

Referendum: Shaking the Status Quo?

President George W. Bush's December 9th comments regarding President Chen Shui-bian created controversy in Washington that rippled throughout the halls of Congress and think tanks alike.

Seated next to Chinese Premier Wen Jiabao, Bush stated, "We oppose any unilateral decision, by either China or Taiwan, to change the status quo." Bush continued: "And the comments and actions made by the leader of Taiwan indicate that he may be willing to make decisions unilaterally that change the status quo, which we oppose."

Many analysts blamed Chen for using the proposed referenda as an "election ploy." On a Beijing visit, Deputy Secretary of State Richard Armitage, in answer to a question about why Chen doesn't "get it" regarding US concerns about the referenda, said, "There is an election campaign going on and that may have something to do with it."

While the election campaign and the need to get out the vote of loyal DPP supporters does indeed have something to do with the proposed referenda, this is not the whole story. President Chen has regularly called the referendum an opportunity to "deepen democracy" in Taiwan.

The DPP has believed for a long time in a national referendum as a final step on the road to democracy. In his Lunar New Year greeting, President Chen declared, "There is one step remaining of the road to democracy in Taiwan. ... Now only implementation of a national referendum remains. A national referendum means trusting the people's choice, and is the people's mightiest accomplishment. A national referendum allows citizens to take responsibility for making a decision. This is the key step, and it is also a historical step. During this year's March 20 vote, we will not only consolidate the democratic achievements of party rotation, but also joyfully write history together.

The important DPP 1999 *Resolution Regarding Taiwan's Future* includes as point 5: 'Taiwan should promptly complete the task of incorporating a plebiscite into law, in order to realize the people's rights. In time of need, it can be relied on to establish consensus of purpose, and allow the people to express their will.'

From its inception, a plebiscite has been part of the DPP's platform, born of deep distrust of the KMT. The DPP remembers the history of Taiwan all too well – an 1895 handover to Japan "in perpetuity" with an uprising that established, all too briefly, the first republic in Asia – the Republic of Taiwan; a 1945 handing over of the island to Chiang's KMT as trustees for the Allies and the 1949 arrival of Chiang's rag-tag band of thieves with the resultant 38 years of martial law.

Never again has been a silent DPP slogan. Thus President Chen's assertion: If I have to choose between being elected and holding a referendum, I would choose to hold the referendum.

There was and is still today a deep-seated belief held by many in the native Taiwanese population that both the KMT and the CCP are fundamentally nationalist in orientation and a deal might be made over the heads of the people of Taiwan. The DPP is determined to insure that the Taiwanese people have a say in any negotiated settlement of the future of Taiwan.

So, the domestic implications of the referenda are very real: they will have an impact on the election – although what that impact will be remains unclear, and have a much longer impact on the right of the Taiwanese people to be involved in major decisions about their future. Another part of all this is the DPP's concern that there be a way out of the gridlock that has overshadowed the past three years - whether on budgetary issues or constitutional reform.

Secretary Armitage said he thought the referenda were neither decisive nor difficult. The DPP would beg to differ with Mr. Armitage on both accounts.

The 1999 DPP Resolution also puts the plebiscite in an interesting context: “Taiwan is a sovereign and independent country. Any change in the independent status quo must be decided by all the residents of Taiwan by means of a plebiscite.”

Note that this resolution comes at the issue of “independence” in an obverse way. Instead of the original party platform language – “Taiwan should draw up a constitution and establish a nation” - the resolution declares that Taiwan is already independent and sovereign. Any attempt to change this independent status quo must be agreed to via a plebiscite/referendum, in other words a plebiscite would have to be called to agree to unification of any sort with the PRC.

It is the PRC’s missiles pointed at Taiwan that threaten to overturn the status quo. Not Taiwan, not Chen and his calls for dialogue. The problem, of course, is that the status quo is not viewed in the same way by the three main players here: the PRC, Taiwan and the United States. The real question in play is the issue of sovereignty and the status quo that flows from one’s view of this question.

For the leaders of the PRC, the status quo is that its sovereignty covers Taiwan, Taiwan is an integral part of China. For the DPP the status quo is that Taiwan is already a sovereign, independent nation and any change in this status must be decided by all the residents of Taiwan by means of a plebiscite-referendum. For the DPP, of course, Taiwanese sovereignty does not cover the PRC. The United States is “agnostic” on the question of sovereignty over Taiwan. US policy is that it is up to both sides to decide the question, peacefully and mutually to agree to a resolution. .

President Clinton added to the normal formulation of the US “one-China” policy that, because Taiwan is a democracy, the people of Taiwan have to assent to any resolution – a veto over any resolution they don’t want. This would seem to be precisely the DPP position.

It is true that Chen Shui-bian wants to see Taiwan be accepted as a normal, beautiful country. The DPP wants to see Taiwan accepted as a sovereign,

independent country. While the current referenda do not push the envelope on this question, there is a deep concern in the minds of US policymakers and analysts that Chen and the DPP are moving inexorably down the slope toward “constitutionalizing” this and thus crossing the PRC’s hottest red line.

We have a seeming *mau-tun* – the old unstoppable spear meeting an impenetrable shield.

But the nature of diplomacy is to fix contradictions, to work out of the boxes that contain our policies.

I think Prof. Bates Gill said it best, “Mr. Bush’s statement does not address the core issue of Taiwan’s democratization, its de facto separation, and what it means for the future. Short of outright coercion, there is little the US and China can do to interfere with Taiwan’s democratic process. Walking the situation back to pre-democratic Taiwan 20 years ago is out of the question. All sides concerned will need to be more flexible and innovative to factor in Taiwan’s democratic process and “separateness” as part of the solution, not as the cause of the problem.”

The DPP leadership understands full well the need for flexibility. Hu Jintao and Wen Jiabao may understand this need, but have their own very real internal constraints. Perhaps Hu will be another Lee Teng-hui and pull off a real transformation in the PRC. But, not unlike Lee, he may need a lot more time.

Does the US have the luxury of “flexibility” at this moment in time? Are our national interests so completely wrapped up in a cooperative relationship with the PRC on a wide variety of issues, not the least of which is North Korea, that we must force Chen Shui-bian to stand down?

The following comments by Congressional Members show their support for Taiwan. Comments by Randy Schriver, Deputy Assistant Secretary of State for East Asia give a readout of the current Administration position.

The NPR discussion between two of the then Democratic Presidential hopefuls shows that there is a need for all of us to continue our job of educating American politicians and the US public to support democratic Taiwan’s aspirations for full international recognition. This is no small task but we must continue our efforts.

Congressional Support For Referenda

SENATOR GEORGE ALLEN February 5, 2004
TAIWAN'S PEACE REFERENDUM

* Mr. ALLEN: Mr. President, for the past fifty-four years, Taiwan and the United States have been allies in the international arena, democratic partners and friends. In times of need and turmoil, both countries have always come to each other's aid. In the aftermath of the September 11th terrorist attacks, Taiwan immediately offered help to Americans through the U.S. government. In recent months, Taiwan has offered humanitarian aid to post-war Iraq.

* Today Taiwan is being threatened. Taiwan's planned referendum on March 20, 2004 has been called a move toward Taiwan independence. Some say it will push Taiwan to the "abyss of war." Such rhetoric is a distortion of Taiwan's true intentions. In the face of an overwhelming military threat against Taiwan, Taiwan President Chen Shui-bian's peace referendum asks Taiwan voters whether they should buy more anti-missile weapons if the People's Republic of China refuses to withdraw its 496 missiles targeted at Taiwan and whether Taiwan should open up talks with the People's Republic of China about issues of peace.

* Taiwan's democratically elected president, President Chen, has made it clear that he continues to hold to the "five no's" of his inauguration speech, including the promise not to hold a plebiscite on the issue of Taiwanese independence. The referendum merely aims to avoid war, free its people from fear and maintain the status quo.

* Taiwan, our ally and friend, is a democracy. Its people have every right to hold their referendum this March 20th. Taiwan's referendum law is a basic democratic right that the United States should support rather than denigrate. The future of Taiwan must be determined peacefully, with the express consent of the people of Taiwan. Since its establishment, the United States has been the foremost champion of liberty and democracy in the world. We can, therefore, not afford to tell the people of Taiwan not to hold a referendum. There can be no double standard when it comes to exercising democracy.

TAIWAN -- (Extensions of Remarks - January 21, 2004)
HON. JOSEPH M. HOEFFEL, PENNSYLVANIA

* Mr. HOEFFEL. Mr. Speaker, Taiwan has been a close and valuable ally of our nation since its inception as the Republic of China in 1949. In contrast to the People's Republic of China, both democracy and capitalism have flourished in Taiwan, as demonstrated by its peaceful transition to a multi-party political system and its thriving free market economy.

* I support the notion of a united China, but not if it means the assimilation of Taiwan into anything resembling the current People's Republic. Rather, I look forward to the day when both peoples are united in a truly democratic state, and are able to share in the political and economic freedoms of Taiwan. Until this is possible, the United States must use the tools at our disposal to maintain the status quo, guaranteeing the people of Taiwan the freedom they currently enjoy.

Taiwanese President Chen Shui-bian has called for a nationwide referendum in March regarding China's deployment of hundreds of missiles aimed at Taiwan. Asking the Taiwanese people whether Taiwan should purchase more anti-missile defenses in response to this obvious threat does not represent an escalation of tensions with China. On the contrary, this "defensive referendum" is an affirmation of Taiwan's democratic system. We must support this exercise of the right of free expression, which is consistent with our own values.

* In this instance, China's inflammatory statements, not Taiwan's referendum, threaten to upset the delicate balance that exists in the region. The United States must remain firm in its support for the people of Taiwan. And until China is ready to adopt a democratic system of government and a free market economy, that means maintaining the status quo.

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TAIWANESE REFERENDUM -- (Extensions of Remarks - February 03, 2004)

HON. SCOTT GARRETT OF NEW JERSEY
Mr. GARRETT of New Jersey. Mr. Speaker Taiwan and the United States have a long and fruitful relationship. Taiwan's democracy is modeled after ours and its economic prosperity depends much on the mutual trade between Taiwan and the United States.

Taiwan's leaders were mostly educated in the United States and Taiwan has nearly 30,000 students studying in America colleges and their tourists' number one overseas destination is the United States.

* So despite the lack of formal diplomatic relations, Taiwan is a close ally of our government. It has supported our global war against terrorism and has pledged humanitarian-assistance to postwar Iraq.

* On the other hand, we have the Taiwan Relations Act, a law of the land which is designed to provide Taiwan with adequate weapons to protect itself against invasion from China. The U.S. policy on Taiwan - China relations is to maintain the status quo in the Taiwan Strait.

* Taiwan's planned March 20 referendum, contrary to what Chinese leaders have said about it, is designed to maintain the status quo in the Taiwan Strait. It is not to provoke Chinese leaders. It merely asks Taiwan voters whether their government should buy more anti-missile weapons if China refuses to withdraw its 496 missiles targeted at Taiwan and whether their government should open up talks with China about other issues.

* I feel the 23 million people of Taiwan have a right to hold such a referendum. We mustn't allow China to intimidate Taiwan with talks of overtaking Taiwan by force and other verbal threats.

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TAIWAN - February 04, 2004
HON. CHRIS BELL OF TEXAS

* Mr. BELL. Mr. Speaker, I rise today to voice my support of efforts by the Taiwanese President and people to facilitate a peaceful, stable, and democratic environment in East Asia. Despite continued aggression by the People's Republic of China, Taiwan has maintained grace and sensibility. For this, I ask my colleagues to join me in support of President Chen Shui-bian and the Taiwanese people.

* On March 20, 2004, the Taiwanese people will vote on a referendum for peace, which will consist of two questions. One is:

* Would you agree that our Government should engage in negotiations with Mainland China on the establishment of a "peace and stability" framework for cross-strait interactions in order to build consensus and

for the welfare of the people on both sides?

* This would be the first official communication between Taiwan and China since 1949, a historic attempt at conciliation between two sparring nations. I would remind my colleagues of the Taiwan Relations Act of 1979, in which we put forth the expectation that "the future of Taiwan will be determined by peaceful means" and state that "any effort to determine the future of Taiwan by other than peaceful means is of grave concern to the United States." As Taiwan makes a sincere effort to improve relations with Mainland China and support a peaceful continuation of the status quo, we must applaud and support them.

* The other referendum question is:

* The people of Taiwan demand that the Taiwan Strait issue be resolved through peaceful means. Should Mainland China refuse to withdraw the missiles it has targeted at Taiwan and to openly renounce the use of force against us, would you agree that the Government should acquire more advanced anti-missile weapons to strengthen Taiwan's self-defense capabilities?

* This referendum is neither provocative nor a move toward Taiwanese independence. It constitutes an effort to prevent Mainland China from using force and unilaterally changing the status quo. China has never renounced the use of force in the Taiwan Straits and has 496 missiles targeting Taiwan. I urge China to withdraw those missiles, which upset the military balance in the Taiwan Straits and whose continued presence demonstrates China's hostile approach to cross-strait relations.

* Article 3 of the Universal Declaration of Human Rights states: "Everyone has the right to life, liberty and security of person." Taiwan has the right to voice its concerns and to protect itself from harm. A nonviolent resolution of the Taiwan Straits issue is Taiwan's ultimate goal. This peace referendum is the first step in that process and the right of the Taiwanese people.

* In the Taiwan Relations Act, we reaffirmed our nation's commitment to "the preservation of human rights of the Taiwanese people." Now is the time to stand behind that statement. For President Chen Shui-bian's work to create a stable, peaceful, and democratic environment in the region, he deserves our recognition and support.

Kerry and Lieberman

Spar over Referenda

In a January 6, 2004 National Public Radio debate by the Democratic Party presidential hopefuls, moderator Neil Conan held this discussion on Taiwan with Senators John Kerry and Joseph Lieberman.

CONAN: Senator Kerry, I did want to move on to another part of the world.

Taiwan has scheduled what some are describing as a provocative referendum as a sign of restiveness, and some fear that it could lead them toward a policy of independence. When it comes down to it, will you stand with the rambunctious democrats in Taipei or with the autocrats in Beijing?

KERRY: You're asking me?

CONAN: Yes, sir.

KERRY: The United States has always had a one-China policy, notwithstanding how terrible we may understand their regime to be. And that has been a Republican president, Democrat president policy alike. I think it is the right policy.

At the same time, no president could possibly allow Taiwan to slip backwards from the democracy that it has achieved. And what we have succeeded in doing through the years is maintaining a balance, a, sort of, what people have called a purposeful, constructive ambiguity, where we've left it uncertain as to precisely what steps we'd take, but we've made it clear we will not tolerate any kind of invasion, any kind of effort to move backwards.

KERRY: I think now is time for us to also be strong with Taiwan and make it clear that while we are supportive of the democracy, and while we recognize the society they've built, a capitalist society, we are not going to permit them to declare independence, that that would be unacceptable.

And I think the way we resolve it is to continue to push, as we did with Hong Kong, Macau and other places, for a one China-two systems and work through over the course of the future.

CONAN: Senator Lieberman?

LIEBERMAN: America is always strongest in the world when we stand by our principles, and the bedrock principle is freedom and democracy.

So, yes, China is big -- we have to work to manage our relations with them -- Taiwan is small. But China is not a democracy; Taiwan is. And we have to stand with that rambunctious democracy.

I was startled when the Bush administration, because the president of Taiwan in the midst of a political campaign -- when we know here people sometimes do unusual things -- called for a referendum on whether the Chinese missiles pointed from the mainland toward Taiwan should be removed. In response to that, the president turned his back on Taiwan -- that was an outrageously unprincipled position for a president of the United States to take.

CONAN: Senator Kerry wanted to get back in.

KERRY: Well, Joe, surely you would agree with me that they should not be encouraged or allowed to declare independence.

LIEBERMAN: No -- yes, because that's...

KERRY: You do agree with me?

LIEBERMAN: ... that's the nuance, but this was not a declaration of independence by the Taiwanese; this was a call for a referendum on whether the Chinese should remove the missiles from across the Taiwan Straits. And for the president, when China griped about it, to knuckle under, that's not what the leader of the greatest democracy in the world does.

Randy Schriver, Deputy Assistant Secretary for East Asia, on US-Taiwan Relations and the Referenda

Mr. Schriver, recently returned from a trip to Beijing with Deputy Secretary of State Richard Armitage, made the following remarks at a China Economic and Security Review Commission meeting on February 6, 2004.

Chinese Military Modernization and Cross-Strait Relations

Good Morning. Thank you, Mr. Chairman for the opportunity to address the Commission on the issue of Chinese military modernization and its relation to recent developments in cross-Strait relations. I am pleased to be here with Deputy Assistant Secretary Richard Lawless who is particularly well qualified to address many of the concerns you might have about the issue of China's military modernization. For my part, I will focus on the cross-Strait relationship and the Administration's view of it, in light of the steadily increasing capability of the People's Liberation Army.

First, our objective has been consistent for more than three decades and through seven Administrations of both parties: to preserve peace and stability in the region. In this regard, we maintain our one China policy, based on the three joint Communiqués and the Taiwan Relations Act. This approach, coupled with our forward deployed forces in the region, has helped create a peaceful environment in which mutually beneficial economic and people-to-people ties have expanded dramatically across the Strait in recent years.

Second, I would note that political leaders on both sides of the Strait have expressed their desire to seek a peaceful resolution of their differences. The problem has been that at the most important senior levels, they have not been talking with one another. The Administration has encouraged Beijing and Taipei to find some way to enter into direct communication, without the kinds of preconditions that have been discussed previously.

Third, America stands firmly behind democracy in Taiwan. We applaud the evolution of Taiwan's democratic experience and the presidential elections in 2000 which led, for the first time, to the peaceful transfer of power from one party, the Nationalist Party

or Kuomintang, to another, the Democratic Progressive Party or DPP.

We expect a similarly hard fought, democratically contested election on March 20. We are committed to working with the democratically elected President and Vice President of the next government of Taiwan, whoever they may be.

Fourth, military modernization has been high on China's list of priorities since the start of its economic reform more than 25 years ago, but, for the most part, has been closely tied to China's main domestic agenda, rapid economic development. Many of the efforts China has made at streamlining and professionalizing its military, upgrading its capabilities, improving command and control functions have been the natural and logical outgrowth of a nation that seeks to ensure its borders are safe from threat and that it can defend its interests in an uncertain world.

However, there are some aspects of Chinese military modernization - command and control, naval and amphibious upgrades, missile placement, especially as it is and other deployments and investments directed at improving the PRC's capability to target Taiwan. We do not take for granted that the PRC may ultimately elect to use force to settle cross-Strait differences, and we have made our position on the use of force clear to China, both publicly and privately. With regard to all of these capabilities, the State Department, along with other USG agencies, has pointed out that the military build-up contributes to tensions, which in turn lead to distrust on both sides. Let me note that we have been especially concerned about the PRC's deployment of ballistic missiles along its Eastern seaboard. Such a deployment is inherently destabilizing. We have raised the issue of Taiwan-targeted missiles with the PRC at the highest levels and continue to do so regularly. I want to assure you that we are going to do our utmost to make sure that there isn't any kind of conflict in the Taiwan Strait area.

I know that you are also interested in our view of the recent referenda, which President Chen Shui-bian has offered for consideration by the voters concurrent with the March 20 election. We support referenda in principle; they are tools that all democratic countries

use to gauge the sentiments of the people, though it's usually the case that you have these referenda coming from the bottom rather than drawn up by the top.

As the Deputy Secretary said in Beijing, referenda are generally reserved for very difficult and divisive issues, but the wording of these referenda is neither difficult nor particularly divisive. The Secretary of State has noted that we are still studying the text of President Chen's proposed referenda. We do not endorse any particular referendum or phrasing, but we will wait to see the context, and how it is used domestically in Taiwan.

In conclusion, both sides of the strait need to reflect on the President's December 9 statement, during the visit of PRC Premier Wen Jiabao. The U.S. does not support Taiwan independence and opposes unilateral attempts, by either side, to change the cross-strait status quo. We can't get much clearer than that, no matter how many times we are asked to reiterate it, no matter how many requests we have for clarification.

Mr. Chairman, that concludes my prepared remarks and I would be happy to take questions from you and your fellow commissioners.

Taiwan Caucus Co-chairs Urge WHO Chief To Establish a Permanent Office in Taiwan

Dr. Lee Jong-wook
Director General, WHO
Avenue Appia 20
1211 Geneva 27
Switzerland

January 7, 2004

Dear Director General Lee:

Recently, Severe Acute Respiratory Syndrome (SARS) resurfaced in Taiwan, Hong Kong, and China. The initial global epidemic of SARS prompted the World Health Organization (WHO) to initiate its Global Outbreak Alert and Response Network. This action provided nations across the globe accurate and timely information, enabling them to better combat this world health threat.

While we are grateful for the WHO's concerted response to this global health crisis, we are deeply disturbed that after the initial outbreak, Taiwan was denied assistance when it requested help from the WHO to diagnose and treat suspected cases of SARS. Despite the risk posed to 23 million Taiwanese citizens, the WHO repeatedly rejected Taiwan's plea for help and placed the health of an entire nation in jeopardy. It is unconscionable that instead of focusing on the health needs of the Taiwanese people, health decisions were based on politics and China's short-sighted rejection of Taiwan's participation in the WHO.

As the pace of globalization quickens and the spread of infectious disease accelerates, it is critical that all nations, including Taiwan, be given the opportunity to participate in such international health organizations as the WHO.

As co-chairs of the Congressional Taiwan Caucus of the U.S. House of Representatives, we urge you to establish a permanent WHO representative office in Taiwan.

The recent SARS outbreak underscores the importance of opening such an office. The Taiwanese people should not be left out of the international effort to identify, contain, and treat this deadly virus.

We look forward to your response.

Sincerely,

Robert Wexler Dana Rohrabacher Sherrod Brown Steve Chabot