

# Formosa China and the United Nations Formosa in the World Community

Whitney T. Perkins

Follow this and additional works at: <http://scholarship.law.cornell.edu/clr>

 Part of the [Law Commons](#)

---

### Recommended Citation

Whitney T. Perkins, *Formosa China and the United Nations Formosa in the World Community*, 54 Cornell L. Rev. 153 (1968)  
Available at: <http://scholarship.law.cornell.edu/clr/vol54/iss1/11>

This Article is brought to you for free and open access by the Journals at Scholarship@Cornell Law: A Digital Repository. It has been accepted for inclusion in Cornell Law Review by an authorized administrator of Scholarship@Cornell Law: A Digital Repository. For more information, please contact [jmp8@cornell.edu](mailto:jmp8@cornell.edu).

**Formosa, China, and the United Nations: Formosa in the World Community.** LUNG-CHU CHEN AND HAROLD D. LASSWELL. New York: St. Martin's Press. 1967. Pp. 428. \$8.95.

Works that are authored or co-authored by Harold D. Lasswell, Myres S. McDougal, or one of their associates have predictable features. In attempting to develop and apply "policy sciences" by "mobilizing all available knowledge" in "exploring, inventing, and evaluating alternative courses of action" toward the "ultimate goal" of "a world community of human dignity,"<sup>1</sup> they place every topic in the same broad context. Each subject is examined with reference to "the potential values and community policies at stake, the contemporary community expectations and the context of world conditions, and the probable course of future development."<sup>2</sup> The variable is the particularity of the topic. The more this particularity can be freed from the moorings of history and environment, the more readily can "world public policy" provide applicable criteria. The authors are intellectually committed to demonstrate the relevance of broad community values rather than to document the recalcitrance entrenched in a particular setting by power and passion.

The book provides an excellent example of the uses and limitations of this approach. In collaboration with a Formosan scholar who completed his studies at the Yale Law School and who advocates independence for his native island, Lasswell can plausibly address himself to broad issues of public policy which should and perhaps must be resolved through the United Nations regarding the international status of Formosa as well as those that always confront the founding fathers of a new nation. This perspective opens several broad areas for extended discussion, some of which are surprising in such a specialized work: education theory (with emphasis on physical fitness); bureaucracy; the family ("the task of preparing to stabilize shared perspectives across generations")<sup>3</sup>; constitutional provisions with particular regard to representation and nationality; development of political parties; and priorities in economic development. This is Lasswell in fresh clover. The authors commend the "'decision seminar' technique" to Formosan intellectuals abroad; seminars focusing on the policy problems of building a Formosan national state could construct "a

---

1 Pp. v-vi.

2 P. 69.

3 P. 350.

complete map of the goal values and institutions of a free Formosa, conjoined with necessary specifications."<sup>4</sup>

The substantive content deals with two principal topics: Chinese representation in the United Nations and the government of Formosa. The treatment of both is premised on the assumption that "world public policy" requires "the distinct separation of 'Formosa' from mainland China *in name and fact*."<sup>5</sup> Obstacles to such a separation are minimized; for example, it is argued that the legal status of Formosa in international law is undetermined.<sup>6</sup>

The legal and political competence of the United Nations to effect a solution that applies "the basic community policy of self-determination" is far less evident to most observers than it appears here. The authors consider it "well established that the United Nations has the authoritative competence to deal with disputes relating to self-determination."<sup>7</sup> They write as if sovereignty could be dispensed by the United Nations with Olympian detachment: "Having arrived at a provisional identification of 'who' is entitled to self-determination, decision-makers then face the problem of when and under what conditions self-determination is to be realized."<sup>8</sup> The authors do believe, however, that the passage of a United Nations resolution would not in itself achieve Formosan independence. Their "disciplined projections" envisage Nationalists using all possible means to oppose a United Nations sponsored plebiscite, including a deal with the Communists. In the mass uprising of the Formosan people which they think would ensue, the United States should be prepared "to take necessary measures to incapacitate the crushing operations by the Nationalist armored divisions and air forces."<sup>9</sup> Despite the likelihood that such an outbreak of violence would have "unpredictable as well as unmanageable" consequences, they find the "one China, one Formosa" solution less hazardous than maintaining the "festering menace" of minority rule entailed in a "two Chinas" plan.

The attitudes of the Formosan people are, of necessity, dealt with in rather impressionistic terms. The absurdity of a government purportedly for all of China and dominated by mainlanders superimposed upon the provincial government of Formosa is repeatedly emphasized, as is the repressive character of the Kuomintang regime. But there are

---

<sup>4</sup> P. 360.

<sup>5</sup> P. 76 (emphasis in original).

<sup>6</sup> Pp. 126-40.

<sup>7</sup> P. 111.

<sup>8</sup> P. 118.

<sup>9</sup> P. 206.

few tangible signs of resistance. The stimulus for revolt will come, the authors believe, when "children, brothers, and sisters abroad have formed a unified and effective front for the struggle of Formosa's self-determination . . . particularly if international support, including that of the United States, is forthcoming."<sup>10</sup>

The "public policy" approach, with its assumption that an understanding of the relationship between issues and values can be a guide to action, makes too smooth an intellectual passage over impediments of law and through the turbulence of politics. One wonders too, in the light of the Viet Nam experience, whether it would constitute a prudent commitment for the United States to help instigate, and to stand ready to support, an uprising against the current government of Formosa.

*Whitney T. Perkins\**

---

<sup>10</sup> P. 190.

\* Professor of Political Science, Brown University. A.B. 1942, Tufts University; Ph.D. 1948, Fletcher School of Law and Diplomacy.