

UNITED STATES-CHINA RELATIONS 11 YEARS AFTER THE SHANGHAI COMMUNIQUE



HEARING

BEFORE THE
SUBCOMMITTEE ON ASIAN AND PACIFIC AFFAIRS
OF THE
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Mr. WOLFOWITZ. I am not sure what the significance is of saying there would be. There are certainly people in Alabama who consider themselves very distinctive from people in New York. There is room for a lot of variation, and still they can all be Chinese and can all think of themselves as Chinese, which I think is the case. I am a New Yorker myself.

Mr. SOLARZ. I think that is a very generous concession to our southern friends.

All right, Mr. Secretary. You have only been in the job a few months now.

Mr. WOLFOWITZ. So you will be gentle.

Mr. SOLARZ. We don't want you to be prematurely removed for having singlehandedly set back the cause of American interests in the region, but I think you ought to give some thought to these various considerations. Many of them are more than just debating points. I think some have potentially profound implications for our policy in the future.

Let me take this opportunity to thank you for coming. We do have some other witnesses here today. This has been very helpful.

Mr. WOLFOWITZ. Thank you very much.

Mr. SOLARZ. While the Secretary slips out the side door, the other witnesses may come forward.

We now have a panel of witnesses from the private sector who will hopefully give us the benefit of their different and diverse points of view.

Let me simply say, for those who haven't been at these hearings before, particularly in the absence of my colleagues on the committee, I do try in my questions to approach problems from a variety of different points of view and to elicit reactions to questions which I know many of my colleagues in the Congress are interested in as a way of building up a more comprehensive hearing record.

So from time to time I slip into the role of the devil's advocate. There are some who think I am the Devil himself, but I nevertheless try to do my best.

Let me state that since you all have prepared testimony, it will be included in the record as you submitted it. I ask you in the interest of time if you can limit your comments to no more than 10 minutes. Try to summarize what you have to say and touch on the key points and it will facilitate more of an opportunity for an exchange of views and questions for the rest of the hearing.

Our first witness will be Prof. Hungdah Chiu of the University of Maryland Law School.

Professor Chiu.

**STATEMENT OF HUNGDAH CHIU, PROFESSOR OF LAW,
UNIVERSITY OF MARYLAND SCHOOL OF LAW**

Mr. CHIU. Thank you, Mr. Chairman.

First I would like to thank you for providing me the opportunity to make some comments on Sino-American relations.

UNITED STATES-PEOPLE'S REPUBLIC OF CHINA RAPPROCHEMENT

I'll begin my presentation with a review of four principal factors which I think are important leading to the rapprochement between the United States and the People's Republic of China.

The first is the familiar argument of playing the China card against the Soviet Union. The first factor I do not think needs any elaboration.

The second factor is a shift of U.S. foreign policy regarding recognition of government and state to a more realistic rather than moral basis in the late 1970's. This shift can best be explained by a quotation from former Deputy Secretary of State Warren Christopher's speech of June 11, 1977, when he said:

The reality is that in this day and age, coups and other unscheduled changes of government are not exceptional developments. Withholding diplomatic relations from these regimes, after they have obtained effective control, penalizes us. It means that we forsake much of the chance to influence the attitudes and conduct of a new regime. Without relations, we forfeit opportunities to transmit our values and communicate our policies.

In the same speech, he also explained why the United States should improve relations with the PRC, this was just about 1 year or so before normalization.

The third factor, I think, is the American attachment and emotional feeling toward China. Here I quote a passage from Prof. Harold Hinton of George Washington University, when he pointed out:

Since the days of the 18th century Jesuit missionaries, China has served intermittently as a New Jerusalem, a Shangri-La, for Western intellectuals alienated for various reasons from their own societies and the establishments thereof * * *. There is a belief on the part of some that China has somehow found a path to development free of the usual evils lurking along such paths—inflation, corruption, coercion, and the like.

And also, for politicians, there are practical reasons. A visit to China would draw wide-range media coverage and unprecedented public attention to which no visit to any other country could compare.

Also, before the Shanghai communique and until recently, the American public was given many favorable reports on the conditions in the People's Republic of China which later turned out to be questionable.

The last factor which brought the Sino-American rapprochement I think was the U.S. decision to extricate itself from Vietnam in the early seventies. It is clear that without help from the People's Republic of China, it would have been difficult, if not impossible, for the United States to have made a seemingly honorable termination of U.S. involvement in Vietnam in 1973.

I have no criticism of the second and fourth factors, which I think are fully justified, but I do have serious doubts as to the first and third factors.

PLAYING THE CHINA CARD

To say a country as big and as populous as China, with 5,000 years of history and experience of "managing barbarian affairs," can be played as a card is a concept that is by itself naive. Instead of being played as a card, in its dealings with the United States the People's Republic of China has been playing the traditional tactics in China of so-called befriending distant countries when it was preparing to attack neighbors or was facing threat from those neigh-

bors. Another tactic in traditional China was playing the barbarians against each other to obtain national security.

Another fallacy of trying to ally the People's Republic of China with the United States is how could two countries with fundamental differences in their social, economic, and political systems become long-term allies? Moreover, the history of the last 30 years of China's foreign relations also demonstrates the volatility of its foreign policy.

Because of the false expectations of the United States as to its relations with the People's Republic of China, and because of China's past record of sudden shifts in foreign policy, knowledgeable observers of Chinese affairs could justifiably expect great variations in Sino-American relations after normalization. Nevertheless, in view of irrational American attachment and emotional feelings toward China, some elements in the United States would blame this country for any setbacks in Sino-American relations and urge the United States to make concessions to the People's Republic of China, even at the expense of compromising certain basic principles this country has cherished since its independence.

One can hardly find a similar attitude toward U.S. relations even with its NATO allies, who share basic values and cultural traditions with the United States.

Now I want to identify four key areas which I think may develop some obstacles.

Mr. SOLARZ. Professor Chiu, I don't want to limit what you have to say, but we do have other witnesses and there are other hearings proceeding. If you can try to summarize your statement in another 5 minutes, I would appreciate it.

Mr. CHIU. All right. I think the rest will only take 5 minutes.

OBSTACLES TO SINO-AMERICAN RELATIONS

The first is the People's Republic of China's relations with Third World countries. The Third World countries are now intensifying their pressure on the Western industrial powers, headed by the United States, in forums such as the United Nations and its affiliated agencies on such issues as trade, equitable distribution of world wealth, and Southern Africa. I think it is inevitable that the United States and the People's Republic of China would be thrust into an adversary position on many occasions.

The second is trade. Because of the People's Republic of China's intensifying its export of light industrial products, especially textiles and electronic instruments to the United States, trade disputes between the United States and the People's Republic of China could be expected to grow.

Here the basic difference in the political and economic systems between the two countries would make their respective perspectives on trade issues quite different and thus make it more difficult to resolve the dispute.

Another area of trade dispute is the U.S. strategic consideration and U.S. relations with China's neighbors, especially Japan and ASEAN countries. The United States has put certain restrictions on trade with the People's Republic of China and this definitely would make the People's Republic of China unhappy.

The third obstacle is also caused by the fundamental difference in ideology, values, and political systems between the two countries and this can be best illustrated by the recent Chinese nationals taking asylum in this country and the People's Republic of China's concern about that.

The last obstacle to Sino-American relations, of course, is Taiwan, and from what I read from many People's Republic of China domestic writings, they took the position that the United States has recognized their sovereignty of Taiwan but the United States seems to deny that, and on this Mr. Roger Sullivan can probably best explain the difference.

FUTURE PROSPECTS OF SINO-AMERICAN RELATIONS

Finally, I offer my own assessment on the future prospects of Sino-American relations.

I think if the United States views the People's Republic of China as it is and not as the United States perceives it to be, then U.S. relations with the People's Republic of China will be on firmer ground. To place too many undue expectations on using the People's Republic of China as a counterweight to the Soviet Union would most likely result in disillusionment.

This, however, does not mean that the United States should not maintain friendly relations with the People's Republic. On the other hand, I think because of its size and population, the People's Republic is an important Asian power in world affairs, so it is essential for promoting U.S. national interests to maintain friendly, or at a minimum nonhostile, relations with the Chinese on the mainland.

Also, in dealing with the People's Republic of China, I think the United States should not sacrifice its own principles merely for accommodation. In its relations with the Soviet Union and former Nazi Germany and Japan, the United States has never compromised its principles. Why should the People's Republic of China be any exception?

Some of the obstacles in Sino-American relations are the result of Chinese misunderstandings of the U.S. system. Increased cultural exchanges may reduce those misunderstandings to a certain extent, but they may also create some problems, such as increased Chinese requests for political asylum in the United States.

Continued expansion of economic and trade relations with the People's Republic of China should be beneficial to Sino-American relations, but I think here you run into the problem of U.S. relations with China's neighbors and also the problem of maintaining stable United States-Soviet relations.

As for the Taiwan issue, I think it will continue to be a problem in Sino-American relations, but there seems to be no way to avoid it. The United States should expect the People's Republic of China to raise this issue from time to time to test the will of the United States to honor its commitment to the people on Taiwan.

Thank you.

[Mr. Chiu's prepared statement follows:]

PREPARED STATEMENT OF HUNGDAH CHIU, PROFESSOR OF LAW, UNIVERSITY OF
MARYLAND SCHOOL OF LAW1. Introduction

February 28, 1983 marks the eleventh anniversary of the signing of the Shanghai Communique between the People's Republic of China (PRC) and the United States, which set in motion events leading toward the establishment of diplomatic relations between the two countries on January 1, 1979. It would be opportune to review Sino-American relations and their future prospects at this moment for several reasons. First, at the time of the 10th anniversary of the Shanghai Communique, both sides were wrangling over the issue of U.S. arms sales to Taiwan and there existed a real possibility for downgrading diplomatic relations between the two countries. Now, that diplomatic crisis apparently has been avoided through the signing of the August 17, 1982 joint communique, though it did not resolve the issue entirely. Second, after more than three years of extensive mutual contacts, the honeymoon period between the two countries is over and both countries should have a more realistic view without unjustified illusions on what can be expected from each other in their relations. Third, the recent improvement of PRC-Soviet relations and the emphasis on "an independent foreign policy" and opposition to "imperialism" in the preamble of the new Chinese constitution adopted on December 4, 1982 should alert the U.S. to the need to reassess the merits and the limitations of playing the "China card" against the Soviet Union. This paper is an attempt to analyze certain selected issues in Sino-American relations and assess their future prospects. It will begin with a review of certain principal factors leading to rapprochement between the two countries and also assess their limitations.

2. Principal Factors Leading toward Rapprochement between the People's Republic of China and the United States and their Limitations

There are extensive writings on why the U.S. and the PRC moved toward rapprochement and it is not possible to make a thorough review of the various opinions and analyses offered in those writings. Here, I only offer my personal views on this issue. The first important factor which moved the two countries toward rapprochement was the Sino-Soviet split beginning in the late 1960's and the continued decline of U.S. military strength vis-a-vis the Soviet Union since then. For a substantial period of time, U.S. strategists such as Henry Kissinger and Zbigniew Brzezinski seemed to perceive that the Sino-Soviet split was irreversible and that the U.S. could ally itself with the PRC to put pressure on the Soviet Union. Under President Carter and Brzezinski, this policy was carried to an extreme and the U.S. accepted the three PRC conditions for normalization -- abrogating the mutual defense treaty with the Republic of China on Taiwan, severing diplomatic relations with it, and withdrawing U.S. troops from the island -- without getting a PRC pledge of non-use of force to take over Taiwan. Under the Reagan Administration, the U.S. went even further by offering the PRC arms and selected sophisticated technology which could be at least indirectly diverted to build up the PRC's military industry.

The second factor was the change in U.S. policy regarding the recognition of governments or states. In a speech delivered by then Deputy Secretary of State Warren Christopher at Occidental College on June 11, 1977, he enunciated this policy as follows:

We live, in sum, in an interdependent world. And in one way or another, we find our fate and our

futures tied increasingly to those of other peoples. If we cannot communicate easily with them, we cannot effectively promote our own interests or build new bonds of common interest.

This brings me to my central point: We believe that diplomatic relations help us to discharge our basic duty to protect the interests of our government and our citizens. By keeping open a channel of communication with other countries, we best serve our long-range objective of encouraging the growth of democratic institutions.

We do not look at the normalization of relations as an end in itself. Rather diplomatic relations, once established and maintained, enable us to communicate with other governments directly, to state our views and listen to theirs, to avoid misunderstandings and to exert influence. In short, they help us to accomplish more than we can without them

We maintain diplomatic relations with many governments of which we do not necessarily approve. The reality is that, in this day and age, coups and other unscheduled changes of government are not exceptional developments. Withholding diplomatic relations from these regimes, after they have obtained effective control, penalizes us. It means that we forsake much of the chance to influence the attitudes and conduct of a new regime. Without relations, we forfeit opportunities to transmit our values and communicate our policies. Isolation may well bring out the worst in the new government. (Department of State Press Release, No. 269 (June 10, 1977).)

The third factor was the American attachment and emotional feeling toward China. This is especially true for some intellectuals, as pointed out by Professor Harold C. Hinton of George Washington University:

Since the days of the eighteenth century Jesuit missionaries, China has served intermittently as a New Jerusalem, a Shangri-La, for Western intellectuals alienated for various reasons from their own societies and the establishments thereof. China has been picked for this role because of the many admirable qualities of its people and culture, their huge differences from their Western counterparts, China's prolonged victimization by Western "imperialism," and (since 1949) the revolutionary dynamics of its society and political system. This

attitude toward China has merged with a broader sympathy for left-wing nationalism, in its Communist and non-Communist forms, in the developing countries. There is a belief on the part of some [including American intellectuals,] that China has somehow found a path to development free of the usual evils lurking along such paths -- inflation, corruption, coercion, and the like (An Introduction to Chinese Politics, 2nd ed., Huntington, New York: Robert E. Krieger Publishing Company, 1978, pp. 4-5.)

For politicians, a visit to China would draw wide range media-coverage and unprecedented public attention to which no visit to any country could compare.

Before the Shanghai Communique and until recently, the American public was given many favorable reports on the conditions in the PRC which later turned out to be ^{questionable} ~~true~~. Only recently, U.S. scholars began to question the validity of large quantities of those works published in the West during the period between 1966 and 1976, which the PRC now officially characterized as "feudal despotism married to a 20th-century fascism" ("Prospect and Retrospect, China's Socialist Legal System," Beijing Review, Vol. 22, No. 2 (January 12, 1979), p. 27), and tried to find out why the contents of such works so poorly miscalculated actual conditions. (Chalmers Johnson, "What's Wrong with Chinese Political Studies?" Asian Survey, Vol. 22 (October 1982), pp. 919-933 and Harry Harding, "From China, with Disdain: New Trends in the Study of China," ibid., pp. 934-958.)

The attraction of China toward Americans can best be illustrated by a recent story concerning former Presidents Nixon and Carter on their way to attend the funeral service of Egyptian President Anwar Sadat. When they first met each other at the plane, they were almost like strangers toward each other, but by the time

they arrived at Cairo they seemed to have become old friends. Why? They found a common subject about which to chat -- China visits -- during their long flying hours.

The last factor which brought Sino-American rapproch^ement was the U.S. decision to extricate itself from Vietnam in the early 1970's. It is clear that without help from the PRC, it would have been difficult, if not impossible, for the U.S. to have made a seemingly honorable termination of U.S. involvement in Vietnam in 1973. ←

I have no criticism of the second and fourth factors which I think are fully justified, but I do have serious doubts as to the first and the third factors. To say a country as big and as populous as China, with 5,000 years of history and experience of "managing barbarian affairs" (equivalent to "diplomacy" in modern days), can be played as a "card" is a concept that is itself naive. Instead of being played as a "card," in its dealings with the U.S., the PRC has been playing the traditional tactics of befriending distant countries when it was preparing to attack neighbors or was facing threat from those neighbors. Another tactic in traditional China was playing the "barbarians" against each other to obtain national security.

Another fallacy of trying to ally the PRC with the U.S. is expecting that two countries with fundamental differences in their social, economic and political systems could become long-term "allies." In this regard, U.S. relations with the Soviet Union offer a lesson that should be remembered. The U.S. provided the Soviet Union with billions of dollars in aid during World War II and for a while pretended to believe that the Soviet Union was a member of

the "democratic camp" and an "ally." After the war was over, the Soviet Union turned against the U.S.

Moreover, the history of Chinese foreign relations in the past thirty years also demonstrates the volatility of its foreign policy. The Soviet Union gave significant military aid to the Chinese Communists during the Chinese civil war, and after the establishment of the PRC in 1949, provided massive aid to it, including nuclear technology. In fact, the only period in which the PRC made significant economic growth after 1949 was between 1952 and 1957, when the Soviet Union provided active assistance. Despite this aid the PRC later considered the Soviet Union as its greatest enemy. Moreover, from time to time the PRC has demonstrates its ability to alter foreign policy with bewildering speed. Only a few years ago, the PRC was accusing Japan of "militarism" and the U.S. of "imperialism." And, who could predict the rapid deterioration of relations between the PRC and Vietnam (when one considers that the PRC provided 20 billion U.S. dollars in aid and 300,000 personnel in its war against the U.S. in South Vietnam) and between the PRC and Albania (to which the PRC provided 10 billion U.S. dollars in aid). Recently, the PRC has been making overtures to the Soviet Union despite the fact that only a year or so ago PRC leaders frequently referred to the Soviet Union as their greatest threat.

Because of the false expectations of the U.S. as to its relations with the PRC and because of sudden shifts in PRC foreign policy in the past, knowledgeable observers of Chinese affairs could justifiably expect great variations in Sino-American relations after normalization. Nevertheless, in view of irrational American attachment and emotional feelings toward China, some

elements in the U.S. would blame this country for any setbacks in Sino-American relations, and urge the U.S. to make concessions to the PRC, even at the expense of compromising certain basic principles this country has cherished since its independence. One can hardly find a similar attitude toward U.S. relations with its NATO allies, even though those allies share basic values and cultural traditions with the U.S.

With this as background, I'll move to a discussion of certain key obstacles to the further development of Sino-American relations.

3. Key Obstacles to Further Development of United States-People's Republic Relations

There are five major areas which would cause difficulties in the further development of U.S.-PRC relations, namely: PRC's relations with third world countries; U.S. trade and transfer of high technology or arms to the PRC; U.S. relations with Southeast Asian countries; problems caused by fundamental differences in ideology, values and political systems; and, the question of Taiwan. The PRC has identified itself as a third world country. With third world countries intensifying their pressure on the Western industrial powers headed by the U.S. in forums such as the United Nations, and its affiliated agencies on such issues as trade, equitable distribution of world wealth, and Southern Africa, it is inevitable that the U.S. and the PRC would be thrust into an adversary position on many occasions.

With the PRC's recent emphasis on exporting light industrial products, especially textiles and electronic instruments, trade disputes between the U.S. and the PRC could be expected to grow.

In this connection, the basic difference in the political and economic systems between the two countries would make their respective perspectives on a trade issue quite different and thus make it more difficult to resolve the dispute. The recent U.S.-PRC textile negotiation clearly illustrates this point. From the PRC's point of view, the low growth rate allocated by the U.S. for the PRC's textile quota was definitely unjustified because of an overall large favorable balance in U.S.-PRC trade. This argument certainly would make sense for a centrally planned economy like the PRC's, but the U.S. economy and political system do not operate in the same manner. While the agricultural sector of the U.S. economy is benefitting from a large favorable balance in U.S.-PRC trade, this would not provide any consolation to the U.S. textile industry which was seriously threatened by the low-priced Chinese textiles. Under the U.S. political and economic system, there is no way for the U.S. government to transfer some of the benefits reaped from U.S. agricultural exports to the PRC to the troubled textile industry. The only remedy was to take unilateral action to control the quantity of PRC textile exports to the U.S.

With respect to the transfer of high technology or arms, this involves not just economic interests, but U.S. strategic interests and its long-term security implications. Despite its low level of economic development and standard of living, the PRC has allocated a substantial amount of its resources to develop strategic weapons, including intercontinental ballistic missiles and nuclear weapons. Would it be in the interest of the U.S. to transfer high technology to the PRC which might at least indirectly help it to develop strategic weapons? Some would argue that the PRC is militarily too

weak vis-a-vis the Soviet Union to play any important strategic role, so the U.S. should transfer high technology and arms to the PRC to strengthen its military position. However, judging from the PRC's volatile foreign policy in the past thirty-three years, providing such high technology and arms to the PRC would be a high risk business for the U.S. PRC strategic weapons such as its ICBM could pose a threat to the U.S. and, needless to say, to the PRC neighbors such as Japan, India, and other southeast Asian countries. Even a strengthening of the PRC's conventional military capability would pose a threat to its neighbors and would start an arms race, including the development of nuclear weapons, in the area. Would such a development contribute to the type of peace and stability in East Asia that the U.S. has promoted for such a long time? In this respect, one must realize that the PRC has so far refused to sign the Nuclear Test Ban and Non-Proliferation Treaties and has also refused to join the International Atomic Energy Agency. Thus, any transfer of nuclear related technology or materials to the PRC would be contrary to the 1978 U.S. Nuclear Non-Proliferation Act.

A large inflow of PRC light industrial products to the U.S. could also upset the balance of similar exports from other developing countries, especially those from southeast Asia. If U.S. importers of those products were to file suit in the U.S. Court of International Trade and the latter imposes a restraint on the quantity of the PRC's exports to the U.S. under the Trade Act of 1974 and Trade Agreements Act of 1979, the PRC would undoubtedly hold the U.S. responsible for such an action.

The obstacle to Sino-American relations caused by fundamental differences in ideology, values, and political systems between the two countries can be best illustrated by an examination of the issue of PRC nationals, especially students and athletes, who seek asylum in this country. It has been reported that by the end of October 1982, there were 1030 pending applications for political asylum filed by PRC nationals in this country, a figure equal to roughly 10 percent of the estimated 10,000 to 11,000 PRC nationals who are on extended visits here, according to figures provided by the U.S. Immigration and Naturalization Service. The PRC Embassy in Washington has reportedly made protests "at the highest level" over what it views as American receptiveness to Chinese requests for asylum (See Richard Bernstein, "Peking is Troubled by Rise in Defections to West," The New York Times, December 5, 1982, p. 22). A case worthy of special attention is the Hu Na case. Hu Na is a famous young female tennis player and has won several international tennis tournaments. Her decision to seek political asylum in the U.S. greatly embarrassed the PRC and the Chinese put tremendous pressure on the U.S. to send her back. The case is pending before a U.S. government agency.

The last obstacle to Sino-American relations, is Taiwan, which some consider the most important one. From the PRC's point of view, the Taiwan question is an internal affair of China which "brooks" no outside intervention. However, from the U.S. point of view, the long American association with the Chinese Nationalists which dates back to the 1930's and the unwillingness of the Chinese people on Taiwan to accept PRC rule, would not permit the fate of the 18 million people there to be left to the mercy of the PRC.

Moreover, under the Taiwan Relations Act of 1979, the U.S. is legally obligated to provide adequate defensive weapons to Taiwan. The PRC, however, considers the Act a violation of international law and also assumes that the U.S. has recognized its sovereign claim to Taiwan, although the U.S. denies this. This and related questions on the Taiwan issue will be discussed in the next section.

4. The Impact of the Sino-American Rapprochement on Taiwan and the PRC's Negotiating Tactics on the Taiwan Issue

There are two different views on the impact of Sino-American rapprochement on the security of Taiwan. The view advocated by some Carter and Reagan Administration officials is that because of the reduction of tension between the U.S. and the PRC, Taiwan is safe. For instance, at the Senate Foreign Relations Committee hearing held on February 5, 1979, then Deputy Secretary Warren Christopher told the Committee:

[A]ny effort by the People's Republic of China to resolve the Taiwan issue by other than peaceful means would be inconsistent with its evident desire to have better relations with the United States and our allies and friends, China, as you know, has established an ambitious program of industrialization, modernization and economic growth. The success of this program depends upon good relations with the United States and other industrialized nations, nations that recognize the People's Republic of China and want to maintain commercial relationships at the same time with the people on Taiwan. A decision by China to use force against Taiwan would, in effect, be a decision to renounce good relations with these nations and hence to abandon the program of modernization and growth. Such a sharp reversal of policy would, in our view, appear to be highly unlikely. (Hearings of Senate Foreign Relations Committee on Taiwan, February 5-22, 1979, 9th Congress, 1st Session, p. 16.)

The Committee's Senators, however, took a more cautious evaluation of the security problem of Taiwan, which involves the fate of 18

million Chinese with long time cordial and friendly relations with the U.S., as expressed in the following excerpts of the Committee Report:

But Committee members indicated their belief that it is prudent to consider the possibility that current circumstances could change. This is especially true in light of the recent PRC attack on Vietnam. Vice Premier Teng (Deng in pinyin) is 74 years old and has twice been purged from office. Chinese foreign policy could again dramatically change. A Sino-Soviet detente would free a large number of Chinese troops currently near the Soviet border. The Chinese might miscalculate U.S. resolve to continue providing security to Taiwan

There are several possible "non-peaceful" alternatives open to Peking with regard to reunification. They include an economic boycott, a military blockade, seizure of the offshore islands, invasion of Taiwan, and nuclear blackmail. (Senate Foreign Relations Committee Report on Taiwan Enabling Act, March 1, 1979, 96th Congress, 1st Session, Report No. 96-7, p. 11.)

Because of serious concern in both the Senate and the House on the long-term security of Taiwan, the Taiwan Relations Act of 1979 contains the following key security provisions:

§2(b) It is the policy of the United States

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

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

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

If the U.S. faithfully implements the Taiwan Relations Act by providing adequate defenses to Taiwan, then the latter is safe.

However, this has not been the case. Under pressure from the PRC,

the U.S. first announced in January 1982 that it would not sell FX jet fighters to Taiwan, despite the fact that under such an arrangement Taiwan would be in danger of losing its air and sea balance in the Taiwan Strait.

At present, the ratio of Taiwan's jet fighters to those of the PRC is roughly one to 15 (350 in Taiwan; an estimated 5,000 in the PRC). The F5E, Taiwan's best jet fighter, is roughly equivalent to the MIG-19, the mainstay of the PRC's air force. But the PRC also has several dozen MIG-21s, and is now manufacturing Spey engines in cooperation with Rolls-Royce for new high-performance fighters to be commissioned in the mid-1980s. The FX airplane that Taiwan wants to buy is about as sophisticated as the MIG-21. Although the armed threat to Taiwan's security from the PRC-controlled mainland appears minimal at present, it is evident that the current stability is due in part to the rough equivalent of forces on both sides of the Taiwan Strait. Since the lead-time involved between orders and deliveries of the FX airplane is about four years, some observers argue that Taiwan's need must be measured against the potential situation five years hence, rather than simply in the current context.

On August 17, 1982, the U.S. and PRC issued a Joint Communique on arms sales to Taiwan in which the U.S. agreed to limit not only the quantity and quality of its arm sales to Taiwan but also to gradually reduce those sales. Numerous explanations made by President Reagan and his officials just subsequent to the issuance of the Joint Communique were designed to create a favorable impression of a continued U.S. commitment to Taiwan. After a while, though, all these explanations will be forgotten, just as those numerous

U.S. government officials, statements made in connection with the Shanghai Communique and the Joint Communique on establishing Diplomatic Relations have been. In the future, only the text of the Communique of August 17, 1982 would be invoked in U.S.-PRC relations. At present, we should have confidence in the sincerity of President Reagan toward Taiwan, but if any future U.S. Administration wants to reduce its arms sales to Taiwan in response to PRC pressure, the communique would give it a ready excuse.

Almost all objective observers of China affairs would consider the arms sales communique quite damaging to Taiwan's security. In this connection, U.S. Senator John Glenn commented:

[T]he restrictions set forth in the communique unfortunately do not resolve the fundamental differences between the U.S. and the PRC on Taiwan arms sales questions; they merely postpone the day of reckoning. The Chinese continue to oppose arms sales asserting that it infringes on their sovereignty and is an interference in their internal affairs. Under these conditions, agreeing to limit, gradually reduce and ultimately end arms sales puts us in an impossible position. Soon the Chinese will return with more demands and insist that we finally resolve the issue. We will be in the unfortunate position of having limited our argument to when, not if, a cut off should occur. And based on past precedent, I anticipate that we won't have to wait long before the PRC makes new demands known. (Statement made at Senate Foreign Relations Committee Hearing on August 17, 1982 Communique, August 18, 1982.)

Another knowledgeable commentator, George F. Will, wrote:

The heart of the agreement is the U.S. pledge to phase out arms sales to Taiwan.

A European diplomat in China [said], "Peking can just let time run its course. The pressure will be on Taiwan from now on. This agreement is like [one with] a time bomb underneath it." Analyzing the agreement from Peking, Michael Weisskopf of The Washington Post [noted] that it took Peking just 10 months to win from Reagan what it had not won in 33 years -- "the prize of inevitability." Taiwan's 18 million citizens have lost the U.S. commitment that

was "a guarantee of their right to choose." ("A Slow-Motion Sellout," Newsweek, August 30, 1982, p. 76.)

A question closely connected to the question of Taiwan security is the PRC's negotiating tactics on the issue. At the time of U.S. recognition of the PRC in December 1978-January 1979, in view of strong opposition to the Carter framework for recognizing the PRC in the public opinion and in the U.S. Congress, the PRC took a low profile in its response to the enactment of the Taiwan Relations Act, which was adopted by more than a 2/3 majority of both houses. (Some senators or representatives voted against the Act on the grounds that the Act is not good enough for Taiwan.) Despite the fact that the PRC closely watched the Taiwan bill when it was pending in the Congress, it only made a perfunctory protest against the bill on March 16, 1979, shortly before the bill's adoption on March 29, 1979. In its protest, then PRC Foreign Minister Huang Hua told U.S. Ambassador to the PRC Leonard Woodcock that "if the bills [sic] are passed as they are worded now, and are signed into law, great harm will be done to the new relationship that has just been established between China and the United States." ("Huang Hua Reiterates China's View," Beijing Review, Vol. 22, No. 13 (March 30, 1979), p. 8) However, between the period when the bill was passed on March 29 and signed by President Carter on April 10, 1979, the PRC did not protest. It was as late as April 28, 1979 that the PRC secretly protested by saying: "The Chinese government's position of opposing 'Two Chinas' or 'One China One Taiwan' is firm and steadfast. If the United States side does not comply with the agreement reached on the Taiwan question at the time of establishing diplomatic relations and continues to harbor attempts

to interfere in the internal affairs of China, this can only bring damage to Sino-American relations and will not benefit either." This protest was kept secret from the press until the spring of 1982 when it was disclosed in a PRC publication entitled Journal of International Studies, published under the auspices of the PRC Foreign Ministry. (Special Commentator of the Journal, "Where Lies the Cruz of Sino-U.S. Relations," Guoji wenti yanjiu, 1982, No. 2, pp. 4-5.)

The reason for the PRC's low profile on the issue of the Taiwan Relations Act was apparently due to its desire to avoid triggering a diplomatic crisis with the U.S. which might upset the fragile bilateral relations just established. Later, when President Carter announced in early 1980 that the U.S. would sell \$280 million arms to Taiwan, the PRC did not protest. In 1980 the Carter Administration sold a total of \$830 million in arms to Taiwan without causing any diplomatic crisis with the PRC. By the time Reagan assumed office, the PRC might have felt that relations with the U.S. were sufficiently strong as to weather a diplomatic crisis on the issue of U.S. arms sales to Taiwan. Thus, it pressured the U.S. to agree to the principle of gradually phasing out Taiwan arms sales. The PRC seemed to understand that any major diplomatic crisis would be disadvantageous to the party in power in the U.S., so it exploited the weakness of U.S. political system to the fullest extent by threatening to downgrade relations with the U.S.

Another important aspect of the Chinese negotiating tactic is the PRC's tendency to get the other side to agree on the principle first and then present a posture of flexibility in concrete arrangements to implement that principle. Once a country, like the

U.S., because of its eagerness to reach an agreement with the PRC, accepts a PRC principle, it is locked into a defensive and unfavorable position vis-a-vis the PRC. From then on, the PRC can reopen the issue at any time on the grounds that a particular action taken pursuant to "concrete arrangements" is in violation of the agreed principles. The arms sales issue is a vivid example. The PRC was fully aware of the U.S. intention to continue arms sales to Taiwan after the establishment of diplomatic relations and did not make an issue of them. According to President Carter's diary of January 31, 1979, then PRC Vice-Premier Deng Xiaoping told him "to be prudent in the sale of any weapon to Taiwan after this year, and he let it be known that they were not in favor of any such sale." (Jimmy Carter, Keeping Faith: Memoirs of a President, New York: Bantam Books, 1982, pp. 209-210.) However, later the PRC turned this into a major diplomatic crisis and pressured the U.S. to make more concessions.

* * *

According to the Reagan Administration, in agreeing to limit and ultimately to phase out arms sales to Taiwan, the United States, in the words of President Reagan, "attach[es] great significance to the Chinese statement in the communique regarding China's 'fundamental' policy; and it is clear from our statements that our future actions will be conducted with this peaceful policy in mind." (President Reagan's Statement on the issuance of U.S.-PRC Communique of August 17, 1982.) The text of the Chinese statement, referred to above in the communique, is as follows:

4. The Chinese government reiterates that the question of Taiwan is China's internal affairs. The Message to Compatriots in Taiwan issued by China on January 1, 1979 promulgated a fundamental

policy of striving for peaceful reunification of the Motherland. The Nine-Point Proposal put forward by China on September 30, 1981 represented a further major effort under this fundamental policy to strive for a peaceful solution to the Taiwan question.

The Reagan Administration seems to assume that the PRC's nine-point proposal on unifying Taiwan is a creditable one and, if carried out, would assume a peaceful and prosperous future for the 18 million Chinese people there. However, this seems to be a questionable assumption as will be analyzed in the following section.

Moreover, after the issuance of the August 17, 1982 Communique, PRC high officials on several occasions made it clear that force might be used to solve the Taiwan question. For instance, on the date when the Communique was issued, PRC Ambassador to the U.S. Chai Zemin said in a TV interview with CBS that: "We [will not] make any commitment to any country on the peaceful settlement of the Taiwan problem. We consider the Taiwan problem to be China's internal affair. It is up to us to decide how to solve this problem." The PRC also published this statement in its official English newspaper, The China Daily, on August 27, 1982.

5. The People's Republic of China's Peace Overture to Taiwan

On January 1, 1979, when diplomatic relations were established between the United States and the People's Republic of China, the Standing Committee of the rubber stamp parliament of the PRC -- the National People's Congress -- sent a "Message to Compatriots in Taiwan" calling for "unification" of Taiwan with the mainland. It said that the PRC leaders would take present realities in Taiwan into account in accomplishing the "great cause of reunifying the motherland," would respect the status quo on Taiwan and the

opinions of people in all walks of life there, and would adopt reasonable policies and measures in settling the question of reunification so as to avoid causing any losses to the people of Taiwan. The same day, the PRC also stopped the bombardment of Quemoy and other offshore island controlled by the Republic of China (ROC) on Taiwan. It also launched a campaign for establishing "three links" -- mail, mutual visits, and trade -- with Taiwan as a first step toward the ultimate goal of the reunification.

On September 30, 1981, the PRC made a specific nine-point proposal to Taiwan with more concrete terms for unification. The essential parts of it are as follows:

(3) After the country is reunified, Taiwan can enjoy a high degree of autonomy as a special administrative region and it can retain its armed forces. The Central Government will not interfere with local affairs on Taiwan.

(4) Taiwan's current socio-economic system will remain unchanged, so will its way of life and its economic and cultural relations with foreign countries. There will be no encroachment on the proprietary rights and lawful right of inheritance over private property, houses, land and enterprises, or on foreign investments.

(5) People in authority and representative personages of various circles in Taiwan may take up posts of leadership in national political bodies and participate in running the state.

(6) When Taiwan's local finance is in difficulty, the Central Government may subsidize it as is fit for the circumstances. ("Chairman Ye Jianying's Elaboration on Policy Concerning Return of Taiwan to Motherland and Peaceful Reunification," Beijing Review, Vol. 24, No. 40 (October 5, 1981), p. 10.)

On the surface, the terms were quite generous, but the nine-point proposal is preconditioned by the requirement that the Republic of China (ROC) give up its sovereignty and downgrade

itself to be a "special administrative region" under PRC sovereignty and jurisdiction.

However, once the ROC gives up its sovereignty, it could not trade, purchase arms, or engage in any external activities without the approval of Peking, nor could it prevent Peking from sending military forces to Taiwan. There would be no legal restraints to prevent the PRC from taking away what it promised to Taiwan at the time of reunification. In this connection, the case of Tibet is a vivid example.

Under the threat of an armed invasion of Tibet, an agreement was concluded between the PRC and Tibet on May 23, 1951. According to the agreement, the PRC agreed, among other things, not to "alter the existing political system in Tibet," or "the established status, functions, and powers of the Dalai Lama," and further pledged that all "officials of various ranks shall hold office as usual." It also provided that the "Tibetan people have the right of exercising national regional autonomy." In 1959, the PRC ruthlessly took Tibet by force, killing thousands of Tibetans and driving large numbers of refugees to India. The Tibetan government under the Dalai Lama was dissolved.

The Constitution of the PRC adopted on December 4, 1982 further confirms the fear by the government and people of Taiwan of unification under the PRC formula. Article 31 of the PRC Constitution provides: "The state may establish special administrative regions when necessary. The systems to be instituted in special administrative regions shall be prescribed by law enacted by the National People's Congress in the light of the specific conditions." PRC leaders made it clear that this article was enacted

for the purpose of unifying Taiwan, Hong Kong and Macao. Once Taiwan is unified with the PRC, the latter can unilaterally change the terms of unification through its rubber stamp National Congress in total disregard of the original terms agreed upon. Under Article 64, paragraph 2, of the PRC Constitution, "statutes and resolutions are adopted by a majority vote of more than one half of all the deputies to the National People's Congress." In a recent PRC broadcast to Taiwan, it was stated that under liberal application of the PRC "election laws," Taiwan can be expected to send 100 delegates to the National People's Congress after unification. ("Constitution Will Protect Taiwan's Systems," Beijing in Mandarin To Taiwan, January 24, 1983, in Foreign Broadcast Information Service, China, January 26, 1983, p. Ul.) However, the practical use and strength of 100 Taiwan delegates among the 3000 delegates in the decision-making process of the National People's Congress is almost nil.

Soon after the issuance of the PRC's nine-point proposal, the three-member delegation of Tibetan exiles in India sent by Dalai Lama requested that the PRC accord Tibet the same treatment as was provided for Taiwan in the Chinese Government's nine-point proposal. The request was rejected on the grounds that "Tibet has been liberated for more than three decades The nine-point principle, therefore, is not applicable to Tibet." ("Policy Towards Dalai Lama," Beijing Review, Vol. 25, No. 46 (November 15, 1982, p. 3.) This attitude toward Tibet seems to suggest that the nine-point proposal toward Taiwan is just a transitional policy to entice Taiwan to unify with the PRC. Thus, after unification, the terms could easily be nullified and Taiwan turned into another

Tibet, i.e., under tight control of the PRC with autonomy in name only.

The PRC's strong opposition to U.S. arms sales to Taiwan also demonstrates its lack of sincerity in proposing to let Taiwan maintain its armed forces after unification. Without an adequate supply of arms, Taiwan's military forces would be obsolete in a few years, thus placing Taiwan at the mercy of the PRC.

Finally, the PRC, as stated earlier, has never renounced its right to use force against Taiwan. In essence, therefore, what the PRC simply wants is for Taiwan to surrender under the euphemism of "peaceful reunification."

6. The Republic of China on Taiwan's Response to the Challenge to Its Survival

Confronted with declining U.S. support and intensified PRC pressures to annex it, the ROC has taken a series of measures to meet this serious challenge to its survival. It is not possible to make a detailed summary of such measures, such as diversification of Taiwan's arms supply or expansion of its own arms industry here, only some important measures and their problem will be discussed.

For Taiwan to survive, it must not only maintain a sufficient defense force to make any PRC invasion unacceptably costly, but it must also avoid any action that could provoke the PRC to launch an attack. Any armed conflict in the Taiwan Strait, even one with a successful outcome for the ROC, would be costly to Taiwan because the island is heavily dependent upon foreign trade and investment. Even a paper blockade or an order requiring foreign shipping to Taiwan to get approval from Peking would greatly affect the economy of Taiwan. Export and import insurance costs, for example, would

substantially increase. Hence it is essential for Taiwan to avoid any action that might provoke the PRC into military or economic harassment.

The PRC has on various occasions pointed out that force will be used against Taiwan if Taiwan declares independence, enters into military relations with the Soviet Union or continues to refuse to negotiate. The PRC is particularly sensitive to Taiwan independence. In mid-September 1981, it warned through its newspaper in Hong Kong that "independence for the island would be an intolerable development, which could force Peking to resort to armed attack." (Michael Weisskopf, "China Offers Taiwan 'Joint Leadership' in Unified Nation," The Washington Post, September 16, 1981, p. A21.) U.S. official assessment of the situation is the same. At the House Committee on Foreign Affairs Hearings on Taiwan on February 7, 1979, then Deputy Secretary of State Warren Christopher said that if Taiwan declared its independence, "it could have adverse consequences for the peace and stability of the area." Such a move, he said, "would be a provocative act that could create a dangerous situation." (Hearings Before House Committee on Foreign Affairs on Taiwan Legislation, 96th Congress, 1st Session, February 7 and 8, 1979, p. 48.)

In view of this situation, the ROC government has to take effective measures to ban any advocacy of Taiwan independence and continue to deny that the ROC attempts to seek Taiwan independence by legally separating from China. The ROC's situation is similar to Finland, which could not afford to permit any provocative anti-Soviet act in Finland which might invite Soviet intervention. Unfortunately, some dissident groups in Taiwan and the U.S. do not

see the point. They still have the illusion that once Taiwan declares independence, it would immediately gain support from the U.S. and other countries, despite all the evidence to the contrary. In the August 17, 1982 U.S.-PRC communique, the U.S. "reiterates that it has no intention of . . . pursuing a policy of 'two Chinas' or 'One China One Taiwan.'" This clearly indicates that these dissident groups are pursuing a hopeless cause which could only bring disaster to Taiwan.

In connection with this problem, it is necessary to point out that at present both the PRC and the Taiwan Independence Movement have a parallel interest in bringing down the ROC government, despite the PRC's well-known policy of opposition to Taiwan independence, because without overthrowing the ROC government neither "unification" nor "independence" is possible. For instance, some Taiwan Independence Movement (TIM) elements recently supported the PRC campaign against the sale of defensive weapons to Taiwan by organizing a letter campaign to the U.S. Congress and the Carter and Reagan Administrations. The rationale for open PRC support for some dissident activities in Taiwan seems to rest on a number of grounds: it could intervene in Taiwan should the situation there become chaotic; assuming a chaotic situation developed in the ROC some groups in Taiwan might invite it to intervene for fear of being persecuted by the TIM elements; or, other groups in the ROC might request PRC intervention for the cause of Chinese nationalism, so as to unify Taiwan with the mainland.

The ROC government faces a dilemma: if it does not stop the activities of these elements the situation may escalate so as to

threaten its very existence. On the other hand, if it takes effective measures to control the activities of these elements, pro-PRC and TIM persons in the U.S. might mobilize public opinion, human rights groups and some liberals in the U.S. to accuse the ROC of violating human rights so as to cut down U.S. support, including perhaps arms sales, for Taiwan.

In light of the above statement, I think that proposed House Resolution 591 will not be the wisest move to enhance the human rights of the entire people on Taiwan as provided in §2(c) of the Taiwan Relations Act. First, the proposed resolution was initiated by TIM elements in the U.S. Nowhere in the draft resolution is there any indication of U.S. disapproval of Taiwan independence. Therefore, this resolution, if adopted in its present form, would be interpreted and propagated by the TIM as U.S. support for its cause, resulting in great harm to already strained U.S.-PRC relations. Second, dissident groups in favor of Taiwan independence in Taiwan would perceive the Resolution in the same way as the TIM elements in this country do. They may resort to more radical means against the ROC government and thus heighten political tension in Taiwan. Third, no self-respecting government or country would be willing to accept such pressure from the U.S. This is especially true when a country like the ROC in Taiwan is singled out for exerting pressure, while the U.S. Congress takes no action toward other countries which do not face such serious challenges to their survival and whose human rights records are no better, and perhaps much worse, than that of the ROC. The Resolution, if adopted, could only harden the conservative elements of the ROC and

frustrate the current move toward a more open and liberal society within the context of maintaining national security.

In this connection, it is necessary to say a few words on the nature of Martial Law on Taiwan. This question has been thoroughly covered in the Hearings on Martial Law on Taiwan and United States Foreign Policy Interests conducted by this Sub-Committee on May 20, 1982, and I will not repeat the arguments pro and con there. What I would emphasize here is that the application of Martial Law in the ROC is similar to emergency laws or decrees in other countries. It is almost totally different from the situation in Poland or the Philippines. Because the ROC does not have other emergency legislation measures to deal with protracted national emergency and crises, so the Martial Law was invoked to deal with the situation. As a matter of fact, only a small portion of that Law is enforced, such as: exit and entry control (this is essential because Taiwan cannot afford to receive a large inflow of refugees from Mainland China), military trial for sedition, espionage and armed robbery cases, banning certain political activities, etc. Because the application of Martial Law does not interfere with the daily life of the citizens, a substantial number of them do not even know of the existence or the application of this law. The situation is similar to the state of emergency which existed in the U.S. between 1933 and 1978 and which most Americans were unaware of. The U.S. situation was stated in a Senate Report as follows:

Since March 9, 1933, the United States has been in a state of declared national emergency. In fact, there are now in effect four presidentially proclaimed states of national emergency: In addition to the national emergency declared by President Roosevelt in 1933, there are also the national emergency proclaimed by President Truman on December 16, 1950, during the Korean conflict, and the

states of national emergency declared by President Nixon on March 23, 1970, and August 15, 1971.

These proclamations give force to 470 provisions of Federal law. These hundreds of statutes delegate to the President extraordinary powers, ordinarily exercised by the Congress, which affect the lives of American citizens in a host of all-encompassing manners. This vast range of powers, taken together, confer enough authority to rule the country without reference to normal constitutional processes.

Under the powers delegated by these statutes, the President may: seize property; organize and control the means of production; seize commodities; assign military forces abroad; institute martial law; seize and control all transportation and communication; regulate the operation of private enterprise; restrict travel; and, in a plethora of particular ways, control the lives of all American citizens. (Senate Report of the Special Committee on the Termination of the National Emergency 93rd Congress, 1st Session, Nov. 19, 1973, foreword.)

In 1976, Congress enacted the National Emergencies Act to restrict the President's emergency power (Public Law 94-412, 90 Stat. 1255), although it was not until 1978 that the national emergency in the U.S. was in fact terminated.

The above comments do not mean that the U.S. should not concern itself with human rights in the ROC. What I want to say here is that such concern should not be expressed through public acrimony with the intention of humiliating the ROC government. That can only be counterproductive. Advice and suggestions for human rights improvement in the ROC can best be channelled through quiet diplomacy and private correspondence or contact.

Moreover, scholars, press and legislators in the ROC frequently discuss the question of Martial Law and that if the Law is so unpopular as some dissidents claim, the people in Taiwan can act

through their elected representatives in the Legislative Yuan to terminate it in accordance with Article 39 of the ROC Constitution.

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On the issue of entering into military relations with the Soviet Union, the ROC has repeatedly announced that it would not do so. On the other hand, the ROC certainly does not wish to offend the Soviet Union or involve itself in any possible armed conflict between other countries in East Asia and the Soviets. To that end, it has decided to enter into commercial relations with East European Soviet bloc countries to indirectly demonstrate its peaceful intention toward the Soviets. The question of relations with the Soviet Union has been frequently discussed by scholars in the ROC. The present ROC's policy appears to serve best its national interest, at least for the foreseeable future.

* * *

The issue of negotiating with the PRC is, perhaps, the most difficult one confronting the ROC government. There are some ultra conservative elements in the ROC Government or ruling Nationalist Party who would reject any negotiation with the PRC in total disregard of the international and domestic political environment. On the other hand, the great majority of the people would not be so emotional in approaching the issue. These people, including most knowledgeable and competent government or party officials, intellectuals and some knowledgeable opposition leaders, are fully aware that Taiwan cannot afford to portray the image of being stubborn, irrational and unrealistic in the international community vis-a-vis the PRC's seemingly reasonable peace overtures.

In evaluating these two approaches to this vital issue, one should not abruptly nor totally dismiss the conservatives' view. They do have a point -- any slight indication of willingness just to consider the extension of the PRC's sovereignty to Taiwan would immediately create panic among the Chinese people in Taiwan. The recent panic in Hong Kong caused by the PRC's announcement of its intention to extend its sovereignty to Hong Kong in 1997 clearly illustrates this point.

Caught in the midst of this dilemma, after prolonged discussion among liberal elements of the government and the Nationalist Party, Premier Sun Yun-suan of the ROC delivered an important speech on June 10, 1982 on this issue. Premier Sun pointed out that the ROC would not negotiate its own demise, nor even attempt to negotiate under the military threat posed by the PRC when he said:

In September, 1981, "Marshal" Yeh Chien-ying made his nine-point "peace talk" proposal on behalf of the Chinese Communist regime, calling on the Kuomintang of China to talk with the Chinese Communist party as equals. Yeh said the Chinese Communists would allow Taiwan (under the rule of the Republic of China) to maintain its military, economic and social autonomy. But almost in the same breath, the Chinese Communists threatened to "downgrade diplomatic relations" with the United States if it continued selling arms to the Republic of China on Taiwan. The Chinese Communists also demanded that countries with which they maintain diplomatic ties not have representative agencies in Taiwan. Recently the Chinese Communists disrupted international athletic activities by refusing to send a team to the fifth world women's softball championships in Taipei and by trying to dissuade other countries from participating. All of these developments provide evidence that the Chinese Communists' "peace talk" proposal and their clamor for "three links" (mails, trade and air and shipping services) and "four exchanges" (exchanges between relatives and tourists, academic groups, cultural groups and sports representatives) are means of

deception in the attempt to communize free China

On January 20, 1961, in his inaugural speech, President John F. Kennedy said the United States would never fear to negotiate but would never negotiate out of fear. President Reagan said in his State of the Union address in 1982 that America will negotiate only from a position of strength.

The eminent views of these two American presidents clearly express the position and attitude that should be adopted by a responsible government.

Instead of the type of anti-communist polemics which usually found their way into conclusions of ROC leaders speech, Premier Sun appealed to the PRC to "take steps to change their way of life" and kept the door for reunification open indefinitely by saying:

If the political, economic, social and cultural gaps between the Chinese mainland and free China continue to narrow, the conditions for peaceful reunification can gradually mature. The obstacles to reunification will be reduced naturally with the passage of time.

This speech received overwhelming endorsement by peoples of all walks of life in the ROC, especially the younger generation, which constitutes more than two-thirds of the population. Unfortunately, this conciliatory gesture received no direct positive response from the PRC. It only indirectly responded through its newspaper Hsin Wan Pao (New evening news). In a news commentary in Hong Kong on June 15, 1982, the PRC still called for contact and negotiation without responding to the crucial issue of arms sales and other problems raised in Sun's speech. (See "Taiwan Premier's Reunification Remarks Examined," Foreign Broadcast Information Service, China, June 16, 1982, p. W1.)

Apparently, at that time the PRC was counting on its pressure on the U.S. to stop arms sales to the ROC in order to force the ROC

to accept the PRC's peace proposal, i.e., signing its own death warrant in a disguised form. Therefore, it made no positive response to the ROC's overture. Under such circumstances, the ROC, for face saving reasons, announced by way of a talk by President Chiang Ching-kuo to a group of Chinese scholars on July 24, 1982, that it would ~~not~~^{never} negotiate with the Chinese Communists. ←

Later, as stated above, the U.S. agreed to limit the quantity and quality of its arms sales to Taiwan and ultimately to phase them out totally pursuant to the August 17, 1982 joint communique with the PRC. Encouraged by its diplomatic victory over this issue with the U.S., the PRC hardened its terms for reunification by adopting Article 31 of the Constitution on December 4, 1982, as explained above. To maintain its self-respect and national dignity, the ROC also hardened its position. On January 25, 1983, Foreign Minister Chu Fu-sung, at a briefing given for a group of over 60 National Assemblymen, reaffirmed the Government's position of no negotiation, no compromise and no contacts with the Chinese Communists. ("Foreign Minister Chu Reaffirms Policy Toward PRC," Foreign Broadcast Information Service, China, January 27, 1983, p. VI.)

In the future, unless the PRC puts up some creditable peace proposal, there is unlikely to be any negotiations between the PRC and the ROC.

* * *

Another important measure taken by the ROC to meet the challenge to its survival has been to speed up domestic political reform. When a constitutional government confronts a crisis, it usually invokes emergency power to tighten its domestic control.

(See Clinton L. Rossiter, Constitutional Dictatorship: Crisis Government in the Modern Democracies, Princeton, N.J.: Princeton University Press, 1948.) However, because the challenge to the ROC's survival is a protracted one, to tighten domestic control for a long period of time would be detrimental to national unity which is an essential precondition to meet any outside challenge. As a result, since its removal to Taiwan, the ROC government has taken a series of steps to carry out domestic reform and broaden the base of the government. The measures taken include the enactment of the National Compensation Act, the amendment of the Criminal Procedure Act, the enlargement of the portion of periodically elected members to the Legislative Yuan (now about half of the active members of the Legislative Yuan is periodically elected, it is estimated by the late 1980's almost all active members of that Yuan will be composed of periodically elected members) and other measures.

7. Conclusions

If the U.S. would view the PRC as it is and not as the U.S. perceives it should be, then U.S. relations with the PRC would be on firmer ground. China under Communism and totalitarianism can never be a true ally of the U.S. To place too many undue expectations on using the PRC as a counterweight to the Soviet Union would most likely result in disillusionment. This, however, does not mean that the U.S. should not maintain friendly relations with the PRC. The PRC, because of its size and population, is an important Asian power in world affairs. It is essential for promoting U.S. national interests to maintain friendly, or at a minimum non-hostile, relations with the Chinese on the Mainland.

In dealing with the PRC, the U.S. should not sacrifice its own principles merely for accommodation. In its relations with other countries, including the Soviet Union and former Nazi Germany and Japan, the U.S. has never compromised its principles. Why should the PRC be any exception? There are no moral and legal justifications why a Chinese seeking political asylum in the U.S. should be treated differently from a person from another country, such as the Soviet Union, who seeks asylum here.

Some of the obstacles in Sino-American relations are the result of Chinese misunderstandings of the U.S. system. Increased cultural exchanges may reduce those misunderstandings to a certain extent, but they may also create some problems such as increased Chinese requests for political asylum in the U.S.

Continued expansion of economic and trade relations with the PRC should be beneficial to Sino-American relations. However, the U.S. should be cautious in transferring sophisticated technology and arms to the PRC. Decisions on such trade matters should be evaluated within the context of maintaining stable U.S.-Soviet relations and on the possible implications for the PRC's neighbors.

As for the Taiwan issue, it will continue to be a problem in Sino-American relations, but there seems to be no way to avoid it, unless the U.S. is preparing to terminate completely its arms sales to Taiwan and leave the fate of 18 million free Chinese there to the mercy of the PRC, a regime whose human rights record is among the worst in the world. The U.S. should expect the PRC to raise this issue from time to time to test the will of the U.S. ^{to honor} ~~and~~ its commitment to the Chinese people on Taiwan. On the other hand, the U.S. should be fully aware of the nationalistic feeling of the PRC

and any move, either by the U.S. Administration or Congress, showing support for Taiwan independence, would increase tension in Sino-American relations. Inasmuch as the Chinese Nationalists have supported the U.S. during the most difficult period of U.S. foreign relations -- the Second World War, the Korean War and intervention in Vietnam -- and the 18 million Chinese people in Taiwan have relied on U.S. supply of arms to defend their freedom they should be provided with adequate weapons supplies as long as they do not take any provocative acts (such as declaring independence or inviting the Soviet Union to intervene) against the PRC. Finally, the ROC government should be encouraged, through quiet diplomacy or similar means, to continue to improve human rights and to accelerate political reform there. A more free and open ROC would enhance the chances for the full moral support of the American people.