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HOW WASHINGTON CAN DEFUSE ESCALATING TENSIONS IN THE TAIWAN STRAIT

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The People's Republic of China (PRC) once again is threatening military action against the Republic of China on Taiwan (ROC). The Beijing-controlled media in Hong Kong report Chinese troops gathering in provinces across the Taiwan Strait and hint at a possible campaign to seize an ROC island. China's Minister of Defense is promising to punish Taiwan for attempting to "split the motherland." And PRC fighter aircraft taunt the island with near approaches.

The danger of a shooting war through mischance or miscalculation is great. Taiwan's Ministry of Defense has instructed its pilots not to fire first, but no one would be surprised if they returned fire. How the Clinton Administration proceeds in the next few weeks could mean the difference between defusing these tensions or military intervention.

Taiwan's Position. China's rhetorical assault on Taiwan followed a remark made by ROC President Lee Teng-hui in an interview with a German radio station reporter on July 9. Lee said that Taiwan would not negotiate with Beijing on anything but a basis of equality. When the reporter pointed out that the PRC regards Taiwan as "a renegade province," Lee replied (as he frequently has done) that the Republic of China has existed since 1912, has never lost its sovereignty, and in fact has diplomatic relations with a number of countries.

President Lee pointed out that Taiwan is not and never was a province of the PRC. Their relations are

similar to the relationship between East and West Germany. In 1972, the Federal Republic of Germany and the German Democratic Republic signed a treaty establishing a state-to-state relationship on the basis of "two states within Germany." Both states were admitted to the United Nations.

Hence, Lee's remark that the relationship between Taipei and Beijing was on a "state-to-state or special state-to-state basis" would be understood by a German audience to explain why Taiwan would never negotiate with Beijing as a province would with a central government.

The Administration's Policy Change. The Clinton Administration's reaction to President Lee's observation was almost as intemperate as that of Jiang Zemin's government in Beijing. The White House had inherited an ambiguous "one China doctrine" in which the United States acknowledged China's position that there was but one China, of which Taiwan was a part; but it stated no position of its own. That is, not until last year in Shanghai, when President Bill Clinton agreed to the PRC's "three

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no's" formula: The United States would not support Taiwan independence, a "two Chinas" or "one China, one Taiwan" formula, or Taiwan's membership in any international organization that required statehood for membership.

Agreeing to China's "three no's" stripped away much of the necessary ambiguity in the formal "one China" policy that had guided U.S.-China and U.S.-Taiwan relations for two decades: If Taiwan was not independent and not a state, what could it be, other than a province of the government Washington recognized in 1979 as "the sole legal government of China"? Faced with this change in U.S. policy, it is no wonder that President Lee was compelled to clarify Taiwan's position. It also is no wonder that Beijing demanded that the Clinton Administration pressure Taipei to acquiesce.

What Should Be Done. How the Clinton Administration should respond to the use of military force by the PRC is rooted in the 1979 Taiwan Relations Act (Public Law 96-8), which states that any attempt by the PRC to determine the future of Taiwan by other than peaceful means would be "a threat to the peace and security of Western Pacific area and of grave concern to the United States." This language—"a threat to the peace and security" of a region—conforms to the language of Chapter VII in the United Nations Charter, which sets out the right of collective action against aggression. Sec. 2(b)(6) of the TRA requires the United States to maintain the "capacity to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan."

To reduce the threat of war, the Administration should make clear to Beijing that it will not tolerate any military action against Taiwan and that any aggression will be resisted by U.S. forces in the region. Such a response followed China's threatening military exercises in the Strait on the eve of Tai-

wan's presidential election in March 1996. The U.S. Navy deployed two aircraft carriers and 36 ships and submarines to the region to defuse that situation.

For the longer term, the Administration must distance itself from public or veiled support of Beijing's views regarding Taiwan. It is not up to the United States to determine Taiwan's future status. This right belongs to the people of Taiwan alone, not to a government in distant Washington. Although the United States no longer recognizes the ROC diplomatically, the Taiwan Relations Act establishes that, for all purposes of U.S. law, Taiwan is to be treated as a state separate and distinct from the PRC.

Twenty-seven years ago, when President Richard Nixon signed the Shanghai Communiqué stipulating that "all Chinese on both sides of the Taiwan Strait agree there is but one China of which Taiwan is a part," Taiwan was led by a military dictatorship that claimed to be the sole legitimate government of all of China. In 1979, the United States shifted diplomatic recognition from Taipei to Beijing. Since then, following the will of the overwhelming majority of its people, Taipei no longer claims to govern China. Taiwan is now a multiparty democracy with free and vigorously contested elections and no political prisoners.

The Clinton Administration claims that promoting democracy is one of its goals. Yet its failure to clarify America's commitment to support the right of Taiwan's 22 million people to determine their own future—free from coercion or military threat—would be an unpardonable betrayal of American ideals and could lead to an armed conflict with disastrous results.

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