not have these same intentions, since statements by Chinese leaders consistently referred to the short life expectancy of the new Sino-American relationship. In an address to the 11th National Party Congress, Hua Kuo-feng stated that although both superpowers are "international exploiters and oppressors", the Soviet Union now presents China with the greatest danger since American imperialism is on the wane. China would therefore exploit the "contradictions" between the United States and the Soviet Union to its advantage by temporarily seeking US assistance to offset the threat from the north.³⁸ Two days before the Vance trip the same Communist Party Congress called for the "broadest united front against the hegemonism of the two superpowers, the Soviet Union and the United States."³⁹

Earlier, Keng Piao in his secret talk to the Chinese Politburo had said: "Just let the United States defend us against the influences

38. Edwin K. Snyder, A. James Gregor, Maria Hsia Chang, *The Taiwan Relations Act and the Defense of the Republic of China* (Berkeley: Institute of International Studies, University of California, 1980), p. 95.

39. Downen, *Taiwan Pawn in the China Game*, p. 29.

of Soviet revisionism and guard the coast of the East China Sea so that we can have more strength to deal with the power in the north and engage in state construction. When the time is right, we will candidly say: 'please Uncle Sam, pack up your things and go'.⁴⁰ These and other duplicitous statements by high ranking Chinese officials make it clear that the Communists do not see the bright future for US-China relations that President Carter did. Such Chinese behavior illustrates the tenuousness of the new relationship. There still exist between the United States and the PRC deep economic, political, and strategic differences which promise to someday rupture the entente that now exists. When this breakdown does occur we can be certain that the Communist Chinese will become more aggressive on the Taiwan issue.

Stability

Another weakness of the Carter strategy is the stability of the current government in Peking. Should the Four Modernizations fail and China's economy suffer serious problems, the moderates now in power would most likely be purged and replaced by Maoist personalities.⁴¹ A leftist leadership on the mainland would be less tolerant of Taiwan and less concerned about US sensibilities. A return to the radicalism of the Mao era, combined with the weakening of Taiwan's defenses, would place Taiwan in a precarious position.

Even if Teng's program is moderately successful, he will have to ensure a "pragmatist" line of succession. Many of the Chinese bureaucrats now in office are there by the graces of Mao Tse-tung and are not supporters of Teng's policies. It will be necessary for a strong leadership to follow Teng in order to ensure a softer line on Taiwan. This will require routing Maoists out of the bureaucracy, particularly the People's Liberation Army.

There is also the question of "gerentocracy". Teng and all his senior colleagues are in their seventies and have little time left to put China on a "moderate" path. Although Teng is now grooming his successors to take the reins of power, there is no assurance that they will be able to repel leftist encroachment, or that faced with economic crisis would not themselves adopt a more radical approach. China's political life over the past three decades has displayed a consistent pendulum swing between leftist and rightist "deviation" every

40. Chiu, p. 194.

41. Kau, p. 128.

few years.⁴² Given the instability that appears almost endemic to the Chinese Communist system it is safe to assume that it is only a matter of time before leftists return to power.

The "Trade Carrot"

Teng's "Four Modernizations" program is reliant on technological modernization. More and more of this technology comes from Japan and the US, the countries that have shown the greatest concern over Taiwan's future. Any PRC attack against Taiwan would supposedly jeopardize China's access to this valuable trade and destabilize the modernization program that keeps Teng in power. But there is no reason to believe that an economic dependence on and friendship with Japan and the US would prevent China from attacking Taiwan. As Edwin Snyder has pointed out, the Communist Chinese were prepared to undercut their relationship with the Soviet Union, upon whom they depended so heavily, partly because of the Russian failure to support them on the Taiwan issue.⁴³ It is doubtful that Japan and the US can hold any more sway over the Chinese than did the Russians.

There is also the issue of allied support. If the PRC ever attacks Taiwan, could we be sure that our allies would join in trade sanctions? Their failures in this respect during both the Iranian and Polish crises do not leave one with a great sense of faith in their cooperation. It does not seem likely that either Japan or European allies would join us in sanctions against China if it attacks Taiwan. US sanctions alone would be worthless.

This aside, China is not entirely reliant on the West for technology. Even today the PRC trades with the USSR and the East bloc countries.⁴⁴ The fact that China has diversified its trading partners limits its liability in the event of a technological embargo by the West. Furthermore, the degree of China's new technological reliance on the West and Japan is not as substantial as it is made to seem. Although China has paid great lip service to its military "shopping sprees" it is really quite cautious in the way it spends its money. The PRC military budget is currently only \$11 billion and has been cut twice in the last two years, most recently by twenty two percent. So, out of necessity the Chinese are limited as to what they can buy. The PRC, it has been said, is interested in buying "one of

42. *Ibid.* p. 132.

43. Snyder, pp. 32, 33.

44. Kau, p. 132.

this and one of that". This strategy enables them to copy and build on foreign technology and avoid developing a dependence on foreign sources of technology.

In recent years, technical institutions on the mainland have flourished and the number of Chinese students studying abroad has greatly increased. It will not be long before China has a technological infrastructure capable of producing the hardware it now must import. So, holding out Western trade — particularly technology — may work in the short run but is of doubtful utility in the long run.

Another problem with using the "trade carrot" is that once the Chinese economy is invigorated the potential market for Western goods could grow appreciably. As this market grows, so too does American reliance on the market.⁴⁵ It is possible that eventually Mainland China could be a more substantial US trading partner than Taiwan (at present, our eighth largest). Future administrations would take into account the loss in trade that would occur if the US were to embargo China in the event of a PRC attack on Taiwan. Encouraging US-PRC trade, then, may inflate the mainland's importance to the United States and, conversely, reduce Taiwan's importance.

Taiwan's Defense

The Issue of Deterrence

The most essential aspect of Taiwan's relationship with the United States was its deterrent effect vis-a-vis the mainland. Up until December, 1978 Peking had to worry that its aggression against Taiwan would be met with American military retaliation. But the severance of US-ROC diplomatic relations, the termination of the 1954 Mutual Defense Treaty, the withdrawal of remaining US troops from Taiwan, and the one year moratorium imposed on US arms sales to Taiwan all seriously undermined the deterrence the ROC had maintained against the mainland.

Deterrence involves manipulating an opponent's behavior by employing the threat of force as a response to his first use of force.⁴⁶ For some opponents fear is the key element. For others it is a rational assessment of costs and gains. And for still others uncertainty and risk are important elements.⁴⁷ As will be shown in the section

45. *Ibid.*

46. Patrick A. Morgan, *Deterrence: A Conceptual Analysis*, (Beverly Hills and London: Sage, 1977), p. 9.

47. *Ibid.*, p. 22.

on military comparison, the only deterrence now employable by the ROC is that of *costs and gains*: the mainland might be able to subdue Taiwan but only at a prohibitive cost. Prior to December, 1978 Taiwan also employed the *deterrence of fear* over the mainland. The 1954 Defense Treaty and American troops stationed on the island signalled to Peking that the United States was willing to come to Taiwan's defense. The PRC had to seriously consider that an attack against Taiwan would not only be costly in terms of personnel and equipment, but that it would be fruitless and possibly even counter-productive. As Barry Blechman and Stephen Kaplan point out, deterrence is substantially more successful when the defender and the defended have a treaty (as opposed to some lesser commitment).⁴⁸ When President Carter severed diplomatic relations and terminated the defense treaty with Taipei, he removed the deterrent of American retaliation as a response to PRC aggression against Taiwan.

Here a distinction must be drawn between "general deterrence" and "immediate deterrence".⁴⁹ The latter concerns the relationship between opposing states where one side is considering attack while the other is mounting a threat of retaliation in an effort to prevent it.⁵⁰ Immediate deterrence, then, is designed to forestall an (in most cases) impending attack. On the other hand, a general deterrence concerns opponents who maintain armed forces to regulate their relationship, although neither is planning an attack.⁵¹ General deterrence is constantly in place and designed with the recognition that an attack by the opponent might one day occur, this awareness is coupled with the desire to make the necessary military preparations for immediate deterrence at that time.⁵² General deterrence is practiced in the hope of avoiding immediate deterrence. With the exception of the Taiwan Strait crisis of 1958, it was a general deterrence that the US-ROC relationship had established over the PRC.⁵³

In the US-PRC normalization announcement, President Carter carefully avoided tying Taiwan's security to United States security interests. The Carter Administration had replaced the explicit assurance of the Mutual Defense Treaty with the calculated ambiguity of

48. Barry M. Blechman and Stephen S. Kaplan, *Force Without War*, (Washington, D.C.: Brookings, 1978), p. 114.

49. Morgan, p. 28.

50. *Ibid.*

51. *Ibid.*, p. 38.

52. *Ibid.*, p. 42.

53. See Article 5, paragraph 1, of the 1954 Mutual Defense Treaty between the United States and Republic of China cited in note 54 *infra* with accompanying text.

the normalization announcement. In 1954 the United States and the ROC agreed that "(e)ach Party recognizes that an armed attack in the West Pacific Area directed against the territories of either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes."⁵⁴ This very clearly laid down the military and defense aspect of the US relationship with Taiwan. But in 1978, this commitment was replaced by vague statements regarding our expectation and interest in the peaceful resolution of the Taiwan issue. When the PRC contradicted the Administration as to the method of reunification, the President did not clarify or redefine his position. The idea that the President's non-committal statements would provide any deterrent effect upon the PRC is unsubstantiated. Commitments must be clearly stated and appropriately signalled to the potential aggressor. When asked if the US had any particular contingencies in the event of a PRC attack on Taiwan, Deputy Secretary of State Christopher was unable to present any but merely said that an attack on Taiwan was "extremely unlikely".⁵⁵ This type of behavior is a textbook case of future deterrence failure. Alexander George and Richard Smoke point out that in cases like this the defender has employed signals to convey his commitment that are overly general, incomplete, misleading, or in some way inadequate.⁵⁶ The Carter Administration did not adequately signal to the Communist Chinese the extent of the American commitment to Taiwan. In fact, the Carter Administration consistently failed to make clear to Peking the extent to which Taiwan's security *is* a concern to the United States. It had instead tried to distance itself from Taiwan. It has been pointed out that a sophisticated opponent will judge the extent of a commitment by analyzing the defender's fundamental interests (i.e., strategic, political, economic, and ideological) in the country in question and thereby determine the nature and magnitude of that commitment. Rhetoric and other signaling devices the defender may employ will not have much credibility in the opponent's analysis.⁵⁷ The Carter Administration, however, did not even attempt to establish a *rhetorical* commitment to Taiwan. Administrative bargaining behavior and normalization concessions to Peking

54. Article 5, paragraph 1, of the 1954 Mutual Defense Treaty between the United States and the Republic of China.

55. Hearings Before the Committee on Foreign Affairs, p. 130.

56. Alexander George and Richard Smoke, *Deterrence in American Foreign Policy: Theory and Practice* (New York and London: Columbia University Press, 1974), p. 562.

57. George and Smoke, pp. 560, 561.

gave the impression that the US was disengaging its strategic and political interests in Taiwan. In the future, this perception on the part of mainland authorities could provide the basis for a calculus of attack. Such an attack would almost necessarily bring the US and China into confrontation because it is the sense of the American people and the Congress that we remain committed to the defense of Taiwan.*

For deterrence and signaling to be effective, it is important that United States interests be clearly involved in the country in question.⁵⁸ In reality, US strategic, political, and economic interests are linked to the security of Taiwan. For the United States to sit by passively while the PRC forcefully takes over the islands would be tantamount to American divestment of its international defense commitments, because one's behavior in a particular situation will effect the way one is perceived by future opponents as well as current opponents and allies. The details of a particular situation are less important than the fact that one's reputation is on the line.⁵⁹ It has already been shown that the termination of the Mutual Defense Treaty caused our allies in the region to doubt the credibility of our commitments. However, if the PRC ever successfully undermined any aspect of our security network (i.e., Taiwan), the rest of it could disintegrate very quickly. Edwin Snyder has written that "(a)t the moment, the Japanese are attempting to maintain a balance between Communist China and the United States. Should the PRC accede to the control of Taiwan, the result could only be a decided Japanese tilt toward the PRC. In the past, Japanese — American relations have always been perceived as the axis for stability in the Pacific. A significant Japanese tilt toward the PRC would signal a change for all the nations in the region. In such an environment the PRC would enjoy increased political and diplomatic leverage — not necessarily to the advantage of the United States."⁶⁰

Summation

Expressions of Presidential concerns and ambiguous policies with regard to Taiwan's security do not replace the *modus operandi* necessary for successful deterrence. What is *essential* is the successful communication to any potential aggressor that there exists an *ad-*

* See sections on US public opinion and Congressional behavior.

58. *Ibid.*, p. 560.

59. Morgan, p. 59.

60. Snyder, p. 93.

equate deterrence commitment.⁶¹ An effective deterrent must be in place, be easily employed⁶², and applicable to the specific level and type of aggression.⁶³ A posture of general deterrence requires a state to have either a substantial commitment from a defending power or sufficient armed forces to defend itself.⁶⁴ Either the United States must clearly enunciate a commitment to Taiwan's security, or it must see to it that Taiwan's military is adequately equipped. Since President Carter has discontinued the direct application of American force for ROC security, the United States is obliged to see that Taiwan has access to the defensive arms it requires.

ROC-PRC Military Comparison

Currently, the PRC armed forces number about 3.9 million ground forces, 490,000 air force personnel, and a navy of about 360,000.⁶⁵ The People's Liberation Army Air Force (PLAAF) has approximately 4500 fighter-interceptor aircraft of the MiG17 and MiG19 varieties.⁶⁶ The Chinese navy has about 500 regular naval craft capable of serving in a sealift capacity and 700 other coastal vessels that can be used for "boatpack" waves of amphibious assault.⁶⁷

Taiwan, by contrast, has 250,000 troops (excluding the offshore islands). The Republic of China Air Command (ROCAC) deploys about 316 combat aircraft: 90 F100A/E (Sabre) and 165 F5A/E (Tiger) aircraft, three interceptor squadrons with 44 F104G (Starfighter) aircraft, 8 F104G for reconnaissance, 9 S2A/E (Tracker) for rescue and anti-submarine functions, and 120 helicopters.⁶⁸ In all, the PRC enjoys a 10 to 1 superiority over the ROC in terms of personnel and all categories of major military equipment.⁶⁹ The PRC has the largest land army and the third largest airforce in the world.⁷⁰

But there are constraints on the PLA preventing it from attacking Taiwan. Although it has sea vessels capable of amphibious functions, they would probably not be able to cross the turbulent waters

61. George and Smoke, p. 562.

62. Morgan, p. 40.

63. George and Smoke, p. 562.

64. Morgan, p. 40.

65. Snyder, p. 27.

66. *Ibid.*, p. 26.

67. *Ibid.*, p. 27.

68. *Ibid.*, p. 26.

69. *Ibid.*

70. *Ibid.*

of the Taiwan Strait without sustaining great losses. Those troops that make it to Taiwan's west coast would be met with heavy artillery and gunfire. Again, the losses would be substantial. Second, the PRC may have a numerically superior airforce but not one that is qualitatively superior. The MiGs flown by the PLAAF are models of 15-year old American and Russian aircraft and would not fare well against the more modern ROCAC craft. The only figures available (from 1958) show a ROCAC/PLAAF air kill ratio of 15.5 to 1.⁷¹ Further, medium and light bombers attacking Taiwan at medium and high altitudes would suffer serious attrition due to ROC anti-aircraft measures.⁷² Also, the PLA is planning a reduction in force of about 800,000, or approximately 15% of their total troop strength. It is unlikely that the PLA would reduce force levels along its northern or southern borders, so the cuts would have to come from the interior and coastal military sectors. The PRC has about 700,000 troops in military districts near Taiwan which could possibly be affected by a force reduction.

Even with the PRC's military constraints, it still poses a very real threat to Taiwan's security. In 1979, Vice Admiral Edwin Snyder concluded that despite its shortcomings, and disregarding the high price it would pay in men and materiel, the PLA could neutralize Taiwan's airforce in two to three weeks.⁷³ The elimination of ROCAC would enable the PLAAF to cripple the island's defense against landing forces by enabling it to concentrate on Taiwan's shore defenses. The mainland airforce would still have to face ROC surface to air missiles, but these would pose less of a problem than ROCAC's air superiority.

A calculation of PRC/ROC military capabilities must be done with a future time frame in mind. The mainland has reduced its defense spending twice in the past two years and has been concentrating on economic development. The idea behind this strategy is that only after China has developed a strong industrial infrastructure can there be adequate modernization of the PLA. The current plan calls for emphasis on agriculture and light industry, which in turn will lay the base for development of heavy industry.⁷⁴ A sound industrial infrastructure would be capable of sustaining a military industrial complex large enough to supply the PLA. The long term

71. *Ibid.*, p. 27.

72. *Ibid.*, p. 29.

73. *Taiwan Enabling Act*, Report of the Committee on Foreign Relations.

74. Xia Zhen, "A New Economic Strategy for Economic Development," *Beijing Review* (August 10, 1981).

effects of this strategy are given added dimension when coupled with the new American, Japanese, and European attitude toward selling the PRC technology with military applications as well as military equipment. Currently, Rolls Royce is co-producing Spey jet engines with the Chinese and an American firm is selling the PRC Cyber computers with missile applications. The real threat to Taiwan's security, then, will not come in a year or two, but some time in the future when the mainland can adequately arm the PLA for a successful offensive against the island. There is no definite time-frame for this, but it has been suggested that the PRC could achieve this capability by 1985 or 1987.⁷⁵

At present, Taiwan's defenses are capable of inflicting severe enough damage on the PLA to deter an attack, but this deterrence capability must be maintained in order to avoid a future ROC/PRC conflict. With each substantial improvement in the PLA there must be a corresponding improvement in Taiwan's military. The United States has supplied over ninety-five per cent of Taiwan's military equipment, and an adverse change in this relationship would require ROC forces to reequip at great time and expense.⁷⁶ It is therefore incumbent upon the US to see that Taiwan has an adequate defense capability. Should America fail to properly supply Taiwan's military the ROC could be forced to do business with countries hostile to the United States, most notably the Soviet Union. Taiwan would of necessity have to seek arms from outside sources since it could not divert funds to develop the necessary military industrial complex without harming its continued economic prosperity.

The Carter Administration had not done well in the area of arms sales to Taiwan. Immediately following US-PRC normalization President Carter imposed a one year moratorium on arms sales to Taiwan, thereby creating a gap in ROC defense planning that will add to its difficulty in keeping ahead of the mainland. In addition, when the State Department finally made up its mind about what type of aircraft Taiwan could purchase, it restricted the sales to the F-5E and prohibited the sale of the more advanced F-4, F-16, and F-18 fighters.⁷⁷ The effect of President Carter's behavior is psychologically and politically damaging for Taiwan. The fact that the Administration acquiesced on this issue showed Taiwan and all America's Asia-Pacific allies the lengths it was willing to go to in order to

75. Allen Whiting, "Taiwan's Security Prospects", in *Taiwan: One Year After United States-China Normalization*, p. 151.

76. Kau, p. 133.

77. Downen, *Taiwan Pawn in the China Game*, p. 36.

please Communist China. It also casts doubts over the availability of future arms sales to Taiwan. If US-PRC relations were to become especially close the Carter Administration or its successors might be reluctant to jeopardize the relationship by continuing arms sales to Taiwan. This would be particularly so if the United States attempted a strategic relationship with the People's Republic against the Soviet Union.

Insufficiently arming the ROC might initiate the process toward the development of nuclear capability on Taiwan.⁷⁸ The ROC has been developing the technological capacity to produce missiles with a 960 kilometer range, capable of hitting Canton, Foochow, Shanghai, Nanking and other major industrial and population centers on the mainland.⁷⁹ Furthermore, Taiwan has a ready supplier of nuclear fuel in South Africa. The presence of nuclear weapons on both sides of the Taiwan Strait would be destabilizing to the region and would make it difficult for the US to maintain its current leverage over Taipei.⁸⁰

CONGRESSIONAL BEHAVIOR

Several issues shaped the atmosphere in which normalization and the Taiwan issue were debated in Congress. The secrecy of the negotiations between the Administration and the People's Republic of China, the weak US bargaining posture in negotiations on the Taiwan issue, and the Administration's failure to adequately state the continued American concern for Taiwan's safety were all factors contributing to the hostile reception the Administration's Taiwan legislation received on Capitol Hill.

Secrecy of Negotiations

Even before President Carter announced the normalization of US-China relations, Congress acted to ensure Taiwan's safety. On July 20, 1978, Senators Bob Dole (R Kansas) and Richard Stone (D Florida) along with 18 Senate cosponsors proposed an amendment

78. Snyder, p. 88.

79. James Hsiung, "The Security of Taiwan and U.S. Policy", in *Taiwan: One Year After United States-China Normalization*, p. 126.

80. *Ibid.* The "abandonment" of Taiwan has reduced US leverage over Taipei. Once, US agents literally walked into Chungshan Institute of Research and Technology and smashed its facilities suspected of having been used for developing nuclear weapons. Since the severance of diplomatic and defense relations with Taipei, the United States no longer has the "authority" to perpetrate this type of arrogant act. Future ROC nuclear research will not be as vulnerable to American pressure.

to the 1979 Security Assistance bill. The Dole-Stone Amendment required the Executive to confer with the Senate before it took any action effecting the continuation in force of the 1954 Mutual Defense Treaty. This amendment was unanimously adopted by a vote of 94 to 0.

The joint Senate-House committee changed the wording to include Congress as a whole in the consultation, rather than just the Senate. President Carter signed the bill into law on September 26, 1978. It was then the sense of Congress that it was to be consulted before any change in our defense relationship with the Republic of China.

Shortly after the passage of the Security Assistance Act, Senator Goldwater and twenty-four cosponsors proposed Senate Concurrent Resolution 109, which stated that "the President should not unilaterally take any action which has the effect of abrogation or otherwise affecting the validity (of the US-Taiwan and other defense treaties) without the advice and consent of the Senate, which was involved in initial ratification, or the approval of both Houses of Congress." This Resolution was submitted too late in the session for consideration, but the large number of cosponsors — one fourth of the Senate — clearly shows the concern of many Senators that US defense commitments, like the one with Taiwan, should not be determined solely by the President.⁸¹

Congress did get the prior consultation it demanded in the Security Assistance Act. Less than three hours before President Carter was to go on national television to announce the normalization of US-China relations, he summoned a handful of Congressmen to the White House to inform them of the news. Thus, Congress got its prior consultation and the President was in *technical* compliance with the 1979 Security Assistance Act. But the way in which consultation was carried out — with no chance for Congress to consider the issue — was contradictory to the *spirit* of the Act. This approach engendered animosity on Capitol Hill.

There are several reasons why the President did not confer with Congress before normalizing relations with the PRC. Mr. Carter had felt that open Congressional debate on US-China normalization might not only raise issues that would offend Communist Chinese sensibilities, but could jeopardize the goal of normalization. Congress would have been adamant on the issue of Taiwan's security, and the President knew the Chinese would never accept Congress-

81. Downen, *Taiwan Pawn in the China Game*, p. 33.

sional terms for normalization. Also, open debate would have removed the surprise element President Carter had hoped to use against the Soviets (i.e., shocking them into cooperation). Furthermore, President Carter had had prior consultation with Congress on the Panama Canal Treaties and found that it opened a Pandora's box of bargaining, politicking, and opposition, as well as raised the ire of Congressional conservatives. Determined to avoid a repeat of that experience, the President decided to limit his conferral with Congress on normalization and the Taiwan issue.⁸²

It is standard procedure for the State Department to keep members of the foreign relations committees abreast of developments in foreign policy, particularly if the administration is planning a major policy shift. The Carter Administration had been keeping relevant committee members informed for two years on US-China relations but had stopped the consultation sometime just prior to the normalization breakthrough in mid-December of 1978. December is a month when members of Congress go home to do constituent work, and the Administration appears to have counted on this as an excuse to avoid consultation. But in December, 1978, the members of the House Foreign Affairs Committee were in Washington, so the President could have — and in the eyes of Congress, should have — consulted with these committee members before finally accepting Peking's conditions for normalization.⁸³ In fact, the Administration may have even attempted to deceive Congress on the state of the Sino-American talks. Clement Zablocki, Chairman of the House Foreign Affairs Committee, pointed out to Warren Christopher during the committee hearings on normalization that when he last spoke to Secretary Vance, he was told the issue of normalization was "on a back burner".⁸⁴ It is clear from this that the President and the State Department had attempted to keep Congress in the dark.

Senator Goldwater, angered by the President's flagrant disregard of Congressional concern for Taiwan, said that "(w)hat the President did was bad enough. But the way he did it was even worse."⁸⁵ President Carter had only given ROC President Chiang seven hours notice of the termination of diplomatic and security relations between his country and the United States and gave Congress only three hours notice. Senator Goldwater and others felt that the

82. *Ibid.*, p. 29.

83. Hearings Before the Committee on Foreign Affairs, pp. 19, 20.

84. *Ibid.*

85. United States Congressional Record (Washington, D.C.: U.S. Government Printing Office, 1979), p. S219.

President's move — aside from being ethically questionable — was unconstitutional and filed suit in the Supreme Court contesting the action. Their reasoning was that since a treaty requires Senate approval to be enacted, it must naturally take Senate approval to terminate it. Other Senators and Representatives felt that President Carter was establishing a bad precedent. Recent years had seen presidents evading the "advise and consent" requirement by implementing executive agreements, rather than treaties, with other countries. These agreements require no Senate approval. Now, in the opinion of some, the President was attempting to usurp more Congressional power by taking it upon himself to terminate a treaty.⁸⁶

In an effort to counter criticism of the administration, Senator Kennedy said he was "personally convinced that the President had full authority to take the action he did . . ."⁸⁷ But it was Mr. Kennedy whom the White House had chosen to test domestic receptivity to normalization. His approval in this matter, then, is not surprising. Senator Claiborne Pell took a more substantive look at the consultation issue and felt Senator Goldwater's assertions of executive unconstitutionality were unfounded: "I am troubled by the arguments of some of my colleagues that since a treaty requires ratification to come into effect, an argument could be made that the same process would be required to terminate it. I did not find any reference . . . in the *Federalist* for such a conclusion."⁸⁸ These observations were to be reiterated by the Supreme Court, which after hearing the case filed by Senator Goldwater, issued an opinion upholding the President's right to terminate treaties without Congressional approval.

Reaction to Administration Bargaining Failures

Among Republicans, the Administration's bargaining failures on the Taiwan issue with Peking were a particular irritant. Since the days of the Chinese revolution, the Nationalist government has enjoyed strong support among Republicans.⁸⁹ The Truman Administration had "lost China" to Communism, and now the Carter Administration was "abandoning Taiwan" without a fight. Republicans in Congress were angered over the obsequious behavior of the

86. Hearings Before the Committee on Foreign Affairs, p. 25.

87. Congressional Record, p. S2596.

88. U.S. Congress. Senate, *Taiwan: Hearings Before the Committee on Foreign Relations*, 96th Cong., 1st Session, p. 94.

89. For discussions of Republican support for the Nationalist Chinese Government see Ralph Clough, *Island China* and Michael Schaller, *The United States and China in the Twentieth Century*.

American negotiating team and its failure to even broach the topic of a Chinese pledge not to use force to settle the Taiwan issue. Senator Humphrey of New Hampshire was perhaps the most outspoken of the Administration's critics in the Senate. Mr. Humphrey asked, "(w)ho made all the concessions? We did. I suggest that haste has botched up this thing. President Carter made a very poor deal, which stinks to high heavens."⁹⁰ On the House side, Representative Goldwater was highly critical of the Administration's bargaining failures: "Why did the United States come out of the negotiations with nothing and the People's Republic of China with everything? . . . (China) wanted us to break the defense treaty — they got it. Red China wanted us to remove our troops (from Taiwan) — they got it."^{91*}

In contrast, the Democrats were relatively silent on these issues. This was not a sign of lack of concern for Taiwan, but rather a show of solidarity with the President. The substantive issue of Taiwan's security could be dealt with in a more subdued fashion. The job of Congressional Democrats was to stave off Republican attempts to compromise the President's new China policy while instituting safeguards for Taiwan's security.

The Substantive Issue of Taiwan's Security

The prior consultation and negotiation issues on Taiwan's security were presented to Congress as *faits accomplis*. It is impossible to say what security safeguards Congress would have insisted on had the President conferred with it before normalizing relations with the People's Republic of China. Instead, the Congress was presented with the President's withdrawal of the US security guarantee from Taiwan and had to construct a credible deterrence commitment to replace the 1954 Mutual Defense Treaty.

On January 26, 1979, the White House sent to Congress the Taiwan Omnibus Bill, which outlined our new relationship with Taiwan. Essentially, it was a copy of the Japanese formula: laws that apply to foreign nations would apply to Taiwan, US government employees could take "leaves of absence" to work at the "unofficial" American Institute in Taiwan without losing employment or retirement benefits, and the Institute was to be under the jurisdiction of

90. Congressional Record, p. S2567.

91. Congressional Record, p. H1284.

* Representative Goldwater is a Republican from California and should not be confused with his father, Senator Barry Goldwater from Arizona.

the Secretary of State. There was no mention of US concern for Taiwan security. The bill was purely administrative. The Administration felt its expressed concern for Taiwan's security, coupled with the political and military constraints on the PRC, would be adequate to deter mainland aggression.

Members of Congress were aware of the serious implications the President's sudden policy change had for our credibility as a defense partner. Senator DeConcini believed the President's behavior toward Taiwan "denuded" United States' credibility, and felt it would invite our opponents to test our resolve.⁹² Representative Rudd declared that it was necessary for Congress to ensure continued US military and economic support for the Republic of China if the United States was to retain world-wide confidence in our commitment to freedom.⁹³ Some in Congress felt that withdrawing our share of Taiwan's deterrence against the mainland might encourage the Communists to improve their armed forces and challenge the Republic of China.⁹⁴ It was deemed important to maintain the military status quo across the Taiwan Strait and see to it that Taiwan has an adequate defense capability.⁹⁵ The subjugation of Taiwan would not only destabilize the region politically, it would jeopardize important sea lanes and remove a vital link in the strategic island chain (i.e., Japan, Ruyuku, Taiwan, and the Phillipines) that hems in the Asiatic rimlands.⁹⁶

Congress did not agree with the President's approach to Taiwan's security and preferred to develop a policy based on clear deterrence. Members of Congress contended that unless our resolve and commitment were stated formally and explicitly, United States credibility would be doubted by adversaries and friends alike. Worse still, the ambiguity of American policy could prove to be fertile ground for future PRC aggression against Taiwan. Senator DeConcini expressed the prevailing sentiment of the Senate when he said, "it is imperative that the US Congress clarify its resolve not to tolerate the use of force (against Taiwan), and to continue to honor, in essence, our commitment . . ."⁹⁷

There was no question in Congress that the United States needed to reinstate a deterrence commitment to Taiwan's security.

92. *Ibid.*

93. Congressional Record, p. H408.

94. Congressional Record, p. S2488.

95. Congressional Record, p. H408.

96. *Ibid.*, p. H1285.

97. Congressional Record, p. S210.

Initially, Senator Javits had submitted an amendment in the Foreign Relations Committee which stated that an attack on Taiwan would be "a common danger to the peace and security of the people of Taiwan and the United States in the Western Pacific." The original Javits amendment pledged US action to protect American interests in the region. Senator Church had initially posed no objections to this language but after talking with the President, concluded that it was unacceptable and suggested a revision that would not contradict the spirit of the new US-PRC arrangement. This revision was necessitated by White House insistence that the President would veto any security language he deemed to be too strong.⁹⁸ Essentially, the Administration wanted to let Congress have its security clause for the Omnibus legislation, but the language could not commit the US to the degree the 1954 Defense Treaty had, nor could the bill pledge American intervention in a Taiwan-PRC conflict.

It was necessary, then, to phrase American commitment in such a way that it did not *directly* link United States and Taiwan security. The final security clause came to be known as the Church-Javits Amendment and was actually a combination of House Foreign Affairs Committee markup language and a softened version of the initial Javits Amendment. It stated concern for Taiwan's security but did so in a way that left US response flexible to any future aggression. The amendment, as it appeared in the Taiwan Relations Act stated:

It is the policy of the United States —

- (1) To preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan
. . . .
- (2) To declare that peace and stability in the area are in the political, security, and economic interests of the United States, and are matters of international concern;
- (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 boycotts and embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States;

98. Downen, *Taiwan Pawn in the China Game*, pp. 44, 45.

- (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 of Taiwan.

This amendment covered the deterrence criteria established earlier by setting out United States' economic, ideological, political, and strategic interests in Taiwan. It did not *directly* link Taiwan and United States security, as was stressed in the earlier Javits Amendment, but stated that any resort to force against Taiwan would be of *grave concern* to the United States, and further stated that we retain the capacity to resist force or any forms of coercion applied against Taiwan. The amendment also pledged the United States to provide Taiwan with defensive arms.

Since the Church-Javits Amendment was developed and approved in committee, it was easier for the Democratic majority to reject the more strongly worded security amendments. Other amendments were offered to enhance Taiwan's defenses and the officiality of its representation in the United States, such as the one submitted by Senator Percy which stated that "(i)t is the policy of the United States to consider any effort to resolve the Taiwan issue by other than peaceful means a threat to the peace and security of the Western Pacific and to the security of the United States." This amendment sought to actively link Taiwan and US security. As with the initial Javits Amendment, the Percy language was unacceptable to the President. The amendment was defeated by the efforts of Senator Church and the lobbying of Vice President Mondale and Warren Christopher.⁹⁹ The absence of this amendment was compensated for by Paragraphs 2 through 6 of Section Two of the final version of the bill.

In the postnormalization period, the United States was to have relations with "the people *on* Taiwan." President Carter had insisted on this language because it signified the unofficial nature of the relationship. In response to this, Senator Stone offered an amendment defining the "people on Taiwan" as including "the governing authorities on Taiwan, recognized by the United States prior to January 1, 1979 as the Republic of China; its agencies, instrumentalities, and political subdivisions; and the people governed by it in the islands of Taiwan and the Pescadores." The acceptance of this

99. *Ibid.*, p. 47.

amendment by the Foreign Relations Committee reinforced the legitimacy of the Government of the Republic of China by acknowledging its existence after US-PRC normalization. The officiality of the ROC Government was further strengthened by the Boren Amendment, which stipulated that the PRC could not take possession of ROC properties in the United States.

Senator Hollings offered an amendment which stated that nothing in the Taiwan Relations Act should "be construed as a basis for supporting the exclusion or expulsion of the people of Taiwan from continued membership in any international financial institution or any other international organization." This amendment secured US approval for Taiwan's participation in the activities of the World Bank and similar institutions that are vital to its economic well being. A concern of many Senators was that Taiwan might be economically blackmailed by the PRC or countries doing business with the PRC. One form of this blackmail would be to cut Taiwan off from sources of loans which might be necessary to its economy. The Hollings Amendment made it clear that our new relationship with Taiwan should not be interpreted as an acceptance of such a situation. Furthermore, by allowing Taiwan to participate in major international organizations the amendment enhanced Taiwan's international personality.

Representative Lagomarsino offered a parallel amendment to the Boren Amendment, which protected Taiwan's diplomatic property in the United States. He also offered an amendment stating if Taiwan were attacked by the mainland the United States should consider withdrawing diplomatic recognition of the People's Republic of China. This amendment was rejected by the House because it would have jeopardized White House acceptance of the legislation.

The initial Taiwan Omnibus legislation left the ROC's security uncertain. Congress acted swiftly to amend the bill with a security guarantee that would leave no room for interpretation by the PRC. As seen above, the bill spells out very clearly that any military attack or economic coercion against Taiwan would be a threat to the security of the Western Pacific and of grave concern to the United States. The bill also makes clear to the PRC that normalization of relations is reliant on their good behavior.

Congressional amendment of the President's Taiwan Omnibus Bill resulted, for all intents and purposes, in a new piece of legislation. The Omnibus legislation was an administrative outline defining the new approach the United States would take in its relations with a "derecognized" Taiwan. Congressional action transformed

this bill into a statement of continued American commitment to Taiwan's peace and security. US concern was clearly stated, the option of retaliation was left open in the event of a future PRC attack on Taiwan, and access to American military equipment was pledged for Taiwan. Since Congress sought to reinforce Taiwan's political stature in the postnormalization period, and attempted to create an adequate deterrence vis-a-vis the PRC, the logical question to ask is whether these objectives have been achieved?

Taiwan's independent political status needed bolstering to counter PRC claims of sovereignty over the islands. By defining the "people on Taiwan" as including the government and its organs, and by allowing the ROC to keep its diplomatic property in the United States, Congress implicitly acknowledged the legitimacy of the Nationalist Government. This countered President Carter's implied recognition of PRC sovereignty over Taiwan. Therefore, the United States would not consider mainland aggression against Taiwan a simple internal Chinese matter. Congress has thus effectively reinforced Taiwan's stature in the wake of its derecognition.

Did Congress adequately restore a credible deterrence to Taiwan's defenses? It would be helpful to review the deterrence criteria set out earlier: first, the defender's interests must be clearly engaged in the country in question; second, the defender must possess a credible retaliatory capability and must communicate to the potential aggressor the will to use it; third, the defended country should possess an adequate defense capability (i.e., one capable of inflicting prohibitive damages on the aggressor).

Section two of the Taiwan Relations Act very clearly stated that American political and economic interests are engaged in the peaceful existence of Taiwan and that aggression against Taiwan would be of grave concern to the United States. It can be said that Congress adequately fulfilled the communication requirement by enunciating American interests in Taiwan. In regard to the second criterion, no one doubts the capacity of the United States to retaliate when its interests are threatened. In the Taiwan Relations Act, Congress specifically left open the option of retaliation against Mainland China if it attacks Taiwan (Section 2; Paragraph 6). President Carter's removal of the "fear element" in ROC deterrence had been effectively countered. The PRC once again had to worry about an adverse American response to its aggression. US commitment and capability have been properly signalled to Peking.

Congress attempted to rectify any adverse effect President Carter's actions might have had on Taiwan's general deterrence. Al-

though the Administration pledged to continue the sale of defensive arms to Taiwan, immediately following the normalization announcement the President imposed a one-year moratorium on these sales. Section Two, Paragraph Five of the Taiwan Relations Act signalled to both Peking and Taipei the American commitment to continue to supply the ROC military. In order to ensure the proper implementation of the Taiwan Relations Act, the House-Senate conference committee established a regular review process to be carried out by the foreign relations committees.

THE KOREAN PARALLEL

A Case Study in Deterrence and Signaling Failure

In order to put the possible ramifications of President Carter's action into perspective it will be helpful to employ a historical parallel. An examination of the Korean parallel will also highlight the wisdom of Congressional steps taken to uphold and restate the continuing American commitment to the defense of Taiwan. President Carter's severance of US-ROC diplomatic relations, his termination of the 1954 Mutual Defense Treaty, and his failure to clearly enunciate the continuing American commitment to Taiwan combined to produce the impression that the United States was distancing itself from Taiwan. The President's signaling failure here bears close resemblance to President Truman's similar failure with regard to the Republic of Korea. The Korean case, with its parallel to the Taiwan situation, shows how failure by the United States to construct an adequate general deterrence led to the necessity of implementing an immediate deterrence in order to avoid a serious political setback. The result of this inadequacy was US involvement in full-scale war.

It was Secretary of State Dean Acheson who spelled out the Truman Administration's defense policy in Asia in his now-famous "defense perimeter" speech to the National Press Club on January 12, 1950. The imaginary line, known as the defense perimeter, started at the Phillipines, went through the Ruyuku Archipelago, back through Japan through the Alleutian Island chain to Alaska. There was no mention of Taiwan or the Korean peninsula.

When a question was raised about a possible Communist attack on South Korea (in light of recent border incursions from the North) Acheson responded, "Should such an attack occur . . . the initial reliance must be on the people attacked to resist it and then upon the commitment of the entire civilized world under the charter of the

United Nations . . ."¹⁰⁰ Secretary Acheson had — intentionally or unintentionally — established a distance between the security of South Korea and the security interests of the United States. No American or substantial South Korean deterrent was in place on the peninsula and the Truman Administration had failed to supply even a rhetorical commitment to South Korea's security. The signal transmitted to Moscow and Pyongyang could only have been that Korea was not of strategic or political value to the United States.

The Truman Administration did consider stability on the Korean peninsula to be important. Acheson recalls in his memoirs that a stable Korea was considered important to the security of Japan. But the Administration relied on *implicit policy* to maintain the security of a country that did not have top US priority. South Korea was not seen as of great strategic importance, since it was believed that any future hostilities would be generated from the Soviet Union, which did not have military strength in East Asia.¹⁰¹ US policy makers took it for granted that since we occupied Japan the rest of the non-communist area would fall under de facto US protection.¹⁰² Truman's commitment to Korea, like Carter's commitment to Taiwan, rested on the *assumption* that our stakes in the area were clear, but it was not articulated that an attack against South Korea would be considered a threat to US interests in the region. This oversight led both the Soviet Union and North Korea to assume our interests in the South were minimal. Given such a perception on the part of our adversaries, the attack on South Korea really should not have surprised anyone.

Thirty years ago, South Korean President Singhman Rhee stated, "what is important is the policy of the United States toward the security of Korea. What I want is a statement by President Truman that the United States would consider an attack against South Korea to be the same as an attack against itself."¹⁰³ These same words could have been spoken by President Chiang in 1979 and have been equally as potent. The Carter Administration's implicit acknowledgement of PRC sovereignty over Taiwan, its termination of the 1954 Mutual Defense Treaty, and its failure to provide for Taiwan's security in the Taiwan Omnibus Bill would appear to be clear signals to Peking that the ROC is fair game. Yet, Mr. Carter

100. Dean Acheson, *Present At the Creation; My Years in the State Department*, (New York: Norton, 1969), p. 405.

101. George and Smoke, p. 146.

102. Acheson, p. 405.

103. George and Smoke, p. 141.

stated that he expects the issue to be settled peacefully and gave ambiguous indications as to what US reactions would be should the Mainland attack Taiwan. Such mixed signals can only serve to confuse the PRC and work to undermine the necessary communication of our commitment to Taiwan's security.

Another similarity between the Korean and Taiwan cases is that both US policies were developed narrowly to cover the situation of the day. Truman saw the US as militarily stronger in Asia (having a large force in Japan) and therefore assumed the Soviet Union would not undertake any adventures. Perhaps more importantly, he counted on Soviet preoccupation with Europe to deflect any interests they might have in East Asia. In this same fashion, President Carter has assumed that China will be forever militarily inadequate and preoccupied with its northern and southern borders. In both the Korean and Taiwan cases there seems to have been the assumption of a stable situation. But as Alexander George and Richard Smoke point out, judgments regarding the value of a small country to its defender are difficult to make when the calculus is not based on static strategic considerations, but on variables which change over time.¹⁰⁴ Although a fairly stable situation now exists across the Strait, this may not always be the case. Under the Carter strategy, we would relax our defense of Taiwan expecting the Mainland to remain indefinitely in its north-south bind and also forever careful not to offend American sensibilities by attacking Taiwan. These assumptions do not take into consideration another pendulum-like policy change by the PRC or changes in regional politics. Should Vietnam move away from the Soviet Union, the PRC's sense of encirclement would be relaxed, opening the possibility of a China-Vietnam dialogue. Beyond this, any significant change in the Chinese balance-of-power equation might encourage the PRC to undertake an invasion of Taiwan — should they acquire the necessary air and amphibious capability (a not unimaginable possibility). An attack could be carried out using the 700,000 troops the PRC has stationed across from Taiwan. No troops would have to be withdrawn from northern or southern positions.

Of one thing we can be fairly certain: if the PRC were to attack Taiwan, it would come with no warning. If the mainland made preliminary jabs at the islands, it would alert those interested parties in the United States of the impending PRC action. China, like North Korea in 1950, would choose a quick strike approach which would

104. *Ibid.*, p. 149.

seek to destroy the Taipei government in one massive attack, thereby denying the United States the time to organize an effective flow of military equipment to Taiwan.¹⁰⁵ This approach is what has been referred to as the "fait accompli strategy", which may be the most rational way to initiate an effort to alter the status quo when the initiator believes that a strong potential defending power has written off the country in question altogether or has made what appears to be a decision to limit aid to military and economic assistance and diplomatic support. An all out effort by the aggressor to achieve his objectives quickly confronts the potential defender with a fait accompli, leaving him little or no chance to reconsider and reverse his policy of non-involvement. For the aggressor, this fait accompli strategy may very well seem the least risky way under these circumstances to change the status quo.¹⁰⁶

Whereas the Truman Administration had no deterrence in place in South Korea, the Carter Administration *withdrew* the deterrence in place on Taiwan. The net result of both actions was increased vulnerability for the countries in question. The Truman Administration failed to include the Republic of Korea in its defense perimeter. The Carter Administration purposefully excluded Taiwan from its security interests. In each case the weakness and susceptibility of the country was signalled to its opponent. The fruit of President Truman's actions was American involvement in the Korean War. President Carter's actions never bore fruit because of the preemptive steps taken by Congress to adequately arm Taiwan and properly signal to Peking the continued American commitment.

CONCLUSION

On December 15, 1978, President Carter severed diplomatic and defense relations with the Republic of China on Taiwan. In so doing he removed the US deterrence that had been employed by the ROC against the mainland. Following the US-China normalization agreement — which implicitly recognized Peking's sovereignty over Taiwan — the Administration further instituted a one year moratorium on arms sales to Taiwan. This undoubtedly caused disruptions in ROC defense planning and *general deterrence*, as well as cast doubt on the future availability of military equipment for Taiwan.

The President's action toward Taiwan had negative political ramifications throughout the world, hurting United States credibility

105. *Ibid.*, p. 537.

106. *Ibid.*

as a defense partner. American stature as a world power was dealt a blow by the ease with which President Carter gave in to all of China's preconditions for normalization. The failure to guarantee a peaceful resolution to the Taiwan issue showed the extent to which Mr. Carter would go to placate the Chinese.

It was left up to Congress to strengthen both Taiwan's deterrence capability and to restore credibility to American defense commitments generally. The new American relationship with the People's Republic of China should not be conducted at the expense of Taiwan. Congress made certain that the commitment to Taiwan was carried over into the postnormalization period by inserting the security clause in the Taiwan Relations Act. As Senator Church stated, "(a) strong unilateral statement was included in the bill giving full recognition to the continuing responsibility the committee felt this country owed the people on Taiwan."¹⁰⁷ By Peking's reaction to the Act, it is safe to say the commitment was successfully signalled. On March 16, 1979, Foreign Minister Huang Hua told Ambassador Woodcock that the legislation passed by Congress was "unacceptable" to China and would do "great harm" to the new Sino-American relationship. Particularly troublesome to the Chinese were the security clause, restoring a semblance of Taiwan's sovereignty, and the outcome of the diplomatic properties question.¹⁰⁸

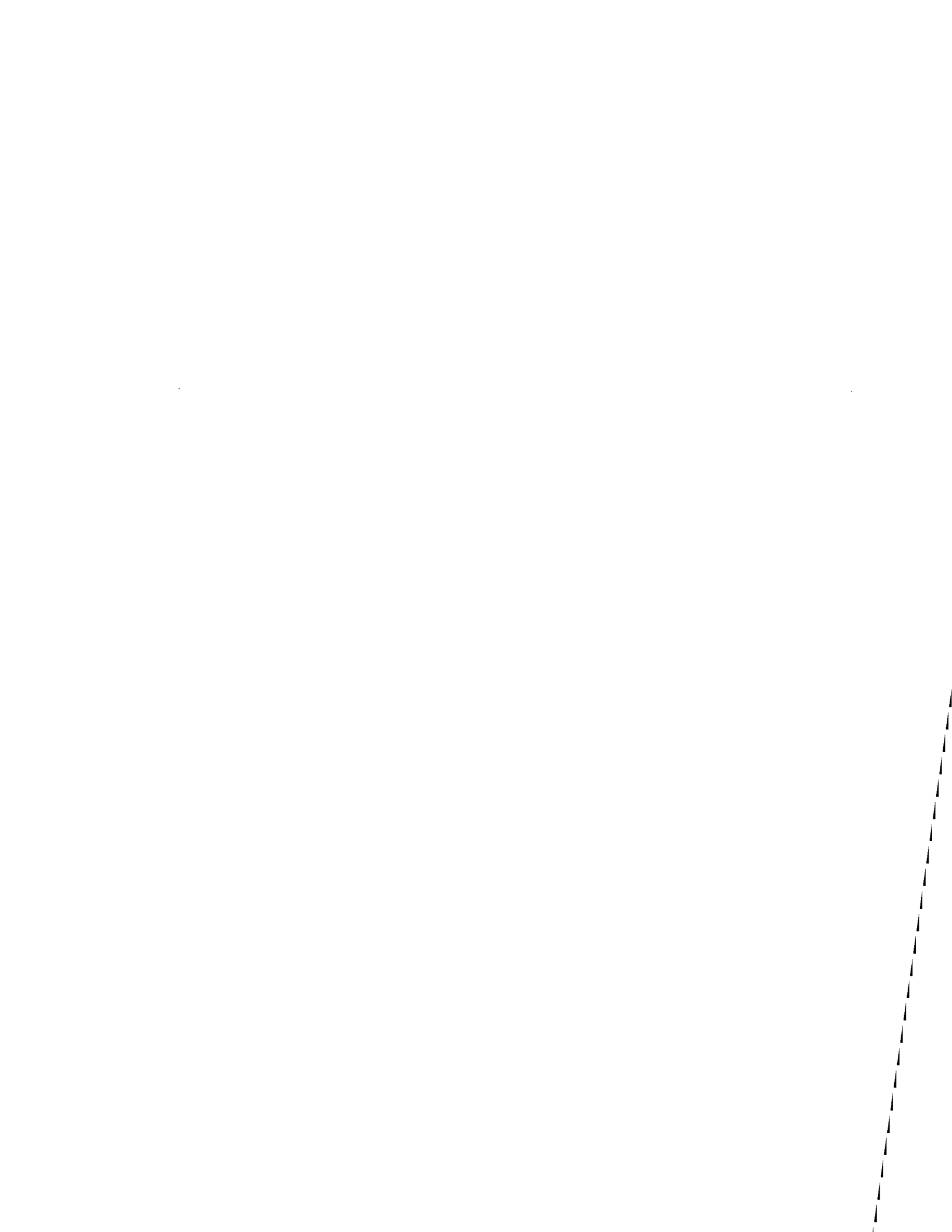
However, the Taiwan Relations Act is not as strong a commitment as it might at first seem. Although Congress has mandated that Taiwan should have access to American defense equipment, it lacks the authority to guarantee or initiate arms sales. Currently, Congress has only a negative power in this area. It can veto by concurrent resolution arms sales to foreign countries, but it cannot implement sales. The power to initiate (or more correctly, to remove obstacles) resides in the executive branch. In the final analysis, then, the accessibility to American military equipment is controlled by the president. However, future administrations might not be as reluctant to allow arms sales to Taiwan as was the Carter Administration.

Another weakness of the Act is that it does not *guarantee* American retaliation against mainland aggression but only states that force or coercion against Taiwan would be of grave concern to the United States. Treaties generally leave a "modus fodeiris", vaguely defined to enable one of the parties, or the guaranteeing power, a way out of the agreement. This "back door" is especially evident in

107. Congressional Record, p. S2597.

108. Downen, *Taiwan Pawn in the China Game*, p. 49.

the Taiwan Relations Act, which is a US law, not an international treaty. It does not legally obligate the United States to do anything for Taiwan. Although the Act is not a treaty, it does have the force of law and full support of Congress, has effectively signalled US commitment to Taiwan to all interested parties, and has the enthusiastic endorsement of the new president, Ronald Reagan. Under present circumstances, the Taiwan Relations Act can for all practical purposes function as a treaty to insure the security of Taiwan.



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