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## **PUNISHING THE VICTIM: THE CLINTON ADMINISTRATION'S REBUKE OF TAIWAN**

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The Clinton Administration has taken exactly the wrong approach in dealing with Taiwan, especially in its overreaction to a recent statement by Taiwan's first democratically elected President, Lee Teng-hui. Instead of following the carefully crafted language of the U.S. diplomatic communiqués with China and the 1979 Taiwan Relations Act (TRA)—which provide a formula that allows the United States to protect Taiwan while engaging with China—the Administration tilted U.S. policy farther in China's favor. Its recent decision to discipline Taiwan invites further coercion from China, and places the United States in the untenable position of punishing the potential victim rather than deterring the aggressor in a 50-year-old dispute.

On July 10, President Lee used the phrase “special state-to-state” to describe Taiwan's relationship with China. Then China quickly warned Taiwan it was “playing with fire” and conspicuously briefed the press on its neutron bomb capabilities. The President of China, Jiang Zemin, called President Bill Clinton on the new hotline, apparently to get the United States to pull Taiwan back in line. Within hours of that call, National Security Adviser Sandy Berger cancelled the trip of a delegation of mid-level defense officials to Taiwan. Other Clinton Administration officials recommended canceling all visits by U.S. officials as well as shipments of defense-related spare parts. But these moves, if carried out, would violate the spirit if not the letter of the TRA.

More shocking than China's bluster is the Clinton Administration's impulse to punish Taiwan in this manner. President Lee did not exercise Taiwan's right of self-determination; only his right to speak freely. His remarks are not a departure from past policy, much less from reality, and do not warrant punishment from the United States or military intimidation from China.

### **CLINTON'S “ONE CHINA” MISTAKE**

Since the Administration of President Richard M. Nixon, the United States has tried to strike a balance in its interests on both sides of the Taiwan Strait by avoiding the question of sovereignty over Taiwan. In the 1972 joint communiqué with China, the United States “acknowledge[d] that all Chinese on either side of the Taiwan

Strait maintain there is but one China and that Taiwan is a part of China.” This is the origin of what many call the “one China” policy. It is critical to note, however, that the United States never adopted a “one China” policy of its own, but merely acknowledged the “one China” policies of both Beijing and Taipei.

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In 1979, when the United States established diplomatic relations with China, it recognized the "Government of the People's Republic of China as the sole legal Government of China." Again, it is significant to note that the United States did not agree that Taiwan is part of the People's Republic of China, only that it is not the legal government of China. As in 1972, the United States only "acknowledge[d] the Chinese position that there is but one China and Taiwan is part of China," and did not state that this is the view of the United States.

Not until the Clinton Administration took office did the U.S. government mistakenly adopt China's definition of "one China." Clinton's "one China" mistake continues to undermine Taiwan's security and weaken its negotiating position with China. Instead of supporting Taiwan while engaging with China, the Administration adopted policy guidelines in 1994 that sought to exclude Taiwan from most international organizations and block Taiwan's top leaders from entering the United States. In 1998, while in China, President Clinton chose to declare China's long-standing policy toward Taiwan as the policy of the United States when he iterated the "three no's"—no independence, no "two China" policy, and no membership in state-based international organizations.

Although these rhetorical concessions may seem small to many Americans, their significance is not lost on China or Taiwan. They are a clear signal that U.S. policy now tilts in China's favor, leaving Taiwan isolated internationally and unacceptably vulnerable to coercion.

To honor its legal commitments to Taiwan and to help Taiwan to negotiate with China on equal footing, the United States should:

- **Adhere strictly to the Taiwan Relations Act.** The TRA legally binds the U.S. government to provide for Taiwan's self-defense needs and to maintain a sufficient U.S. capacity to resist

any use of force or coercion by China. It also provides a framework for continued government-to-government relations and urges support for Taiwan's membership in international organizations. The Clinton Administration's cancellation of official visits, withholding of defense materials, and non-support for membership in international organizations dangerously broaches violating the spirit and letter of the TRA.

- **Concede nothing beyond the text of the joint communiqués.** The United States never agreed to the "one China" principle in any treaty, law, or joint communiqué governing U.S.–China relations. The United States should not prejudice cross-Strait negotiations by going beyond these legal and diplomatic commitments in rhetoric or action.
- **Endorse Taiwan's membership in the World Trade Organization (WTO) and urge China to do likewise.** The United States should exercise leadership in the WTO and build support for Taiwan's entry at the earliest possible date, not when China prefers it. In fact, as a gesture of good will and consistent with its proclaimed guidelines, China should endorse Taiwan's membership in this economic-oriented, non-state based organization.

In this dispute, in which face and labels mean so much, the United States should do more to bolster the legitimacy of President Lee's administration as the duly elected government of Taiwan's 22 million people. Taiwan's leaders should be free to travel to the United States, meet with whomever they choose, and say what they like. In the Taiwan Strait, force—not freedom—must be deterred. This does not require a change in law or diplomatic practice, only the application of common sense and decency.

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