

Applying to the UN “in the name of ‘Taiwan’”

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Since publication of *CLM* 21, much has happened in the course of the presidential campaign in Taiwan to provide material for a meaty essay. KMT presidential candidate Ma Ying-jeou, who maintains a substantial lead in most polls, was found innocent of corruption charges (although the prosecution will appeal); Ma also stepped up his campaign around the island with several “long stay” efforts focusing on social and economic issues. DPP presidential candidate Frank Hsieh visited the United States and, after an agonizing struggle and with a little “encouragement” from President Chen Shui-bian, finally picked his primary campaign rival, former premier Su Tseng-chang, as his running mate; Hsieh’s obvious preference for that role, former vice premier Yeh Chu-lan, then became secretary general of the president’s office and campaign manager for Hsieh.¹ A number of DPP heavyweights, including Vice President Annette Lu and DPP chairman Yu Shyi-kun, were indicted on forgery and corruption charges in connection with alleged misuse of public funds. Although Yu resigned his party post, he nonetheless pressed for a more explicitly “Taiwan independence”-oriented version of the “normal country resolution” adopted by the party at the end of September. Although this effort was roundly defeated, there are some signs that DPP intraparty rivalry will continue, as it does within the KMT, and the impact on the campaign remains to be seen. At long last the Taiwan defense budget passed the LY, with provisions authorizing arms purchases from the United States, although the fate of some systems, such as submarines and F-16s, remained question marks. And, finally, after smoldering for some time, negotiations between Beijing and Taipei to bring the Olympic torch to Taiwan finally collapsed, with each side blaming the other.

And in future *CLM* articles we’ll certainly come back to some of these issues.

But one issue came to dominate the trilateral U.S.-Taiwan-PRC agenda during this period, and seems destined to do so for some time to come: the DPP referendum on joining the United Nations “in the name of ‘Taiwan.’” The issue of a “2nd Republic” constitution, which we noted in *CLM* 21 was a matter of such great sensitivity in the first half of the year, simply faded away with the passage of time and under the intense light of U.S. and Mainland attention.² However, the UN referendum issue, already a matter of some controversy by early summer, came to occupy center stage not only in the election campaign, but also among all three actors in the triangular relationship.

This article is, therefore, devoted entirely to discussing that issue.

The Referendum Issue in Taiwan

In earlier issues of *CLM*, we have noted that the DPP-proposed referendum on joining the United Nations “in the name of “Taiwan”” was becoming an increasingly prominent issue in cross-Strait relations, a focus of PRC concern, and a matter of some tension between Taipei and Washington. Since we last wrote in early July, it has become “the” issue of the day, and has even come to dominate much of the campaign itself.

As we discuss in greater detail below, various explanations have been given by the DPP and by the Chen administration, including by President Chen himself, about why the referendum is necessary. Most of these explanations center on the twin issues of deepening “Taiwanese identity” and promoting international acceptance—over time—of Taiwan as a sovereign, independent state. At the same time, they include an insistent argument that this has nothing to do with changing the formal name of “the Republic of China” or violating the “four noes” pledges that President Chen made in his 2000 and 2004 inaugural addresses.³

Although both presidential candidates have argued that neither this question, nor even the broader issue of cross-Strait relations, should be the centerpiece of the campaign, in fact the referendum is shaping up to be precisely that, at least for this period. In large part, this is because the referendum issue has been strongly opposed by both the PRC and the United States, and has become entangled with the ensuing political reactions in Taiwan.

The DPP Referendum

The text of the DPP referendum reads:

In 1971, the People’s Republic of China replaced the Republic of China as a member of the United Nations, thus making Taiwan an international orphan. In order to strongly express the will of the Taiwanese people, and to elevate Taiwan’s international status and international participation, do you agree with the government to use the name “Taiwan” to enter the United Nations?⁴

As discussed below, Beijing has placed special emphasis on the DPP “explanation document” for the referendum⁵ as evidence that this is not the straightforward, non-provocative issue Chen Shui-bian likes to portray. Rather, the Mainland sees it as part of a concerted and deceptive plan to lay the political and legal foundation for movement to formal, de jure independence.

That explanation document argues that, with Taiwan having been excluded from the UN in 1971 by UNGA Resolution 2758,⁶ having been without representation since that time, and, as in the past, having no prospect of gaining UN membership under the name “Republic of China,” it is essential to become a “new member” of the UN under the

name “Taiwan.” Moreover, the DPP argument goes on, it is necessary to do so in a way that emphasizes Taiwan’s “sovereign, independent” status in order to counter the Mainland’s “one China principle” as well as the claim that “Taiwan is a province of China.”

The DPP document then asks: “How then can we show Taiwan’s sovereignty?” And it provides the answer:

A national referendum is the best option. The truth is, the ROC method in the UN cannot work. In the long term, the international community can learn to gradually accept and support the name “Taiwan.” By employing the tool of a national referendum, we can demonstrate our collective will and also further emphasize the ridiculousness of excluding 24 million people of Taiwan from the UN.

It goes on to argue that a referendum also has special authority:

In accordance with the principles of democracy, a national referendum strongly reflects the collective will of the country’s citizens. It represents a supreme power that supersedes any existing laws or documents, including the Constitution. The national referendum “Joining the UN, under the name of Taiwan” is the only way to transcend the limitations set by the Constitution, and to demonstrate the collective will of the Taiwanese people.

On the one hand, Chen has responded to PRC charges about the purposes of the referendum, and more particularly to American concerns about where this is all heading, by stating that, even if the referendum passes, “nothing will change.”⁷ On the other, he argues that this is a matter of enormous significance: “The referendum will have a major impact on history, as everyone will soon see.”⁸ As he put it during a videoconference address to the World Federation of Taiwanese Associations meeting in Osaka, Japan:

As long as we insist on going the right way and doing the right thing, we will eventually reach our goal. Taiwan will be correctly named, Taiwan will have a new constitution, Taiwan will join the United Nations and Taiwan will become a new and independent, normal country.⁹

These quotes suggest that Chen would have the world differentiate between his long-term goals (which are ambitious) and his short-term expectations (which, at least according to him, are modest). Focusing on the latter, he has continued to ask over the course of the summer and early fall, as he did in his *Washington Post* interview in July,¹⁰ what it is about the referendum that the United States finds troubling. Is it about the matter of holding a referendum itself? Or about joining the UN? Or about using the name “Taiwan”? “What is there to oppose in any of these?” (As discussed below, the United States has now provided quite direct answers to those questions.)

True, he says, “we want to use the name of Taiwan to actively join the international community, join international organizations and join the United Nations, and help Taiwan establish a new identity and status on the world map.”¹¹ But this is not calling for a change in name or change in the constitution, he argues. It is merely seeking to use the application “in the name of ‘Taiwan’” to “establish a new identity” and, while maintaining the status quo in the Taiwan Strait, to establish a new status for Taiwan in the international community. Although the official name “Republic of China” “is changeable,” he says,¹² changing it is not the intent or effect of the referendum and he is not seeking to provoke anyone. The point is that Taiwan is not a province of the PRC but a separate sovereign entity that deserves a seat at the UN table.¹³

In a speech to the World Taiwanese Congress in Taipei Chen argued:

The evolution of history shows quite clearly that Taiwan is already a nation with independent sovereignty, but Taiwan is still not a normal democratic country. We therefore need to continuously and aggressively seek “name rectification,” “formulation of constitution,” “joining the United Nations,” “implementation of transitional justice,” “establishment of Taiwan-centric consciousness” through “referenda” and other democratic means, and to be united in one heart and one mind to build a normal and great democratic country. This is also the most important reason why I have repeatedly stressed that the “Normal Country Resolution” must be adopted [by the DPP].¹⁴

At times, Chen has returned to a theme that he had struck in the past about how the UN bid is “mission impossible,” but how he is willing to sacrifice his personal comfort and bear hardships to pursue it in order to protect Taiwan from becoming part of the PRC. “What is the meaning and value of being president for eight years if I cannot protect Taiwan?”¹⁵ He argues he will not give up until the international community has recognized Taiwan.¹⁶

In a videoconference with the American Enterprise Institute in early September, Chen took this discussion of his “mission” to a new level. He noted that Taipei had in the past “made compromises on the choice of name for application and method of participation,” never before having “formally filed an application” directly to the United Nations “in the name of ‘Taiwan.’” Turning history somewhat on its head, Chen said that “the political term ‘Republic of China’ was conceived to challenge and deny the legality of the ‘People’s Republic of China.’” But, he said, Taiwan no longer seeks to do this, for example by challenging Beijing’s seat in the UN. Rather, it wishes to apply to the UN “under the name ‘Taiwan’” and to do so “in the capacity of a new member state.” Having established this “pragmatic and responsible” attitude, Chen nonetheless acknowledged the difficulty of the challenge. Describing how he would meet that challenge, he melodramatically quoted the lyrics of “The Impossible Dream” from the Broadway musical *Man of La Mancha*, underscoring the determination “to fight the unbeatable foe” and “bear the unbearable sorrow” to achieve his aims. It may not be too far off the mark

to suggest that, in reciting the final verse, Chen expressed his true vision of himself and his mission:

*And I know if I'll only be true to this glorious quest
That my heart will be peaceful and calm when I'm laid to my rest
And the world will be better for this
That one man scorned and covered with scars
Still strove with his last ounce of courage
To reach the unreachable star¹⁷*

At other times, however, he has seemed to suggest that he is merely being carried along by larger forces of democracy over which he has no control. Ignoring his own role in promoting the referendum in the first place, and in the manner of one of the chief instigators of the French revolution of 1848 who, trying to force his way through a mob, allegedly proclaimed, “Let me pass, I have to follow them, I am their leader,”¹⁸ Chen argues that he must pursue the referendum because it is “the will of the Taiwanese people.”¹⁹

On the eve of a Kaohsiung mass rally on 15 September in support of the referendum, Chen Shui-bian revved up the rhetoric. On the way to Kaohsiung, he urged people to recall that “Taiwan is an independent sovereign country, and it has the right to join the U.N.”²⁰ Underscoring the effort to paint the KMT as PRC toadies, he used the following line:

If you think Taiwan is an independent state and not part of the PRC, please support the referendum proposed by the DPP;

If you think Taiwan is part of China or the PRC, or believe there is “one China” and that Taiwan should ultimately unify with China or that the ROC includes China and Mongolia, please vote for the KMT’s referendum proposal.²¹

At the rally itself he restated his position once again:

China says Taiwan is part of China. I believe we definitely disagree. Our Taiwan is an independent sovereign state. Taiwan is not part of the PRC. It is very clear that our Taiwan and China are *yi bian yi guo* [each side of the Taiwan Strait a separate country].²²

Applying to the United Nations

As all of this political activity was swirling around over the referendum issue, Chen also took direct steps to apply to the United Nations. In addition to the annual submission by a number of Taiwan’s few remaining diplomatic partners that went forward for consideration in New York when the General Assembly convened in September, Chen

took the unprecedented step of writing directly to UN Secretary-General Ban Ki-moon in mid-July.

The letter cited what Chen called the “fundamental right” of the people of Taiwan to participate in the world body, consistent with the principle of universality, and he stated that he was thereby formally submitting Taiwan’s application for admission of Taiwan as a “member” of the United Nations. He signed the letter “Chen Shui-bian, President, Taiwan.”²³

Unsurprisingly, it was rejected,²⁴ but the grounds for the rejection cited by Secretary-General Ban and by the UN Legal Affairs office—that Taiwan’s status as “part of China” had been determined in 1971 by UNGA Resolution 2758, which turned the “China” seat over to Beijing and ousted Taipei, and that the PRC represented “the whole of China” (including Taiwan)—set off a public firestorm of outrage in Taipei but consternation privately expressed elsewhere.²⁵

In supporting the Secretary-General’s position, Beijing justified the rejection in even more colorful terms:

Any issues that involve China’s sovereignty and territorial integrity must be jointly decided on by all the 1.3 billion people of China. On this matter of fundamental principle, we have not the slightest room for compromise. While we will unswervingly propel cross-Strait relations forward in the direction of peace and stability, we have made the necessary preparations for resolutely stopping all “Taiwan independence” adventures and will never allow “Taiwan independence” separatist forces to separate Taiwan from China under any name and in any way. If they ignore [our] warnings and denunciation by world opinion and obstinately cling to their course and become reckless in desperation, the Chen Shui-bian authorities must bear responsibility for all the serious consequences arising therefrom. In the end the scum of the nation who plot to divide the country will not escape the punishment of history.²⁶

A consequence of the UN’s handling the application in terms of 2758 was that it led Chen to submit yet a further letter on 31 July. This time he wrote not only to Secretary-General Ban, but also to the UN Security Council President, who ironically that month happened to be Ambassador Wang Guangya of the PRC. In the letter to Ban, Chen rejected the Secretary-General’s interpretation of 2758 and noted that “My country, Taiwan, is an independent sovereign nation.” He did not include this sentence in his letter to Wang, but, as with his earlier letter to Ban, Chen signed both letters “Chen Shui-bian, President, Taiwan.”²⁷

All of these points, of course, were added to the list of “evidence” cited by the PRC that the UN application, as well as the referendum, were all part of a carefully planned scenario to promote “Taiwan independence.”²⁸

In mid-August, a number of Taiwan's diplomatic partners submitted the "standard" annual request for consideration of Taiwan's UN membership. Chen expressed the hope that others would support Taiwan's application or "at least not oppose us."²⁹ On 19 September, the application was taken up the General Committee of the General Assembly to decide if it should be put on the UNGA agenda. Although fully realizing it would lose, Taiwan hoped for a full debate of the issue, and three of its supporters argued for that. The PRC and its supporters argued for a limited debate of only two speakers each for "pro" and "con." This was put to a vote and the "two-plus-two" formula was adopted 24-3, with the United States voting with the PRC.

During the debate, PRC representative Wang Guangya touted the PRC's concern for the people of Taiwan; condemned Chen for seeking "Taiwan independence," including through the UN referendum; cited Beijing's expansive interpretation of Resolution 2758; and expressed the view that the "farce" of applying to the UNGA for membership for the past 15 years "should long have been stopped."³⁰ After the two selected representatives for each side had spoken, the General Committee chairman did not call for a show of hands but simply ruled that there was not a consensus to put the matter on the General Assembly's agenda.³¹

In fact, however, this was not the end of it. On 21 September, Taiwan's allies initiated a floor debate in the General Assembly on the General Committee's recommendation not to consider the Taiwan item. The debate consumed over four hours, during which some 126 countries spoke against Taiwan and 14 spoke in favor. It was defeated without vote. The United States did not speak (nor did Japan), but it did issue a statement on the USUN website reiterating its opposition to Taipei's effort and characterizing it as counterproductive.³²

Despite the predictable lopsided trend against Taiwan, the foreign ministry in Taipei expressed pleasure that for the first time the issue of Taiwan's representation had been discussed "so extensively" at a UNGA plenary. This "shows," the ministry said, the high level of attention from the international community.³³ Moreover, Taiwan took steps to have its diplomatic allies raise the issue during their speeches to the UNGA.³⁴

Some say that Chen's goal all along has been to fail spectacularly at the UN, so he could use the rejection as a rallying point for the referendum and for the DPP in the election. Among others, the KMT has charged this at various times, including in Ma Ying-jeou's 15 September statement on the occasion of a rally for the party's own UN referendum (discussed below).

Chen, of course, denies this, saying that it has nothing to do with garnering support in the election (or, of course, with changing the official title or violating the status quo). Rather, it has to do with "a fight between justice and evil within the international community,"³⁵ fairness to the people of Taiwan, and the necessity to preserve the status quo in the face of PRC attempts to change it. Moreover, even though there was no chance of success at the UN, he has said a referendum would help forge domestic consensus and unity on the issue.³⁶ And once the people of Taiwan express

themselves collectively through a referendum, this would lead Beijing to better respect the choice of the Taiwan public in future cross-Strait dealings.³⁷

As much as the argument for the referendum—and for applying to the UN—“in the name of ‘Taiwan’” has focused around these themes of internal unity and the “fight for international recognition and respect for the country’s sovereign status,”³⁸ the effort appears importantly intended as a *statement* and a *demonstration* that Taiwan already *is* a sovereign, independent state. And Taipei seemed to see some resonance for this argument in the form of increasing international attention to the issue.³⁹

Frank Hsieh Chang-ting’s role

As he approached the 15 September rally, and fully aware that DPP presidential candidate Frank Hsieh Chang-ting was beginning to show concern about the potential negative impact of the referendum on his campaign, Chen went out of his way to associate Hsieh with the effort. Chen noted that the decision to launch the referendum campaign followed extensive discussion, including consultations with Hsieh, and that Hsieh was a member of the DPP Central Standing Committee that proposed and supported the motion for the referendum drive. He characterized Hsieh as having supported the use of the name “Taiwan” to enter the UN for almost two decades, and as being “very resolute” on the issue both before and after Hsieh’s recent visit to the United States. Chen also asserted that both letters he sent to UN Secretary-General Ban Ki-moon had been discussed in advance with Hsieh and received his full support.⁴⁰

Hsieh thus faces a huge dilemma in all of this. On the one hand, as we have discussed in earlier *CLM* articles, he cannot afford to alienate either President Chen or others in the pan-Green base. Moreover, he of course supports the principles with regard to Taiwan’s sovereign, independent status; its right to participate in the international community including the UN; and the ultimate goal of formal independence.

On the other hand, it is evident that he sees the potential damage the referendum could cause not only to his campaign but, should he be elected, to his ability to promote smooth cross-Strait relations and harmonious relations with the United States.

While Hsieh had said he would not make the referendum the centerpiece of his campaign, he nonetheless took a firm position before visiting the United States: “I’ll not change the stance (on the issue) in order to win the presidential election or placate the United States. Rather, I’ll take advantage of the upcoming trip and make the U.S. understand the wish of people here. Taiwan is a sovereign country. It must not be mistaken for a factory or a company.”⁴¹

At the same time, Hsieh indicated that he would seek to build mutual confidence with Washington⁴² and that he would “take into consideration” the U.S. government’s viewpoint.⁴³

There were some indications as Hsieh prepared for his trip that he would, at least in private conversations with American officials, try to separate himself from President Chen's fixed position on the referendum, even if in public he would have to hew to the party line. In the end, however, Hsieh's arguments in private were reported to have been similar to those he made in public, and they were reportedly not persuasive to his American counterparts.

Hsieh is said to have argued that the United States should not strongly oppose the referendum, because the PRC was not really concerned about it; Beijing knew that Taiwan could not obtain UN membership.⁴⁴ This approach was strongly rebutted, and the U.S. government lined up solidly to impress on Hsieh how seriously the issue was viewed in Washington, and that he, and not just Chen, would be held responsible. He was also met with a dismissive response when he argued that the referendum was an exercise, not in independence, but in rallying national identity, which was, in turn, necessary to back greater defense efforts—something the United States badly wanted.

While in the United States, Hsieh sought to parry criticism of the referendum on a number of grounds: it could not be stopped, because it reflected the democratic will of the people that even the KMT had to respect; it was not a formal “name change”; it was not the opening shot in a series of referenda that would climax with one on “formal independence” (he argued that, as Taiwan is already independent, it doesn't need a referendum for that purpose).⁴⁵ In all, Hsieh stressed that he was eager to improve cross-Strait relations, not complicate them.

On the other hand, shortly after his return from the United States, Hsieh told Sanlih Entertainment TV (SET-TV) that it was possible to complete national name rectification and revision of the constitution within five years. He said this would not be a change in the status quo, because Taiwan was already a sovereign, independent state.⁴⁶

Implicitly criticizing Chen Shui-bian, Hsieh argued that the problem was not the substance of the proposal but the lack of adequate communication: “The main reason why the United States, a democratic state, is opposing this is [that] (the Chen administration) did not give advance notice.”⁴⁷

While in the United States, as he has at other times, Hsieh stressed that he would give highest priority to national security. He declared: “Nothing is more important than protecting the freedom of our people. Without national security, nothing else matters. It is a matter of survival.”⁴⁸ And in a follow-up session after his SET-TV interview he said that, although he believed that the degree of solidarity on the name change question within Taiwan would help turn U.S. disapproval around within five years or so, he “would not gamble with the nation's security.”⁴⁹ He did not expand on this point.

As this article was heading for publication, Hsieh asserted himself to say that, while Chen Shui-bian had the final say on national policy, he himself had the final word on campaign strategy. Chen agreed.⁵⁰ They claimed that thus far there had been no disagreements, but this seemed to be true, if it was, only in a formal sense, given Hsieh's obvious concern for the impact of the UN referendum on his campaign. How this was

going to affect ultimate decisions about the referendum was far from clear, though the situation seemed to tilt in the direction of Chen's primacy on that question.

The KMT Responds in Kind

By late June, the KMT decided to put forward its own referendum on "reentering" the UN and joining other international organizations, contrasting the DPP's "election gambit" to its own "pragmatic and flexible" approach.⁵¹ As observed in *CLM* 21, the KMT decided this was a better approach than simply opposing the DPP draft. The text of the KMT version reads:

Do you agree that this country should seek a return to the United Nations and apply for admission to other international organizations through pragmatic, flexible strategies? In other words, do you agree that this country should seek a return to the United Nations and apply for admission to other international organizations under the name "Republic of China" or "Taiwan," or any other designation that would help realize the bid and assure Taiwan of dignity?⁵²

KMT presidential candidate Ma Ying-jeou, like Hsieh, sought to make other issues his central campaign themes; Ma wanted to focus on the economy.⁵³ Perhaps in part for this reason, his criticism of the DPP draft was couched in low-key terms at this early date. Ma said that he shared the goal of gaining representation in the United Nations—"reentering" as he put it. However, he insisted this should be pursued in a pragmatic manner with a flexible strategy. Ma added with understatement that insisting on using the name "Taiwan" in the UN bid, without giving thought to the possible consequences, might make people think there are [were?] political motives at work.⁵⁴ In the end, he said, participation is what really matters, not the name (though, of course, Ma realized as well as anyone that, at least as far as the UN was concerned, there was no prospect of success under any name).

In a line to be echoed by the United States two and a half months later, Ma said: "The DPP's referendum proposal [can] only limit the country's international space." Rather, he said, "we should use a name that won't damage the trust of our allies."⁵⁵

The KMT's logic was clear. According to Chang Jung-kung, director of the party's Mainland affairs department, the KMT has to align itself with the people of Taiwan on issues of identity and international space in order to help it win the March 2008 presidential election. Indeed, if the KMT fails to "catch up" with Taiwan's public and make clear its stance regarding the country's UN cause and national sovereignty, Ma's aides said, it will be very difficult for the KMT to survive.⁵⁶

It is reported that the KMT draft initially did not include specific reference to use of the term "Taiwan," even as one option among many. But the name was reportedly added on the grounds that failure to do so would put the KMT at a disadvantage vis-à-vis the DPP.

In one of the more ironic aspects of all of this, the DPP accused the KMT of playing politics with the UN referendum issue, charging that the opposition party sought to mislead voters with “this ridiculous step.” “Unlike what we have been doing,” one DPP legislator angrily snapped, the KMT only intends “to cheat voters in next year’s elections.”⁵⁷

Over time, Ma’s criticism of the DPP referendum, and his promotion of the KMT’s version, became more pointed. By early August, he was labeling the DPP approach a “strategic error” that was aimed, not at joining the UN, but at creating internal political divisions in Taiwan simply to “prove its gallantry.”⁵⁸

In a meeting with retired general officers in late August, Ma said “the KMT pushes for a return to the United Nations and joining other international organizations under the name Republic of China, Taiwan, or other flexible, pragmatic designations with dignity. The purpose is to allow the people of Taiwan an opportunity to return to the international organizations, and at the same time, not to harm mutual trust with our friends.” He added, “We believe that based on the principle of universality of membership, the people of Taiwan should not be excluded from the UN, therefore we support a return to the UN.” However, he continued, “we must carefully consider the approach, the objective, and the means in order to avoid misgivings of the outside world.”⁵⁹ Ma explicitly acknowledged the seriousness of the issue for Taiwan’s relations with the United States, and, echoing a theme he had struck before,⁶⁰ said “the U.S. government has never been more severe in negating publicly Taiwan’s policies.⁶¹ This is a serious warning signal. We should not assume that the U.S. would help defend Taiwan under any circumstances. We should not assume that whatever reckless lines of action we adopt, the U.S. would support them without question.”⁶²

Ma repeated many of these themes in a major, hard-hitting statement that was issued to the press on 15 September.⁶³ In that statement he lashed out at the PRC, stating that, if the Mainland did not improve its attitude toward Taiwan and treat it with mutual respect on the basis of equality and mutual benefit, it would be very difficult to improve cross-Strait relations. However his main emphasis was focused on the contrast between the KMT’s “responsible” approach to gaining international participation through preserving stability and not upsetting the status quo, on the one hand, and what he termed the DPP’s election-oriented approach that would, he said, have the opposite effect, on the other. He rebutted Chen Shui-bian’s argument that the difference between the two approaches is that the DPP’s upholds Taiwan’s dignity and status while the KMT’s kowtows to Beijing, arguing instead that the essence of the difference between the two parties’ approaches is their respective positions regarding maintaining the status quo. And that is why, he said, the United States strongly criticizes the DPP proposal and does not criticize the KMT proposal.

In the course of that statement, Ma not only referred several times to “the Republic of China Taiwan,” but he went further and said that “Nowadays, the Republic of China and Taiwan are inseparable, Taiwan is the Republic of China, and to harm the Republic of China is to harm Taiwan; to harm Taiwan is to harm the Republic of China.”⁶⁴

This statement evoked a sharp reaction from the DPP, who on the one hand charged him with being “a copycat” and, on the other, demanded clarification whether “China” (meaning the Mainland) is included in the “ROC” Ma had mentioned. Chen Shui-bian criticized Ma’s position as “a very naïve fantasy.”⁶⁵ The KMT candidate responded, in turn, that “of course Taiwan is the ROC,” asking the media not to over-interpret his remarks.⁶⁶ But in the wake of that round of commentary, the KMT seems to have downplayed the entire Ma statement.

Seeking Common Ground

Over time, as criticism has mounted from both the Mainland and the United States over the UN referendum issue (discussed below), a variety of suggestions have emerged in favor of melding the DPP and KMT proposals. On the DPP side, interestingly, it has come most vocally from Vice President Annette Lu, generally seen as an ardent promoter of Taiwan independence. Lu, like Hsieh, has reaffirmed her support for the substance of the DPP’s referendum, but nonetheless has argued not only that the party must “do the right thing” but “do things right.” If the referendum goes forward and fails, she reasons, this would be a major setback.

In the course of this advocacy, and reflecting both the obvious personal animosities as well as policy differences, she severely criticized “someone” running the UN referendum (presumably then-DPP chairman Yu Shyi-kun) as a person “who doesn’t know anything about the matter.” Moreover, she said that one ought to give deference to the DPP presidential candidate, Hsieh Chang-ting, regarding his concerns over timing of the resolution.⁶⁷

Reports indicated that Hsieh was typically trying to straddle the issue. On the one hand, he was reported “open” to talks with Ma Ying-jeou about melding the two referenda texts. It was even reported that, in a DPP Central Standing Committee meeting on 5 September, Hsieh raised the idea of sitting down with the KMT to work out a combined draft.⁶⁸ But on the other hand, he spoke out at the 15 September rally in what was termed a “powerful speech,” arguing that the world community had decided “the ROC is not a country; why don’t you give Taiwan a chance to be a country?”⁶⁹

This change of emphasis seems to have stemmed from the stiff resistance that Hsieh’s apparent flexibility encountered from fundamentalists in the DPP. Chairman Yu Shyi-kun retorted that he would support a merger so long as the proposal still called for joining the UN “in the name of ‘Taiwan,’”⁷⁰ an impossible precondition for the KMT. Echoing Yu’s opposition to the idea, Chen Chi-sheng, chairman of the DPP arbitration committee, reportedly argued that sticking to the current text was crucial, as joining the UN “in the name of ‘Taiwan’” was, along with formal name rectification and constructing a new constitution, a key element in attaining “Taiwan independence.”⁷¹

Some people in Taiwan privately raised the thought that, even though Taiwan merited UN membership, and even though the referendum was a legitimate exercise in democratic expression—and even though the heavy U.S. pressure was resented—the DPP should either change the topic of its referendum (dropping the reference to use of the name “Taiwan”) or abandon it altogether. At least a couple of polls suggested the public might agree.⁷² There was a considerable stir around this issue, with some expecting that Hsieh Chang-ting himself would eventually adopt that view as he came to see that his campaign was being hurt.⁷³

However, Chen Shui-bian showed no inclination to compromise. He saw the two versions as being in sharp contradiction and fundamentally incompatible. As he put it: “They would provide a choice between the Taiwan-centric versus the China-centric lines. The people must distinguish between the two initiatives to avoid being taken in.”⁷⁴

Outside the party similar suggestions were made. Lee Teng-hui and Wang Jin-pyng proposed a “national conference” with the goal of at least putting off consideration of any referenda on the subject for now (i.e., during this election cycle).⁷⁵ Wang, however, declined to take a leading role in pushing for such a conference.

KMT Uncertainty over Future Handling of the Referenda

The KMT has vacillated considerably on the issue of whether it would withdraw its own referendum if the DPP did likewise. On 31 July, KMT secretary-general Wu Den-yih suggested that the party would consider “deferring” its proposal in such a circumstance.⁷⁶ But within hours, a follow-up press release was issued saying that the KMT would push its bid “more actively,” “even if the DPP takes a step back.” The fuller statement was confused:

According to KMT spokesman Su Jun-pin, Wu said, “Only after the DPP withdraws its plebiscite proposal, would the KMT *consider* whether or not to defer its own proposal.” However, it does not follow that the KMT *would* immediately withdraw its proposal if the DPP does so. The KMT pushes for Taiwan’s return to the UN with responsibility. It is under this premise that the KMT would choose the best approach for Taiwan.⁷⁷

On 3 September Ma Ying-jeou denied rumors that he had received any pressure from China—or the United States—to withdraw the KMT referendum, asserting “I will not do so, never.”⁷⁸ This decision reportedly was related to an analysis by KMT chairman Wu Poh-hsiung predicting that the party would be out of the 2008 race if it did not push the referendum forward.⁷⁹

Consistent with that argument, on 7 September 2007, Wu Poh-hsiung publicly stated that “there’s no going back” on the party’s push for a UN plebiscite: “It has already been decided and should be carried out at all costs.” Wu reiterated that he would “assume

full responsibility” for the decision and called for “solidarity, hushing dissenting voices, now that a collective decision has been made by the whole party.”⁸⁰

But a week later, confusing signals reappeared. On 13 September, the KMT communication chief quoted Secretary-General Wu Den-yi once again to the effect that the KMT would consider halting its UN referendum campaign if the DPP would do the same.⁸¹ The next day, Ma issued a written statement stressing that the KMT would do its best to reach its goal (with respect to passing the referendum), and this was accompanied by a background statement from a KMT source to the effect that the KMT would not withdraw its plan even if the DPP withdrew its own, because many worried that then Chen Shui-bian would initiate a “defensive referendum” which would have the field (and ballot) to itself.⁸²

Yet, when reports surfaced in late September that Annette Lu was pushing for a compromise approach, Ma expressed sympathy for a more flexible stance,⁸³ which some interpreted as meaning he was open to a melded referendum as long as it followed the KMT design—or to dropping both referenda. As this issue of *CLM* moves to publication, the final outcome is far from clear. But it seems unlikely that the two parties will agree on a single text. Much more likely, if there is to be movement, would be an agreement to drop both proposals. Given sensitive intraparty politics within the DPP, however, this would seem a long-shot prospect at best, and thus both referenda will probably be put to the voters in March.

The PRC Reacts to the Referenda

As noted at the beginning of this assessment, Beijing believes that the “innocent” nature of the question put forth in the DPP referendum text is belied by the party’s “explanation document,” which reveals the “real intention” of the effort. Reading that DPP document, Beijing concludes that the purpose of the referendum is, “in the guise” of seeking approval for application to the United Nations, to entice the public into proclaiming that Taiwan is a “sovereign, independent country” whose “official name” is “Taiwan.” It is therefore a “referendum on Taiwan independence” in disguised form—disguised not only from the world at large, but also from the people of Taiwan. As one authoritative Mainland discussion of the issue put it:

Facts show that the Chen Shui-bian authorities, acting out of partisan and selfish personal interests, are once again playing the trick of “tying a referendum and an election together” with the aim of provoking a conflict across the Taiwan Strait, winning votes by fraudulent means, and giving impetus to “Taiwan independence” separatist activities. This development, if allowed to continue, is certain to have a serious impact on cross-Strait relations, do serious damage to the fundamental interests of compatriots on both sides of the Taiwan Strait, and gravely endanger peace and stability in the Taiwan Strait and even in the Asia-Pacific region.⁸⁴

The PRC has also noted that, while Chen argues that the use of “Taiwan” in this context has nothing to do with changing the formal national name, he has also claimed that the public support the proposal “because Taiwan is a country and the name of the land,”⁸⁵ a position he repeated on the eve of the UN’s consideration of Taiwan’s application in mid-September: “Taiwan can only face the world with the name ‘Taiwan’ because Taiwan is the name of our country and our motherland.”⁸⁶

Thus, what Beijing worries about is that the referendum, carried out under the aegis of the Referendum Law, is not only a major political step but also a major legal step on the road to *de jure* independence.⁸⁷ Mainland officials cite the DPP’s claim that a referendum is more authoritative than even the constitution that embodies “one China,” and that, if it passes, this means that “Taiwan” is above the “ROC.” Further, if it passes, it will allow Chen Shui-bian (and his successors) to say that, when they claim Taiwan is a “sovereign, independent state,” they now have a formal statement by the people of Taiwan to support that claim, which could become the basis for pushing a Taiwan independence stance at home and in the international community, laying a very dangerous foundation for cross-Strait relations.

As the extensive quote above indicates, Beijing believes that one goal of the referendum is to spark a harsh PRC reaction, both benefiting the DPP domestically and driving a wedge between the PRC and the United States. Beijing analysts maintain that Chen believes if there were such a U.S.-PRC split, it would create an image of U.S. support for the DPP. On the other hand, those analysts say, to the extent that the United States still opposed the referendum, this would give the DPP, and Chen, further “evidence” to demonstrate that he is bravely standing up for Taiwan’s interests no matter who criticizes him. Either way, they believe, he wins.

Beijing sees the DPP’s purposes even more clearly laid out in the party’s “Normal Country Resolution.” Even though, in a debate over terminology that only those steeped in the issue will likely fully grasp, the DPP opted to support “rapid enactment of a new Constitution and the rectification of Taiwan’s national name” rather than calling for immediate change and “explicitly calling for use of ‘Taiwan’ as the future name of the country,”⁸⁸ Beijing still sees this as a big step in a dangerous direction. The resolution also embraces joining the UN and other international bodies using the name “Taiwan.” Moreover, it begins with the statement that “Taiwan is a sovereign and independent country whose sovereignty or jurisdiction does not overlap with the People’s Republic of China,” and it calls for holding “at an appropriate time” a national referendum “to manifest that Taiwan is a sovereign, independent country.” Although DPP members see this as a significant retreat from Yu Shyi-kun’s position to “explicitly propose” “Taiwan” as the country’s future “rectified” name and to formally “announce [now] to international society that Taiwan is a sovereign and independent country,”⁸⁹ the resolution cannot but be seen in the Mainland as “the boldest and most obvious DPP step toward independence so far,” as one official put it.

Mainland analysts also believe that, reflecting on U.S. behavior at times of tension during the past eight years, Chen Shui-bian does not think he will suffer any

lasting penalties. He thinks that he can use the referendum, which has enjoyed strong support in public opinion polls, to help secure a DPP victory in the LY and, especially, the presidential elections, after which there will be time—as before—to make amends with Washington. And in the meantime, he can “manage” the United States.

As part of that, official Mainland analysts assess that Chen attaches great significance to the fact that, while the United States “opposes” the UN referendum, it merely “does not support” Taiwan’s UN application itself. In Chen’s view, they say, “non-support” means that the United States does not, in fact, “oppose” the application, so Taiwan can provocatively express the view at the UN that Taiwan is a sovereign, independent state that is different from the ROC, and the United States will not strongly object. Although recent remarks by U.S. officials (see below) should go a long way to disabusing Chen of any such notion, if he holds it, the U.S. decision not to speak at the UNGA floor debate on 21 September, even if taken for other sound reasons, may have reinforced his view. In any event, the Taipei foreign ministry’s expression of thanks for the U.S. “friendly response” of not speaking will certainly be taken in Beijing as evidence supporting their assessment.

As a result, since early 2007, Beijing has stepped up its warnings that Chen’s desperation and political cleverness will lead him to try to pull a rabbit out of his hat, “doing anything” to salvage himself and his party. As one observer put it in a less than flattering characterization, Chen somehow always manages to muscle his way through adversity and emerge intact—like a “dead pig that defies scalding water” (死豬不怕開水燙).⁹⁰

In line with their conviction that Chen is capable of producing another “two bullets” scenario at the last minute,⁹¹ some PRC analysts have projected that Chen would create a “disturbance” that would justify imposition of martial law. “We must [maintain] a high degree of vigilance. While we must be aware of his pretentious side, we must also be aware that he might do something desperate like a cornered beast. When the situation is unfavorable to them, he is ready to do anything.”⁹² Others, with perhaps a less vivid imagination, see him at least planning to use a “defensive referendum,” much as the KMT has feared.

In recent months Beijing has come to the conclusion that achieving *de jure* independence through constitutional amendment would be impossible during Chen’s remaining months in office. Instead, the PRC now sees the UN referendum as a “cheap substitute.” That is, although half of the electorate must still “participate” in the balloting, a normal referendum such as the one on UN membership only requires approval of half *of those voting* in order to pass, whereas ratification of a formal constitutional amendment requires not only the participation but the affirmative vote of half *of all eligible voters*. And, as noted, the PRC fears that, because of the referendum’s “tricky” wording, its purpose is less evident to voters, and so it can be pressed in a deceptive way that Chen hopes will garner support without raising suspicions.

Earlier in the summer, the Mainland took some hope from the Referendum Review Committee's ruling that that the DPP referendum should be kept off the ballot. But Beijing saw the reversal of that decision on appeal as a major turning point. As some PRC Taiwan affairs experts put it privately, once the signatures have been collected, there will be no stopping the referendum. This judgment probably explains why, at about that time, Beijing ratcheted up its rhetoric. For example, the Taiwan Affairs Office (TAO) took the occasion of the UN's return of Chen Shui-bian's first letter to Ban Ki-moon to issue a strong condemnation, raising the specter of a forceful response if things went too far. As noted earlier, the TAO seized the occasion to issue a not so subtle threat, observing that "we have made the necessary preparations for resolutely stopping all 'Taiwan independence' adventures."⁹³

The line about "necessary preparations" has been repeated in various ways since then.

Still, Beijing harbors hope that Hsieh will come to realize he cannot win the election in the face of unremitting U.S. opposition, and so will find a way to set the referendum aside. Some officials say they believe the United States has the wherewithal, if it chooses to act, to ensure Hsieh comes to that conclusion, or that he at least insists on modifying the referendum to the point "where it is more acceptable."⁹⁴ (One presumes this means removing the phrase "in the name of 'Taiwan.')" Whether they will credit the U.S. effort to divert one of the most problematic proposals with regard to the "Normal Country Resolution" (on a formal change of the national title) is uncertain. But, as noted, while there are still almost six months until the election, the chances are uncertain at best that they will be rewarded in their hope that the UN referendum itself will be sidelined.

Initially, the PRC also strongly criticized the KMT's UN referendum. Chen Yunlin, head of the Taiwan Affairs Office, told visiting KMT vice chairman Chiang Ping-k'un and others that the DPP's UN referendum had put cross-Strait relations in "unprecedented danger" and expressed bewilderment as to why the KMT would follow the DPP's lead by proposing its own referendum. "You may think this is a false topic just for the elections, but if it is allowed to carry on, it may turn out to be a true intention for the future."⁹⁵ Chen reportedly warned Taiwanese business leaders on the Mainland that, under the precondition that people on both sides of the Strait are "Chinese," then Beijing could continue its policy of separating economics from politics. However, reports said, Chen cautioned that passage of the referendum would "lead to de facto separation and change the status of this relationship."⁹⁶

But eventually Beijing came to the judgment that the KMT was in a reactive mode and needed to put forth something in its own electoral interests. Perhaps more important, it concluded that the KMT draft could draw off support from the DPP version and help defeat it. As a result, by late summer, Beijing was expressing no criticism of the KMT for its draft, though it was hopeful that the DPP could be brought to drop its referendum, in which case, Beijing was confident, the KMT would do likewise.

Still, even as the focus returned to the DPP draft, China sought to enlist the Taiwanese business community against the referenda. Vice Premier Wu Yi was reported, on the same day that George W. Bush and Hu Jintao met in Sydney (discussed below), not only to have cautioned Taiwan business community leaders in the Mainland about the potential harmful impact of the referendum on cross-Strait economic relations, but to have urged them to be active against Taiwan independence:

Failure to resolutely stop “Taiwan independence” separatist activities will severely jeopardize the peaceful development of cross-strait relations, cross-strait economic and trade exchanges and cooperation, the business development of vast numbers of Taiwan businessmen, and the interests and well-being of compatriots on both sides of the Strait. It is hoped that the vast number of Taiwan businessmen will guard against “concentrating only on work to the neglect of the overall situation” [只顾埋头拉车, 不抬头看路] and continue to use various means to oppose “Taiwan independence” separatist activities and safeguard the peaceful development of cross-strait relations.⁹⁷

Chen Yunlin has denied that any of these comments represented a threat to disrupt cross-Strait economic relations. In an interview with Taiwan’s Central News Agency in late August, he said that Beijing would keep its political policy toward Taiwan separate from its economic policy, even if Taiwan were to hold the referendum.⁹⁸ But at the same time, he is known to believe that it is not tolerable to have individuals make money in cross-Strait trade and investment, on the one hand, and actively promote Taiwan independence, on the other. However, that is a case-by-case matter, Beijing insists, and the “fundamental policy” of separating economics from politics, as articulated in Jiang Zemin’s “eight point proposal,” will remain intact.⁹⁹

Cognizant of the backlash previous efforts to sway the Taiwan electorate have generated, PRC officials have tried to walk a fine line between raising the prospect of employing “non-peaceful means and other necessary measures” in accordance with the Anti-Secession Law and not making overt threats. At the end of July, the minister of national defense and vice chairman of the Central Military Commission, Cao Gangchuan, expressed the PLA’s determination that it “absolutely will not tolerate ‘Taiwan independence’ and will never permit anyone using any name or in any way to separate Taiwan from China.”¹⁰⁰

At about the same time, as the missile buildup opposite Taiwan was continuing apace, there were reports of increased PLA exercises opposite Taiwan and “landing” exercises along the PRC coast that simulated amphibious operations of particular relevance to a Taiwan scenario.¹⁰¹ But there was no indication of a particularly assertive show of force, and some observers have commented that the increased activity was likely connected to the PLA’s annual exercise cycle. Still, one has to believe that Beijing was quite willing to have this activity noted and to be perceived as part of preparations for what it “must do” if things get out of hand. Moreover, at various times PRC polling data

were made available to bolster the impression of strong popular support for using force if necessary.¹⁰²

The U.S. Factor

In the previous issue of *CLM*, we noted that the United States had already gone on record as opposing a referendum on applying to the United Nations “in the name of ‘Taiwan.’” In a statement “on background” on 18 June, an official of the State Department’s Bureau of East Asian and Pacific Affairs urged President Chen to drop the idea of the UN referendum.¹⁰³ Overnight, the foreign ministry in Taipei rebutted the official’s arguments,¹⁰⁴ and the next day the State Department spokesman responded “on-the-record.”

Repeating the reasons the official had already articulated “privately,” the spokesman said: “The United States opposes any initiative that appears designed to change Taiwan’s status unilaterally. *This would include a referendum on whether to apply to the United Nations under the name Taiwan.*”¹⁰⁵ On 22 June, the spokesman repeated this statement in response to a “taken question.” In the context of observing that the United States is not opposed to referenda “in principle,” he reiterated that the United States did oppose referenda fitting the criteria stated three days earlier.¹⁰⁶

The American response went beyond words to curtailing the transit arrangements for Vice President Annette Lu on her way to and from Latin America in early July. Although various Taiwan officials tried to deny the connection, Vice President Lu herself spoke about it quite openly in a Formosa TV interview in mid-July after her return.

And in August, when President Chen went to Central America, the United States signaled in even stronger terms its great displeasure by limiting him to bare-minimum refueling stops in Alaska, significantly not in “the continental United States.” On the outbound journey from Taiwan, Chen made a gesture of protest against this “unprecedented experience for me in all of my foreign visits during my terms as president”¹⁰⁷ during the Alaska stop by greeting the honorary chairman of the American Institute in Taiwan, William Brown, without necktie or jacket. Moreover, he pasted up stickers reading “UN for Taiwan” all over his plane—and on his shirt.¹⁰⁸

During the Alaska refueling stop on the way back, AIT chairman Raymond Burghardt greeted him, for which Chen made a significant show of being in a suit and tie to reciprocate the “respect” Burghardt displayed by being there.¹⁰⁹ On both the outbound and return stops, as a rather clear response to the shabby treatment he felt he was getting, Chen declined to disembark for the hour or so during which the plane was being refueled. In the process, he ensured that everything was recorded by the large number of media representatives on board his plane.

Having suffered the indignity of his treatment on his way to Central America, and in order to underscore that he had accepted such indignities because of the importance of

the UN bid, Chen decided that, in his public statements during the trip, he would refer only to “Taiwan,” not to either the “Republic of China” or even the “Republic of China (Taiwan).” Thus, he referred to himself throughout the trip as the “president of Taiwan,” echoing the formulations he had used in his missives to the United Nations in July.¹¹⁰

Although the United States sought through the course of most of the summer to employ quiet diplomacy to get Chen to back off of the referendum, Washington felt it was making no progress. In an episode that revealed much about why this was the case, and how Chen views his own responsibility as president, the Taiwan president had taken the occasion of his airplane conversation with Burghardt to urge that the United States safeguard the values of democracy *rather than* American national interests.¹¹¹

In any event, by late August, with diplomacy getting nowhere, it was decided to deploy Deputy Secretary of State John Negroponte to make a highly visible statement on the matter. On 27 August, even while Chen was still in Central America, Negroponte had an interview on Phoenix TV that focused entirely on the referendum issue.

In comments that were widely broadcast both on the Mainland and in Taiwan, Negroponte stressed American friendship for Taiwan, but then went on to express “great concerns” about a referendum to join the UN “in the name of ‘Taiwan.’” He explained that the United States opposed such a referendum because it was seen as a step toward alteration of the status quo, one that could be interpreted as a step toward a declaration of independence. He said this would be provocative and a violation of Chen Shui-bian’s commitments to the people of Taiwan, the international community, and President Bush. Although he ducked a “hypothetical” question about the consequences for U.S.-Taiwan relations if the referendum went forward, Negroponte closed with a strong statement that, while the United States supported Taiwan’s democracy, the pursuit of further democratization had to be done “in a serious and responsible way.”¹¹²

The next shoe fell only three days later, when the National Security Council Senior Director for Asian Affairs, Dennis Wilder, briefed the press about President Bush’s forthcoming trip to Australia and the APEC Summit. In reiterating U.S. opposition to the DPP referendum, Wilder cited the longstanding U.S. position that it does not consider Taiwan—or the ROC—to be a “state” in the international community and did not see any prospect for Taiwan actually to join the UN. In this situation, he argued, the referendum “only adds a degree of tension to cross-straits relations that we deem unnecessary.”¹¹³

The final blow during this period came in a major speech by the senior State Department official who deals full-time with issues relating to the PRC and Taiwan. Explicitly speaking on behalf of the entire administration, Deputy Assistant Secretary of State Thomas Christensen gave an unusually direct and thorough explanation of U.S. policy on the referendum question. In many respects he provided direct responses to Chen Shui-bian’s repeated question about what it was the United States objected to.¹¹⁴ And he refuted Chen’s assertion that “As long as we take the road of democracy, it is

impossible for any country, no matter how monstrous it can be, to use force against us.”¹¹⁵

Christensen laid out in great detail what concerned the United States and why Washington so strongly opposed the DPP’s referendum on joining the United Nations “in the name of ‘Taiwan.’”¹¹⁶ At heart, his message was that anything that places peace and stability in the Taiwan Strait at risk runs directly contrary to the interests of the United States (as well as the interests of the people of Taiwan), and the DPP’s referendum does precisely that. Christensen minced no words in stating that what bothers the United States is the issue of “name change,” and he dismissed as “purely legalistic” Taipei’s argument that the referendum, even if passed, would not amount to a pursuit of name change.

Christensen said that raising the issue of Taiwan’s name “in what could be interpreted by many to be a legally binding popular vote” was especially troubling: It is the “pursuit of name change” in the referendum “that makes the initiative appear to us to be a step intended to change the status quo.”

While U.S. opposition to Chinese coercion of Taiwan is beyond question, we do not recognize Taiwan as an independent state, and we do not accept the argument that provocative assertions of Taiwan independence are in any way conducive to maintenance of the status quo or peace and stability across the Taiwan Strait . . . In fact, we rank such assertions along with the referendum on joining the UN under the name Taiwan as needless provocations that are patently not in the best interests of the Taiwan people or of the United States.

Bush and Hu Meet in Australia

In the middle of all of this, after Negroponte’s interview and Wilder’s briefing but before Christensen’s speech, Presidents Bush and Hu met in Australia.

The day before that meeting, in what many saw as a message to Bush, Hu devoted three minutes out of a ten-minute speech before a largely ethnic Chinese audience to a discussion of Taiwan. Although he put initial stress on positive cross-Strait interactions, with a rising voice he added a warning:

Realizing the complete reunification of the motherland is the common aspiration of Chinese sons and daughters at home and abroad. We insist on devoting the greatest efforts with the utmost sincerity to safeguarding cross-Strait peace and stability and to promoting the healthy development of cross-Strait relations.

In recent months, the Taiwan authorities, however, have stubbornly clung to the stance of Taiwan independence and separatism by pressing ahead with the so-called referendum on joining the United Nations under the name of Taiwan as well as other separatist activities.

We are striving to realize the prospect of peaceful reunification. However, we will not allow anybody—by any means—to separate Taiwan from the motherland.¹¹⁷

According to one account, when Hu and Bush met the next day, they discussed Taiwan for a half hour.¹¹⁸ And although President Bush did not mention discussion of Taiwan in their joint post-meeting press appearance, Hu did:

I also briefed [President Bush] on the developments in the situation across the Taiwan Straits. President Bush also explicitly stated the U.S. position, [the] consistent U.S. position of opposing any changes to the status quo.¹¹⁹

A PRC spokesman later amplified. On the Taiwan question, he said, Hu had stressed that this and next year will be “a highly dangerous period” (高危期) in the cross-strait situation. Regardless of warnings from different sides, the Taiwan authorities flagrantly renewed separatist acts, such as tabling the proposal of “referendum on UN membership” and “joining the UN under the name of ‘Taiwan.’”

Hu went on, the spokesman reported: “We must issue harsher warnings to the Taiwan authorities that any separatist attempt in any form seeking ‘Taiwan independence’ will go in vain.”

The spokesman then described the U.S. position:

Bush said the United States firmly adheres to the one-China policy, observes the three U.S.-China joint communiqués and opposes any unilateral act to change the status quo across the Taiwan Straits. The U.S. side fully understands China’s concerns on the issue, he said. On Taiwan’s proposal of “referendum on UN membership,” Bush said U.S. Deputy Secretary of State John Negroponte has promptly and clearly stated the U.S. government’s opposition to the move by the Taiwan authorities. The U.S. side will continue to pay attention to the issue and is willing to maintain close communications with China concerning it, he added.¹²⁰

In the American press briefing on the meeting, Deputy National Security Advisor Jim Jeffrey described the discussion of Taiwan this way:

The meeting began with a discussion of political issues. *First of all, Taiwan.* The President reiterated his position on Taiwan, reassured Hu that his position had not changed; went through our concerns, which we’ve just made public, about the referendum in Taiwan about U.N. membership. The President of China indicated his concerns.

In response to questions, Jeffrey addressed possible next steps:

I believe that they understand President Bush's position. I think that they were pleased at the public reiteration of our position last week by John Negroponte. We referred to that. Both sides are well aware of that and referred to that. And I think for the moment we'll continue to monitor the situation . . .

We are concerned very much about this step that Taiwan has undertaken. We also don't want to see this blown up too big. We don't want to see anyone provoked by the actions of the Taiwanese. So, for the moment we're going to stay with our position and continue to exert our good influence on the Taiwanese to see if we can change their position.¹²¹

Taiwan Reacts to the U.S. Criticism of the Referendum

Although a number of commentaries have begun to appear in the Taiwan press suggesting that a backlash is developing against U.S. pressure on the UN referendum issue (many but not all of these from DPP partisans),¹²² and despite some sharp comments from Chen and others at various times,¹²³ Chen Shui-bian has tended to play down disagreements with Washington and to play up underlying good relations. He has rejected characterizations of the United States as Taiwan's enemy or rival,¹²⁴ and he has called the United States Taiwan's closest friend, observing: "Even loving husbands and wives quarrel sometimes."¹²⁵

Chen has sounded another theme, though with a certain degree of inconsistency. That is regarding communication between Washington and Taipei. On his way to the Kaohsiung rally in mid-September, Chen touted the "wide range" of contacts between the American and Taiwan foreign and defense ministries and stated that the referendum issue "had not had the slightest influence" on such contacts. Moreover, he added, the two governments had engaged in "high-level" dialogue in the first half of the year and still had senior-level dialogue through a variety of channels.¹²⁶

But in late June, his representative in Washington had called for "more communication" on the referendum issue, asking that "policymakers" visit Taipei. And in this same general period, Chen at times also bemoaned the lack of adequate contact with the United States, charging that high-level communication had been cut off "for some time."¹²⁷ He called for "delegations of representatives" from the State or Defense Department to visit Taiwan.¹²⁸ (As Christensen forcefully noted in his speech, from an American perspective the issue is not a lack of adequate, authoritative communication; the issue is the messages being communicated from Taipei and the lack of response to serious U.S. concerns.)

At the same time, Taipei's reactions to PRC statements have tended to be dismissive. President Chen has denied the referendum would generate tension in the Strait—"that won't happen"¹²⁹—and Foreign Minister James Huang declined to respond

to President Hu Jintao's remarks about the "period of high danger" on the grounds that the Mainland had always taken a stern line toward Taiwan and there was no need to "make a fuss over the wanton remarks made by the leader of a totalitarian country."¹³⁰ In fact, perhaps reflecting relief that Bush had not reprised his December 2003 public scolding of Chen Shui-bian in the presence of a senior PRC leader, some in Taipei characterized Bush as taking a "more cautious attitude" in Sydney.¹³¹ Others perceived, somewhat more accurately, that this might only be "the calm before the storm."¹³²

The PRC Reacts to the U.S. Criticism of the Referendum

Despite the apparently good meeting in Sydney between the leaders, and despite what was obvious PRC pleasure at the series of American public statements on the referendum question,¹³³ aspects of the U.S. stance still troubled Beijing. In the first place, it was not clear whether the United States would follow through with actions (beyond curtailing transits) to back up their words. In August, the United States had notified Congress of the intention to sell 60 Harpoon anti-ship cruise missiles and associated equipment to Taiwan.¹³⁴ And in the immediate wake of the Christensen speech, the administration notified Congress of a further \$2.2 billion in possible arms sales to the island.¹³⁵

Moreover, a number of the American remarks—and actions in New York—made clear that Washington did not accept the PRC's interpretation of the dispositive nature of UNGA Resolution 2758 with respect to Taiwan's status.

Apparently as a result of these factors, rather than focusing on reinforcing "positive" American steps on the salient issue of the moment—stopping the referendum—the PRC foreign ministry seized on a question about Christensen's speech to make a testy statement about a broader set of concerns:

The US government reiterated on many occasions its position recently on pursuing the one China policy, abiding by the three China-US joint communiqués as well as opposing Taiwan's referendum on UN membership. *We hope the US [will] honor its commitment to China on the Taiwan question and join hands with China to maintain peace and stability across the Straits and the general interest of China-US relations.*

[The] Taiwan question bears on China's sovereignty and territorial integrity. It is China's internal affairs. There is only one China in the world with Taiwan an inalienable part of it. The government of the P.R.C is the sole legitimate government representing the whole of China. This is generally recognized by the international community and confirmed in Resolution 2758 of the UN General Assembly, *which brooks no doubt or denial.*

The series of recent actions by Taiwan authorities prove that they are intensifying their efforts for Taiwan independence. Any action that flagrantly defies the UN Charter, Resolution 2758, and the one China principle generally

recognized by the international community is against the will of the general public and doomed to failure.¹³⁶

Closing Thoughts: Some Personal Observations

In closing, I would like to add a few of my own thoughts on the complex and still dangerous situation in the Taiwan Strait as the Taiwan legislative elections of December 2007 and presidential election of March 2008 approach.

In a fundamental way, Chen Shui-bian is right that the exercise of democracy is both Taiwan's greatest strength and the PRC's greatest concern. But one needs to examine that thought further to understand where both the pitfalls and the opportunities lie.

President Chen argues:

Whether the referendum passes or not, I think that through the process, we will create a greater domestic solidarity and also form consensus on important issues regarding Taiwan's future, including Taiwan-China issues . . . Our best defensive weapon is the most concrete practice, methodology, and spirit of democracy embodied in referendum.¹³⁷

But democracy is not a license for irresponsibility. Leaders of democratic societies, even ones struggling for a place in the world, have an obligation to strike a balance between promoting their political values and protecting their people's vital interests. It is not an "either/or" choice.

Most people, including PRC officials who are concerned with Taiwan policy, understand the desire of the people of Taiwan for control over all aspects of their lives, including the ability to participate fully in international life and having the rights and responsibilities that go along with that, as well as being able to determine their own future. And although the PRC officials cannot accept it, they even understand the Taiwan people's desire for independence.

We cannot rewrite history or, through all the rational reasoning or emotional strength we can muster, change the fundamentals of cross-Strait relations as they have evolved for the past 60 years. Nor can we change geography.

One of the harsh realities that grow out of that history and that geography is that pressing for formal, independent sovereign status would be an invitation to tragedy. Another is that, as numerous and powerful as the arguments adduced in favor of the DPP referendum might be, one cannot escape from the fact that it will inevitably be seen, not as crossing the line at this point to *de jure* independence, but as a step in that direction. That is true whether everyone who would support the referendum intends it to be so or

not. Indeed, more than 42 percent of people in Taiwan agree that this is what it represents. So it should not be surprising that many people in the Mainland do, as well.¹³⁸

Some polls suggest that perhaps 70 percent of people in Taiwan believe that the PRC will not go to war over this referendum.¹³⁹ I agree with that assessment. In and of itself, this issue most likely does not rise to the level that the PRC sees as justifying the direct use of force against Taiwan and all that would entail. But because passage would be seen as a step in that direction, Beijing faces a dilemma: Given the DPP's clear intention to press ahead toward independence, if the Mainland does nothing in response now, at what point *should* it take a stand to stop the train before it goes over the precipice and the PRC feels it has no choice but to use force?

Moreover, the PRC worries that the principal, perhaps even sole, U.S. concern is to avoid the outbreak of war. So if Chen Shui-bian is able to press his agenda without any perceived risk of war, they fear the United States will have no incentive to take effective measures to block his efforts. And in the Mainland's view this would only contribute to the pace of that train heading for the cliff. Thus, driving home to Washington the underlying danger of what is happening in Taiwan is a high priority for Beijing.

It is clear Chinese leaders desperately want to avoid being put in a position where they feel they have no option but to use overwhelming force. One could argue that if they only "faced facts" and let the people of Taiwan determine their own future, they could get out of a dilemma of the PRC's own making. But even if one can hope that the ultimate decisions on relations across the Strait will involve arrangements not even being considered today, arrangements that meet the fundamental desires and needs of people and authorities on both sides, such is not the case today. And it would be irresponsible in the extreme to say that, because it *might* all work out in the end, one can assume that it will and thus ignore the PRC reaction today in the expectation of an ultimately positive result.

President Chen obviously does not want to bring tragedy down on the heads of the people of Taiwan, nor do other responsible political leaders in Taiwan, including both presidential candidates. But the course that the DPP has chosen with regard to the UN referendum, a course that President Chen is backing, runs just that risk.

As we have discussed, there is also the very serious problem regarding the effects of the referendum on Taiwan's relations with the United States. One can understand the sense of commitment to Taiwan's future that drives President Chen to say that, while he respects the intentions and goodwill of the U.S. position, he disagrees and will therefore press ahead. But it is hard, for me at least, to understand the logic that leads him to continue on a course that so clearly upsets the United States and that drives a wedge deeper and deeper between Washington and Taipei. For that matter, looking at the broader international community, it is difficult to understand why some people think it is beneficial to arouse the suspicion and anger of the large number of countries who would prefer simply to deal pragmatically with both sides, but who are forced to take sides when the issue is pressed in the UN.

The politics of the issue in Taiwan are clear enough. But, assuming it persists on the current course, even there we will have to see whether the DPP is right that the people of Taiwan want to press ahead with the referendum, and to pass it if it is on the ballot, at such a high cost. That is obviously a decision for them to make, but there are at least some indications that they are not, to rephrase the lyrics that President Chen chose to quote, ready to march into hell for the heavenly cause of that referendum or of Taiwan independence.

That said, Beijing could certainly have made better choices about Taiwan policy over the past several years if the Mainland's objective is to win hearts and minds in Taiwan and at least stem any momentum toward formal independence. As I wrote in *CLM* 21, people on the Mainland recognize that they need to understand better the psychology and aspirations of people in Taiwan. At least this time (as compared with past Taiwan presidential elections), Beijing has so far been more restrained and tried to avoid blatant threats. As well it might.

Moreover, there are different, less threatening ways of interpreting the importance of this referendum, and some interpretations that differ from the official PRC view have emerged even in commentaries by Mainland experts. One argument is that, as ill-intentioned as the efforts of Chen Shui-bian and virtually all other Taiwan political leaders may be, as unacceptable as the UN referendum is, and as great the American responsibility is to stop it, the referendum's essential importance is in terms of Taiwan electoral politics, and the Mainland needs to maintain perspective. On the other side, this "election purpose theory" (選舉目的論) has been attacked as "avoiding the important and dwelling on the trivial" (避重就輕) and failing to account for the referendum's fundamental purpose of promoting Taiwan independence, thus risking that the crisis will get out of control and the danger increase.¹⁴⁰

My own assessment is that there is nothing in the Referendum Law that accords referenda, in general, the "supra-constitutional" status that the DPP "explanation document" claims for them or gives the DPP's UN referendum, in particular, any special "legal" effect to undergird future moves toward formal independence.¹⁴¹ That the referendum could have significant political effect is beyond doubt, but the case for its legal importance is not persuasive.

That said, my sense is that the angst underlying this particular referendum reflects a larger concern: The PRC is worried about the long-term impact of a series of elections and referenda and other steps that deepen the sense of the people in Taiwan that they should and can make their own decisions about their future, especially about cross-Strait and international issues, and that neither Beijing nor anyone else should try to tell them what to do. That sense already exists, of course, but it has been accompanied by a broadly shared understanding throughout Taiwan society that Taiwan's security and well-being depend on not pushing the envelope too far or too fast. Now, with both political parties competing for the allegiance of the voters in an era of heightened "identity politics,"

maintaining that balance between values and other national interests will be more difficult, even as it is more imperative in light of growing PRC capabilities.

Beijing knows that it cannot successfully argue against employing democratic instruments to determine internal directions. That represents a change. Four years ago one heard a great deal of concern in the Mainland about any use of referenda. But, perhaps helped by the fact that the United States made clear it had no intention of suggesting that Taiwan shouldn't use referenda for internal matters, that position has shifted. Now, although the fundamental concern about the effect of referenda on attitudes in Taiwan remains, in a manner very similar to that of the United States, the PRC's warnings are focused on referenda addressing matters that could contribute to confrontation across the Strait.

Which brings us finally to the United States. People in Taiwan criticized Assistant Secretary of State James Kelly when, in congressional testimony in April 2004, he said

The United States does not support Taiwan independence, and it opposes unilateral moves that would change the status quo as *we define it*. For Beijing, this means no use of force or threat to use force against Taiwan. For Taipei, it means exercising prudence in managing all aspects of cross-Strait relations. For both sides, it means no statements or actions that would unilaterally alter Taiwan's status.¹⁴²

Beyond expressing anger that the United States should define the status quo, people in Taiwan asked, so what is the American definition? Kelly's amplification as given here, which echoed that of Secretary of State Warren Christopher several years before,¹⁴³ involved restraint on both sides. In essence, both officials were saying, the United States accepts neither side's definition of the status quo and insists that neither side seek to impose its own definition on the other side or on the international community. That position is clearly of central relevance to the UN referendum issue.

But beyond this caution, the U.S. position has long had a positive dimension as well. It has urged both sides to take steps to facilitate constructive cross-Strait relations. This would, in the first instance, contribute to a sense of confidence that neither side would, in fact, try to impose its own definition of the status quo on the other. And in so doing it would consolidate peace and stability. More than that, however, it would help create space where none now exists, not for pushing things toward one particular outcome or another, but for facilitating more creative approaches to relations, now and in the future.

This takes us well beyond the referendum issue itself. But it seems to me that these are the issues that lie beneath the daily tussle over that one particular document. And it seems to me that these are issues worth pondering as both sides manage relations not simply over the next few months, but after May 2008, when a new government will take office in Taipei and, one hopes, we may see a new beginning.

Notes

¹ Some have suggested that should Hsieh be indicted in connection with any of the several alleged investigations that are swirling around (even though he has now been cleared of charges on misuse of official funds), Su would be the only viable alternate candidate, and that this was one factor that led Chen Shui-bian to push so hard to have Su on the ticket.

² There was no time or political wherewithal, in any event, to pass a constitutional amendment. But the Chen administration and the DPP also decided to forgo even a “consultative” referendum or plebiscite on the matter.

³ Chen pledged during his 2000 and 2004 inaugural addresses that, if China had no intention of using force against Taiwan, he would not declare Taiwan independence, would not change the official name of the country, would not include the “state-to-state” concept on cross-Taiwan Strait relations in the Constitution and would not promote a referendum to change the cross-Strait status quo. (President Chen’s Inaugural Address, Office of the President, 20 May 2000.)

⁴ *Democracy and Progress*, a monthly newsletter published by the DPP’s Department Of International Affairs, August 2007.

The Chinese text, provided to the author by the International Affairs Department of the DPP, reads:

1971年中華人民共和國進入聯合國，取代中華民國，台灣成為國際孤兒。為強烈表達台灣人民的意志，提升台灣的國際地位及參與，您是否同意政府以「台灣」名義加入聯合國？

The DPP referendum text was initially rejected on 29 June by the Referendum Review Committee. Although the committee is an Executive Yuan agency, it is still dominated by pan-Blue forces. The committee argued that it was meaningless to hold a referendum on a subject where public opinion was so clear and regarding a policy on which, by the time of the referendum, the government would already have acted. (Y.F. Low, “Committee Rejects DPP Initiative for Referendum on Taiwan’s U.N. Bid,” CNA, 29 June 2007.)

While others in the DPP responded with anger, Chen Shui-bian took a more relaxed approach, at least in public. “This is just the beginning,” he said. (Ko Shu-ling, “Chen urged to use ‘defensive’ plebiscite,” *Taipei Times*, 1 July 2007.) And, in fact, the referendum was reinstated on 12 July by the Appeals Board (a body dominated by pan-Green). (“UN Referendum Revived After Rejection Two Weeks Ago,” *Taiwan News*, 12 July 2007.)

Now the DPP was free to proceed to collect the 825,000–840,000 signatures (estimates vary) needed to put the referendum on the ballot. Although it was assumed this would not prove to be a terribly difficult task given the high level of public support, the DPP was taking no chances, and to ensure collection of the necessary numbers, it assigned quotas to members and announced it would penalize those who did not meet their quotas. (Flora Wang, “DPP sets quotas for second-stage signature drive,” *Taipei Times*, 9 August 2007.) By mid-September, it was reported that 500,000 signatures had been collected. (Dennis Engbarth, “Chen urges citizens to march for UN referendum in Kaohsiung,” *Taiwan News*, 15 September 2007.)

⁵ Full English-language translations of the text carried in the August issue of *Democracy and Progress*.

⁶ United Nations General Assembly Resolution 2758 (XXVI)

Restoration of the lawful rights of the People’s Republic of China in the United Nations

The General Assembly,

Recalling the principles of the Charter of the United Nations,

Considering the restoration of the lawful rights of the People’s Republic of China is essential both for the protection of the Charter of the United Nations and for the cause that the United Nations must serve under the Charter,

Recognizing that the representatives of the Government of the People’s Republic of China are the only lawful representatives of China to the United Nations and that the People’s Republic of China is one of the five permanent members of the Security Council,

Decides to restore all its rights to the People’s Republic of China and to recognize the representatives of its Government as the only legitimate representatives of China to the United Nations, and to expel forthwith

the representatives of Chiang Kai-shek from the place which they unlawfully occupy at the United Nations and in all the organizations related to it.

1967th plenary meeting,
25 October 1971.

⁷ “The *Wall Street Journal Asia* Interview with President Chen Shui-bian,” Office of the President, 12 September 2007 (<http://www.president.gov.tw/en/>, available in the United States as “Transcript of the Interview with President Chen Shui-bian,” *Wall Street Journal*, 13 September 2007).

⁸ Dennis Engbarth, “Chen says Taiwan’s U.N. referendum a show of nation’s full democratization,” *Taiwan News*, 27 August 2007.

⁹ Ko Shu-ling, “Chen touts independence campaign,” *Taipei Times*, 11 September 2007. The Government Information Office in Taipei liked this article so much that it posted it on its dedicated pro-UN application website, *Taiwan U.N. Me* (<http://www.taiwanunme.tw>).

¹⁰ *China Leadership Monitor* 21 (2007), page 16.

¹¹ “Chen Shui-bian Addresses ‘World Taiwanese Congress,’ Discusses Taiwan Sovereignty,” Office of the President, 7 September 2007, reported in translation by OSC, CPP20070907045001) (Chinese text 總統參加「世界台灣人大會」第七屆年會開幕典禮 is at <http://www.president.gov.tw/>).

¹² Y.F. Low, “Taiwan Independent, Title Changeable: President,” CNA, 1 September 2007.

¹³ Ko Shu-ling and Flora Wang, “Chen vows to persist on UN bid,” *Taipei Times*, 25 July 2007.

¹⁴ “Chen Shui-bian Addresses ‘World Taiwanese Congress,’ Discusses Taiwan Sovereignty,” Office of the President, 7 September 2007, reported in translation by OSC, CPP20070907045001) (Chinese text 總統參加「世界台灣人大會」第七屆年會開幕典禮 is at <http://www.president.gov.tw/>).

The “Normal Country Resolution,” which had been percolating within the DPP for some months, became the locus of contention between Frank Hsieh and DPP fundamentalists. Hsieh argued that he supports the goals of name change, constitutional revision, and so forth, but that the middle of the presidential election was not the right time to set hard deadlines for achieving that. The DPP party congress at the end of September adopted a somewhat moderated version, endorsing those ultimate goals but setting no timetable. (Dennis Engbarth, “DPP congress approves resolution to turn Taiwan into “normal country,” *Taiwan News*, 30 September 2007.) In a subtle but significant development, while it calls for “name rectification” for Taiwan, it does not call directly for changing the “national moniker” to “Taiwan.” This led DPP chairman Yu Shyi-kun, who was to resign anyway, to quit abruptly.

¹⁵ Li Shu-ling, “Chen says UN bid won’t harm Taiwan,” *Taipei Times*, 27 August 2007.

¹⁶ “Chen denies ‘independence timetable,’” *Taiwan News*, 22 August 2007.

¹⁷ “President Chen Shui-bian’s Remarks at a Video Conference Hosted by the American Enterprise Institute,” 6 September 2007 (<http://www.president.gov.tw/en/>). (The Chinese-language version is posted for the same date at <http://www.president.gov.tw/>.)

¹⁸ Attributed to Alexandre Auguste Ledru-Rollin, French politician and lawyer (*The Macmillan Dictionary of Quotations*, Edison, NJ: Chartwell Books, 2000, 321).

¹⁹ Ko Shu-ling, “Chen Shui-bian tells US to stop changing the rules,” *Taipei Times*, 16 August 2007.

²⁰ “KMT, DPP Rally for Support of Two Referendum Proposals,” *Taiwan News*, 15 September 2007.

²¹ Flora Wang and Mo Yan-chih, “DPP, KMT rally for UN referendums,” *Taipei Times*, 16 September 2007.

²² “Text of Chen Shui-bian’s Speech at 15 September Rally for Taiwan’s UN Entry”; NY Videolink, Formosa Television Cable News Channel (FTVN), 15 September 2007, translated by OSC, CPP20070916072001. Analysts who follow these issues closely have observed that Chen had not used the term *yi bian, yi guo* publicly for a year. Now he used it at least three times in quick succession: during his 6 September videoconference with the American Enterprise Institute, in his 10 September address to the World Assembly of Taiwanese Associations, and at the Kaohsiung rally.

²³ “President Chen Shui-bian’s Letter to UN Secretary-General Ban Ki-moon Delivered on July 19,” Office of the President, 20 July 2007 (http://www.president.gov.tw/en/prog/news_release/print.php?id=1105499467).

²⁴ “Taiwan regrets UN rejection of membership bid,” Channel NewsAsia, 24 July 2007.

²⁵ Secretary-General Ban rejected the letter on the grounds that, based on 1971 UNGA Resolution 2758, “the position of the United Nations is that Taiwan is part of China” and that “the People’s Republic of China represents the whole of China as the sole and legitimate representative government of China.” He said, “the decision until now about the wish of the people of Taiwan to join the United Nations has been

decided on that basis.” (Jose Chou and Y.F. Low, “U.N. Secretary-General Denies Taiwan’s Eligibility for Membership, CNA, 28 July 2007.) The UN Legal Affairs Office went so far as to say that the UN regarded Taiwan for all intents and purposes to be a part of “the PRC.”

The objections this generated in Taipei were echoed by the United States and others who, although they do not support Taiwan’s application, and do not consider Taiwan (or the ROC) to be a “sovereign, independent state,” nonetheless reject the idea that 2758 carried such an interpretation. Reports abounded that the United States then worked to persuade Ban not to continue to make such statements, and by the time of Chen’s second letter, the Secretary-General, and the Legal Affairs Office, modified their language to refer generally to how they could not deal with the application because of 2758 but without including the more detailed explication.

Perhaps in response to this argument, in turn, some officials in the PRC broadly suggested that Beijing might seek a further UNGA resolution to clarify that 2758 meant exactly what Secretary-General Ban had said it meant. The problem from the PRC’s perspective, however, was that while it could no doubt secure a strong majority in the UNGA in support of such a resolution, it would, in the process, generate open opposition from not only the United States but a number of other countries, highlighting a difference that most agree is best left unaddressed. On balance, PRC officials determined not to proceed down that path on the grounds that it made no sense in terms of China’s overall national interests (though they continued to hint that this decision could be reversed if necessary).

²⁶ “Responsible Person of Taiwan Affairs Offices of CPC Central Committee and State Council Makes Statement on Return of So-Called Written Application for Admission to the United Nations Under the Name of Taiwan, Submitted to UN Secretary General by Chen Shui-bian,” Xinhua, 24 July 2007, translated by OSC, CPP20070724163001.

²⁷ “President Chen Shui-bian’s Letters to UN Secretary-General Ban Ki-moon and UN Security Council President Wang Guangya on July 31,” Office of the President, 1 August 2007, http://www.president.gov.tw/en/prog/news_release/print.php?id=1105499480.

²⁸ Private conversations in Beijing, August 2007.

²⁹ Matthew Lee, “Chen Shui-bian Says Taiwan to Continue to Seek UN Membership,” interview, Tokyo Kyodo World Service, 11 July 2007, disseminated by OSC, JPP20070711057004. The proposal was submitted on 14 August. It was labeled “Urging the Security Council to Handle Taiwan’s Bid for UN Membership in Accordance with Rules 59 and 60 of the Rules of Procedure and Article 4 of the UN Charter.” The PRC, as expected, condemned the action, noting that “More than 160 countries in the world have established diplomatic ties with China. *They all recognize (承认) that there is but one China in the world with Taiwan part of it.*” (“Foreign Ministry Spokesperson Jiang Yu’s Comments on the ‘Participation’ of Taiwan in the United Nations,” Ministry of Foreign Affairs, 16 August 2007, <http://www.fmprc.gov.cn/eng/xwfw/s2510/2535/t352234.htm>; emphasis added.) The Chinese-language version of this statement is at <http://www.fmprc.gov.cn/chn/xwfw/fyrth/t352032.htm>.

³⁰ Mu Xuechuan (editor), “UNGA rejects proposal to include Taiwan’s UN bid on agenda,” Xinhua, 20 September 2007.

³¹ Lillian Lin, Jaw-pyng Hwang, and Sofia Wu, “Taiwan’s U.N. Bid Not Included in General Assembly Agenda,” CNA, 19 September 2007.

³² “The U.S. Position on the Question of Taiwan’s United Nations Membership Application, September 21, 2007,” United States Mission to the United Nations, USUN Press Release #209(07) (http://www.usunnewyork.usmission.gov/press_releases/20070921_209.html). The actual text of the press release read as follows: “The United States supports Taiwan’s meaningful participation in international organizations whenever appropriate. Such involvement is in the interest of the 23 million people of Taiwan and the international community, and we urge all UN members to set aside preconditions and work creatively toward this goal. Consistent with our long-standing One China policy, the United States does not support Taiwan’s membership in international organizations where statehood is a requirement, so it cannot support measures designed to advance that goal. We believe that efforts to urge UN membership for Taiwan will detract from our goal of advancing Taiwan’s involvement in international society.”

Interestingly, although Ambassador Wang Guangya issued a relatively expansive statement in New York following the debate, the foreign ministry in Beijing issued a rather spare, four-sentence statement. It noted the rejection of the item “proposed by an extremely small minority of countries,” claimed the result showed that any efforts to challenge the “one China” principle and split China would fail, expressed “heartfelt thanks” to all who supported China in the General Committee (which included the

United States) and the General Assembly plenum (which did not), and urged the “Taiwan authorities” and those few countries it was exploiting to follow the trend of history and stop all activities that split China.

A senior foreign ministry official in Taipei welcomed the U.S. silence in the UNGA floor debate itself, as a “friendly response” to Taiwan’s efforts to communicate with Taipei on the issue. (Lillian Lin, Jaw-pyng Hwang, Jorge Liu, and Y.F. Low, “U.N. General Assembly Upholds Decision to Exclude Taiwan Issue,” CNA, 22 September 2007.) This seemed related to the fact that, following the Christensen speech on 11 September, the foreign ministry in Taipei had expressed the hope that the United States and others would adopt a “neutral stance” on Taiwan’s bid to join the UN in the name of “Taiwan.” (Sofia Wu, “Taiwan Would Like U.S., Japan, EU to Remain Neutral on U.N. Bid,” CNA, 13 September 2007.)

³³ Shih Hsiu-chuan, “Coverage shows UN bid strategy is correct: Shieh,” *Taipei Times*, 18 September 2007.

³⁴ Sofia Wu, “18 Allies Support Taiwan’s Bid at U.N. Sessions: MOFA,” CNA, 4 October 2007.

³⁵ “President Chen Shui-bian’s Remarks at a Video Conference Hosted by the American Enterprise Institute,” 6 September 2007 (<http://www.president.gov.tw/en>).

³⁶ “President Chen Meets American Enterprise Institute Scholar Randall Schriver,” Office of the President, 8 August 2007 (http://www.president.gov.tw/en/prog/news_release/print.php?id=1105499486).

³⁷ T.C. Jiang, “President Calls for Public Support of Taiwan’s U.N. Bid,” CNA, 10 August 2007.

³⁸ Y.F. Low, “Referendum Plan, U.S. Transit Stops Should Not Be Linked: President,” CNA, 21 August 2007.

³⁹ Dennis Engbarth, “Chen urges citizens to march for UN referendum in Kaohsiung,” *Taiwan News*, 15 September 2007.

⁴⁰ Ibid.

⁴¹ “Hsieh Restates Support for UN Referendum,” *Taiwan News*, 28 June 2007.

⁴² “Hsieh reiterates wish to help defuse US concern over UN referendum,” *Taiwan News*, 17 July 2007.

⁴³ Luis Huang, “DPP Candidate Might Discuss U.N. Bid Referendum with U.S. Officials,” CNA, 17 July 2007.

⁴⁴ George Liao, “Chen sees U.S. signals as ambivalent,” *Taiwan News*, 26 July 2007.

⁴⁵ As we discuss later, however, Hsieh eventually endorsed a DPP resolution that called for a referendum “at the appropriate time” on just this question.

⁴⁶ Hsieh Chia-chen, “Hsieh Chang-ting: After the Election, in Five Years There Will be Name Rectification and Constitutional Revision,” CNA, (Chinese), 31 July 2007 (謝長廷：當選後 五年完成正名制憲). Hsieh has said at other times that it would take “five or nine years” to achieve these things, and that that allowed plenty of leeway for the Mainland to “show goodwill,” which would forestall formation of a 70–80 percent consensus behind such moves so they wouldn’t have to happen. (An earlier discussion of this issue is in *China Leadership Monitor* 21, pp 7–8, endnote 44.) As he put it in a follow-up interview to the SET TV remarks, his plan “could” work within five years. (Flora Wang, “Hsieh supports rewriting Constitution,” *Taipei Times*, 2 August 2007.)

⁴⁷ Shuhei Yamada, “Taiwan Presidential Candidate Hsieh Gives Interview to Nihon Keizai Shimbun, to ‘Seek US Understanding’ on Referendum on UN Membership,” *Nihon Keizai Shimbun*, 24 July 2007 (translated and distributed by OSC, JPP20070724026002).

⁴⁸ Personal notes from 23 July 2007 appearance at National Press Club, provided to writer.

⁴⁹ Flora Wang, “Hsieh supports rewriting Constitution,” *Taipei Times*, 2 August 2007.

⁵⁰ Lillian Wu, “Candidate Will Have Final Say on Campaign Strategy: President,” CNA, 29 September 2007.

⁵¹ George Liao, “Latest proposal by KMT escalates referendum war,” *Taiwan News*, 29 June 2007.

⁵² “UN Plebiscite as Proposed by the KMT,” KMT News Network, 1 August 2007.

⁵³ Flor Wang, “KMT Presidential Candidate to Make Economy Theme of Campaign,” CNA, 28 July 2007.

⁵⁴ Deborah Kuo, “Taiwan Should Seek to Rejoin U.N. in More Pragmatic Way: KMT Hopeful,” CNA, 29 June 2007.

⁵⁵ Mo Yan-chih and Ko Shu-ling, “KMT to hold referendum on UN bid,” *Taipei Times*, 29 June 2007.

⁵⁶ Flor Wang, “U.N. Referendum Aimed at Capturing Public Mandate: KMT Aides,” CNA, 27 July 2007.

Avoiding a repetition of the turmoil involved in gaining approval for putting the DPP referendum on the ballot, the KMT’s proposal was easily approved by the Referendum Review Committee on 28 August. (Shih Hsiu-chuan, “Review committee approves KMT’s referendum petition,” *Taipei Times*, 29 August 2007.)

⁵⁷ “Taiwan’s KMT to Stage own Referendum on Joining UN,” AFP, 28 August 2007, distributed by OSC, CPP20070828968185.

⁵⁸ Lilian Wu, “KMT Adopts ‘Pragmatic’ Means to Promote U.N. Bid: Candidate,” CNA, 6 August 2007.

⁵⁹ Press Release, 29 August 2007, KMT News Network.

⁶⁰ In August, when speaking of the need to restore the relationship of trust with the United States, Ma said that Taiwan should try to be a “peacemaker” and not a “troublemaker.” (Masahiro Miyasaki, “Former Kuomintang Chairman Ma Ying-jeou, Leading Presidential Candidate, Talks about ‘Taiwan,’ ‘China,’ and ‘Unification,’” Tokyo *Shukan Asahi*, 10–18 August 2007, 30–31, translated by OSC JPP20070719043002.)

⁶¹ U.S. reactions are discussed below.

⁶² Press Release, KMT News Network, 29 August 2007. At the same time, Ma tended to cite the fact that the United States either had not criticized the KMT referendum at all, or at least had not done so in harsh terms, and he even suggested at one point that this somehow left the door open in U.S. minds for the ROC to reenter the United Nations. (Mo Yan-chih, “DPP, KMT vow to press on with UN referendum bills,” *Taipei Times*, 2 September 2007.) This sort of claim invited ridicule from the DPP and, while they fully understood it was campaign rhetoric, quiet disbelief from Americans.

⁶³ “Ma Ying-jeou’s Statement at the KMT rally on the Referendum on Returning to the United Nations” (中國國民黨返聯公投遊行馬英九聲明), accessed on 16 September at <http://www.ma19.net/client/NewsDetail.php?NewsDOCID=00amk22wo38iyrk0>. The statement was issued in written form but not given as a speech.

⁶⁴ 如今中華民國與台灣已經密不可分，台灣就是中華民國，傷害中華民國，就是傷害台灣；傷害台灣，也就是傷害中華民國

⁶⁵ “CNBC Interview with President Chen Shui-bian,” Office of the President, 17 September 2007

(<http://www.president.gov.tw/en/>).

⁶⁶ Hermia Lin, “Ma’s statement draws political flak,” *Taiwan News*, 17 September 2007.

⁶⁷ Ko Shu-ling, “Referendum campaigners facing Beijing’s wrath: Lu,” *Taipei Times*, 8 August 2007. The controversies spilled over to other issues, most especially the “Normal Country Resolution” that Yu Shyi-kun pushed within the DPP. Hsieh Chang-ting was reportedly “stunned” when the first draft was tabled (He Ming-kuo, “Resolution on Normal Country Unveiled; Hsieh Camp Stunned,” *Lien-ho Pao*, 2 August 2007, translated in summary by OSC, CPP20070802100001), and it set off a major fight within the DPP. (See endnote 14)

⁶⁸ Huang Rui-hong, “Hsieh Chang-ting suggests considering combining the Blue and Green referenda drafts; DPP internal debate,” CNA (in Chinese), 5 September 2007.

⁶⁹ Dennis Engbarth, “Chen urges voters to ensure success of referendum,” *Taiwan News*, 16 September 2007.

⁷⁰ Lilian Wu, “DPP Chairman Might Support Merge of Referendum Initiatives,” CNA, 6 September 2007.

⁷¹ Tseng I-p’ing, “Frank Hsieh Proposes Holding Blue-Green Referendum, Attacked by DPP Heavyweights,” *Chung-kuo Shih-pao*, 6 September 2007, translated in summary by OSC, CPP2007090610001. Chen Chi-sheng’s statement is found in the full story (in Chinese) at <http://news.chinatimes.com/2007Cti/2007Cti-News/2007Cti-News-Content/0,4521,110501+112007090600036,00.html>.

⁷² Support for applying to the UN remains strong, with somewhere between half and three-quarters of poll respondents in favor. However, support for following through with the referendum is not nearly as strong.

An *Apple Daily* poll in early September asked: “If the plebiscite on joining the UN under the name Taiwan will lead to international tension or even war, would you vote [for it]?” 42.86 percent said yes, 48.74 percent said no. (From KMT News Network, Surveys, 2 September 2007.)

A *Lien-ho Pao* poll on 13 September asked whether respondents favored holding a referendum on joining the UN “in the name of ‘Taiwan.’” 43 percent said “yes” while 31 percent said “no.” When the poll added in the factor of U.S. opposition, the numbers were reversed. The poll asked: “Considering the open U.S. opposition to the referendum on “joining the UN in the name of Taiwan,” is it necessary for the government to persist in conducting the referendum?” 42 percent said no; 30 percent said yes. (“*Lien-ho Pao* Public Opinion Poll: 42 percent of the people oppose forging ahead with the referendum on joining the UN,” *Lien-ho Pao*, 14 September 2007 (<http://udn.com/NEWS/NATIONAL/NATS3/4013114.shtml>)).

⁷³ In the meantime, Hsieh stirred something of a controversy when he said in early September that he was running for the president of the “country of Taiwan.” (Wu Che-hao, “Hsieh Chang-ting: Taiwan is a country, the election is for the president of the country of Taiwan) (謝長廷：台灣是國家 選的就是台灣國總統，

CNA in Chinese, 4 September 2007.) The KMT, as might have been expected, jumped on this. Ma Ying-jeou responded: “I am running for the presidency of the ROC, and it’s acceptable that some foreign press say we are running for the presidency of Taiwan. But it’s definitely not the Republic of Taiwan.” KMT secretary-general Wu Den-yih more sarcastically retorted: “Hsieh can’t run for the presidency of a nation that doesn’t exist. He should withdraw from the election, form the nation of Taiwan and then run for its presidency.” (Mo Yan-chih and Flora Wang, “Ma attacks Hsieh over ‘Republic of Taiwan,’” *Taipei Times*, 6 September 2007.)

⁷⁴ “Chen brands KMT’s UN referendum biggest joke,” *Taiwan News*, 7 September 2007. Chen created other headaches for Hsieh. For example, the president was reported to have said some thirteen times on 6 September, the day that Hu and Bush met in Australia, that Taiwan is for independence. When asked for his view of that, Hsieh reportedly responded: “Who said that?” When told, he simply replied, “Oh, he did?” (“Bian Repeats 13 Times: We are for Taiwan Independence in First Place,” *Lian-ho Hsin-wen Wang*, 8 September 2007, translated in summary by OSC, CPP20070908102001.)

⁷⁵ Lilian Wu, “Referendum Initiatives on U.N. Bid Should be Shelved: Speaker,” CNA, 6 September 2007; Deborah Kuo, “National Affairs Conference Will Help Build Consensus: Speaker,” CNA, 13 September 2007; Elizabeth Hsu, “Former President Speaks Out Against Referendum on U.N. Bid,” CNA, 12 September 2007.

⁷⁶ He cited two reasons:

(1) To join or return to the UN or other international organizations is not the sole will of the DPP, but that of the 23 million ROC citizens. There is no need to demonstrate this wholehearted desire of the people through a plebiscite.

(2) The plebiscite on joining the United Nations, launched by the DPP, has resulted in tremendous pressure from the international community, especially the United States. The key political figures, such as Annette Lu and Frank Hsieh, all convey the clear message that the United States strongly opposes the plebiscite. The KMT would consider withholding or deferring its plebiscite proposal on the condition that the DPP withdraw theirs in order to encourage the DPP to take the overall situation and national interest into account as a first priority and in order to dispel any fear that “if the DPP should withdraw its version, while the KMT should continue to push its own, then the DPP would end up being the losers.” (Press Release, KMT News Network, 31 July 2007.)

⁷⁷ KMT Press Release (2), 31 July 2007, “KMT’s Bid for UN Plebiscite Not Changed” (emphasis added).

⁷⁸ Flor Wang, “KMT Will Not Back Off From Its U.N. Bid,” CNA, 3 September 2007. Honorary KMT chairman Lien Chan’s office confirmed that there was a letter from the PRC discussing possible implications of Taiwan’s holding a referendum on UN membership, but others in the party, including Ma and Secretary-General Wu Den-yih, denied knowledge of it.

⁷⁹ Li Ming-hsien and Li Tsu-shun, “Does KMT’s UN Bid Make China Angry? Ma Ying-jeou Determined Not to Change Stand,” *Lieh-ho Pao*, 4 September 2007 (translated in summary by OSC CPP20070904100001).

⁸⁰ “Wu: No Going Back in UN Plebiscite Push,” Press Release, KMT News Network, 7 September 2007.

⁸¹ “KMT willing to end referendum drama if DPP pulls out first,” *Taiwan News*, 13 September 2007.

⁸² “He Po-wen and Wang Chih-hung, “Ma Ying-jeou Says Kuomintang to Continue Push to Return-to-UN Referendum Even if DPP Withdraws Referendum” (馬: 民進黨撤 國民黨仍要返聯). *Chung-kuo Shih-pao*, 14 September 2007, translated in summary by OSC, CPP20070914100001.

⁸³ Elizabeth Hsu, “VP Calls for Integration of Proposed U.N. Bid Referendums,” CNA, 21 September 2007.

⁸⁴ “‘Referendum on UN Accession’: An Important Step by Chen Shui-bian to Push for ‘De Jure Independence for Taiwan,’” Editorial Department briefing, *Liang-an Guanxi* (monthly journal of ARATS—the Association for Relations Across the Taiwan Strait under the State Council of China), 10 July 2007, translated by OSC, CPP20070731364001.

⁸⁵ Ko Shu-ling, “Chen urged to use ‘defensive’ plebiscite,” *Taipei Times*, 1 July 2007.

⁸⁶ Ko Shu-ling, “Chen stands firm on plebiscite,” *Taipei Times*, 19 September 2007.

⁸⁷ This discussion is based on a variety of PRC documents and commentaries as well as on extensive conversations with relevant senior PRC officials in August and September 2007 in Beijing and Washington.

⁸⁸ Dennis Engbarth, “DPP congress approves resolution to turn Taiwan into ‘normal country,’” *Taiwan News*, 30 September 2007. (Other quotes from the resolution in this paragraph are from the same source.)

⁸⁹ These differences were so significant in the eyes of the key players that Yu Shyi-kun resigned earlier than expected as party chairman when Chen Shui-bian refused to back his proposal, and a heated floor fight took place at the party's 30 September congress. In the end, only 43 of 328 delegates supported Yu's revision, and the final version was adopted unanimously to help preserve party unity. But the bitterness between various opponents in this struggle will not quickly abate.

⁹⁰ Pei Yi, "Beijing is on High Alert vis-à-vis Chen Shui-bian's Maneuvers of Holding "Referendum for Joining the United Nations," *Zhongguo Tongxun She*, 2 August 2007 (translated by OSC, CPP20070802704005).

⁹¹ This refers to the shooting incident in Tainan the day before the presidential balloting in 2004, when an apparent assassination attempt on President Chen and Vice President Lu arguably led to enough of a vote shift in their favor to change the election outcome. The KMT, and many in Beijing, believe Chen staged the shooting in a successful bid to reverse what was seen by several polling organizations as a large KMT victory in the making.

⁹² Li Jiachuan, "Chen Shuibian is Hijacking the DPP, Taiwan's Judicial Department, Taiwan People, and the US Government for His Bid To Join UN via Referendum; Taiwan Strait Faces a New Crisis," Hong Kong *Hsiang Kang Shang Pao*, 2 August 2007, translated by OSC, CPP20070802710014.

⁹³ "Responsible Person of Taiwan Affairs Offices of CPC Central Committee and State Council Makes Statement on Return of So-Called Written Application for Admission to United Nations Under the Name of Taiwan, Submitted to UN Secretary General by Chen Shui-bian" (full text of statement), Xinhua, 24 July 2007, translated and disseminated by OSC, CPP20070724163001 (emphasis added).

⁹⁴ Private conversation with PRC official.

⁹⁵ "Chen Yunlin: Join-UN Referendum Puts Cross-Strait Ties in Danger," *Chung-shih Tien-tzu Pao*, 29 July 2007, translated in summary by OSC, CPP20070730102003.

⁹⁶ Ho Po-wen, "Chen Yunlin: UN Membership Referendum Puts Cross-Strait Relations in a Dangerous Situation," *Chung-kuo shih-pao*, 29 August 2007, translated by OSC, CPP20070801310001.

Another, more detailed account of the meeting quoted Chen Yunlin as warning that the majority of people are still not aware that the coming year will be a "period of high danger" (高危期) but it will be. (Lin Hsiu-chi, "Referendum on Taiwan's Admission to UN Forces Cross-Strait Showdown," HK *Ta Kung Pao*, 3 August 2007, translated by OSC CPP20070803710013.)

Total cross-Strait trade was reported by the MAC to be US\$88.1 billion in 2006 (Flor Wang, "No Twists in Taiwan-China Ties in Run-up to Elections: MAC," CNA, 16 August 2007).

⁹⁷ Zhang Yi and Lu Zhiyong, "At an Informal Meeting with Taiwan Businessmen, Wu Yi Stresses Promoting the Development of Cross-Strait Economic and Trade Relations and Safeguarding Cross-Strait Peaceful Development," Xinhua, 6 September 2007, translated by OSC, CPP20070906163023.

⁹⁸ "Chen Yunlin Says Beijing's Political, Economic Policies Toward Taiwan to Remain Separate," *China Times*, 22 August 2007 (accessed on 22 August at <http://news.chinatimes.com/2007Cti/2007Cti-News/2007Cti-News-Content/0,4521,130502+132007082101082,00.html> and translated in summary by OSC, CPP20070822100002.)

⁹⁹ Private conversations with PRC officials. Jiang's fifth point reads:

Challenged with world economic development in the 21st century, we shall spare no [effort] to develop economic exchange and cooperation between the two sides separated by the Taiwan Straits so that both sides enjoy a flourishing economy and the whole Chinese nation benefits. We maintain that political disagreement should not impede economic cooperation between the two sides of the Taiwan Straits. We shall continue, for an extended period, to implement a policy of encouraging Taiwanese investment on the mainland and carry out the Law of the People's Republic of China on Protecting Investments by Taiwan Compatriots. In any circumstances, we shall protect all legitimate rights and interests of Taiwanese investors in a down-to-earth way and continually encourage exchange and contacts across the Taiwan Straits which promote mutual understanding. ("Jiang Zemin's Eight-Point Proposal," Taiwan Affairs Office of the States Council, 30 January 1995, http://www.gwytb.gov.cn:8088/detail.asp?table=JiangEP&title=Search&m_id=3.)

¹⁰⁰ "Cao Gangchuan Says: We are Determined, Able, and Prepared to Check 'Taiwan Independence,'" Hong Kong *Zhongguo Tongxun She*, 31 July 2007, translated by OSC, CPP20070731163017. (Cao's exact phrase was "絕不容忍'台獨,'絕不允許任何人以任何名義任何方式把台灣從中國分割出去")

¹⁰¹ Sofia Wu, "MAC Protests PRC Envoy's Return of Chen Shui-bian's Letter on UN Membership," CNA, 2 August 2007.

¹⁰² In early August, one polling organization reported that 64.8 percent of Mainland respondents supported the use of force to "recover Taiwan" "if the referendum on UN membership touched the bottom line of 'Taiwan independence.'" (Chen Yi, "A Mainland Public Opinion Poll Indicates Support for the Use of Force to Curb Taiwan Independence," Hong Kong *Ta Kung Pao*, 11 August 2007, translated by OSC, CPP20070813329001.) It isn't clear from the translation or the original Chinese how one would judge whether the referendum did, in fact, "touch" the bottom line, but the thrust of the attitude was clear. (The original account from the Social Survey Institute of China is available at <http://www.chinasurvey.com.cn/public/2007/official/08-10-002.htm>. Appreciation to Professor Alastair Iain Johnston of Harvard University for having tracked that website down.)

In mid-September, a senior PRC official told this analyst that a recent poll revealed that 96 percent of the respondents would approve using force in the event of Taiwan independence.

¹⁰³ Chiehyu Lin and Elizabeth Hsu, "Unnamed US Official Urges President to Reject Referendum Proposal," CNA, 19 June 2007.

¹⁰⁴ Sofia Wu, "MOFA Issues 4-point Response to U.S. Opposition to U.N. Referendum," CNA, 19 June 2007.

¹⁰⁵ Daily Press Briefing (DPB #109), 19 June 2007 (<http://www.state.gov/r/pa/prs/dpb/2007/jun/86611.htm>; emphasis added).

¹⁰⁶ "China-Taiwan at the Senior Dialogue," Taken Question (2007/510), 22 June 2007 (<http://www.state.gov/r/pa/prs/ps/2007/jun/87164.htm>). Lest anyone in Taiwan or the Mainland miss the point, a report about it was posted on the State Department website in Chinese. (<http://usinfo.state.gov/xarchives/display.html?p=washfile-chinese&y=2007&m=June&x=20070626110922zjsredna0.9493219>)

¹⁰⁷ Y.F. Low, "Restrictions on Taiwan Democracy Wrong Message to Beijing 'Dictators': President," CNA, 23 August 2007.

¹⁰⁸ Chen told Brown that the "uncomfortable, undignified and unsatisfactory" transit arrangements punished the 23 million people of Taiwan, not him personally. (Dennis Engbarth, "Undignified transit punishes Taiwan, Chen says," *Taiwan News*, 22 August 2007.) He said he was accepting such treatment "for the sake of protecting Taiwan's national dignity and furthering the country's democracy," and that "the courtesy, comfort and convenience for myself are of little importance" (Y.F. Low, "Restrictions on Taiwan Democracy Wrong Message to Beijing 'Dictators': President," CNA, 23 August 2007)

¹⁰⁹ There were some indications Chen thought Burghardt would meet him both times, and that he took the AIT chairman's absence during the first stop as adding insult to injury.

¹¹⁰ Cheng Jen-wen, "President Chen Strives for UN Membership, Call Himself President of Taiwan," *Lien-ho pao*, 24 August 2007, translated in summary by OSC CPP200708241000001.

¹¹¹ Lu Chia-ying and Dennis Engbarth, "President meets AIT head during Alaska stopover," *Taiwan News*, 30 August 2007.

¹¹² "Interview by Naichian Mo of Phoenix TV, John Negroponte, Deputy Secretary of State," 27 August 2007 (<http://www.state.gov/s/d/2007/91479.htm>). At one point in the interview, Negroponte says the U.S. opposes the referendum "because we see that as a step toward a declaration of independence for Taiwan." This was the quote that got tremendous press attention. And while doubtless no one will seek to amend the record, this formulation seems to go a half step beyond actual U.S. policy. The notion that it is seen as a step toward alteration of the status quo and one that "could be interpreted" as a step toward a declaration of independence seems more in line with the actual U.S. assessment.

Unsurprisingly, Taiwan responded with a sense of injured innocence, arguing it could not figure out why Negroponte would have made such remarks about a peaceful and democratic expression of opinion that was, in any event, a domestic affair. (K.H. Wen and Flor Wang, "U.S. Misinterprets U.N. Bid Referendum Plan: FM," CNA, 28 August 2007.) In expressing his "regret" at the Negroponte statement, Foreign Minister Huang further argued that the referendum would not violate the "four noes" pledge or upset the cross-Strait status quo. ("US misreads Taiwan's referendum plan: FM," *Taiwan News*, 28 August 2007).

¹¹³ "Press Briefing on the President's Trip to Australia and the APEC Summit by Senior Administration Officials," the White House, 30 August 2007 (<http://www.whitehouse.gov/news/releases/2007/08/20070>

830-2.html). As had Negroponte in his 27 August Phoenix TV interview, Wilder also made clear that the United States did not want to see the PRC threaten or use force.

In the course of the briefing, Wilder used phraseology regarding the “status” of Taiwan/ROC that strayed from the established mantra. He said: “The position of the United States government is that the ROC—Republic of China—is an issue undecided, and it has been left undecided, as you know, for many, many years.” This seemed to elide two separate issues: the fact that Taiwan’s ultimate political relationship with the Mainland (e.g., unification or independence) was not decided, and the U.S. position, unchanged over the years but quite purposively not repeated, that the status of Taiwan island was “undetermined.” Since the issue of the meaning of 1971 UNGA Resolution 2758 was swirling around, and the United States was seeking to quietly back the UN away from repeating a position the United States did not accept (see discussion above), this may have been in Wilder’s mind. But the more likely intent was to note that, until a new political framework was created across the Strait, there was no likelihood that Taiwan would be able to assume a seat under any formula at the United Nations. In any case, it upset the PRC and elated many Taiwan independence advocates who interpreted this point to their advantage.

That said, not only did the Chen government and the DPP react badly to Wilder’s remarks, but so did Ma Ying-jeou. Ma refuted the notion that the ROC is not a sovereign state, although he said that the United States had been forced into taking this position by the DPP UN referendum. But he argued that the U.S. position actually benefited the DPP, because it stirred up a sense of grievance in Taiwan. This, Ma argued, is actually Chen’s objective, not UN membership. (“Ma Ying-jeou: DPP’s Reckless UN Referendum Has Forced US to State its Stance,” *Chung-kuang Hsin-wen Wang*, 1 September 2007.)

Wilder did one other interesting thing in that briefing, this one obviously quite intentional. For a long time the United States government had been urging the PRC to deal with Taiwan’s “duly elected leaders.” For the past several years, as tensions have grown, this struck one as perhaps a necessary rhetorical position but totally ineffectual as a real-world exhortation. However, on this occasion Wilder said something different, and more realistic—and more forward-looking: “We also think that Beijing could do more to reach out to the duly elected leaders in Taiwan. *We’re hopeful, for example, that once elections take place in Taiwan that Beijing will do more to reach out to those leaders.*” (Emphasis added)

¹¹⁴ “Washington Post Interview with President Chen Shui-bian,” Office of the President, 6 July 2007 (posted 8 July 2007, <http://www.president.gov.tw/en/>).

¹¹⁵ “Highlights: Taiwan TV Talk Show Features President Chen’s Interview 31 August 2007,” OSC summary of an exclusive interview with Chen Shui-bian on the pro-Green *Ta-hua Hsin-wen* (Master Speaks Up) program on Sanlih (Entertainment) TV (SET-TV) (CPP20070901086001).

Part of the logic that Chen seems to employ is connected to a belief that the United States is committed to come to Taiwan’s aid if attacked. He argues that, even though Taiwan needs to be able to sustain itself militarily “before the US comes to our aid,” and that “it is entirely up to the US government” to decide what it would specifically do in such a situation, such a commitment exists under the Taiwan Relations Act of 1979. (“BBC Interview with President Chen Shui-bian,” Office of the President, 22 August 2007; <http://www.president.gov.tw/en/>.)

¹¹⁶ “A Strong and Moderate Taiwan,” Speech to the U.S.-Taiwan Business Council Defense Industry Conference, 11 September 2007 (<http://www.state.gov/p/eap/rls/rm/2007/91979.htm>).

In the context of the DPP’s referendum, Christensen reflected a somewhat modulated posture with regard to the KMT referendum proposal. That is, in 2003, the United States expressed the view that it would generally oppose holding referenda that served no real policy purpose but could be seen as provocative in the cross-Strait context. Normally, at least in this writer’s mind, the KMT referendum would fall into that category. But when it is seen that this referendum is really a reaction to the DPP’s proposal, and that the KMT variant could in fact help drain support away from the DPP referendum, any sense of real opposition to the KMT draft fades away. Now it was labeled only “odd and unproductive.” This parallels, in many ways, the PRC approach, though both Beijing and Washington would prefer that neither referendum be enacted.

Like Wilder, Christensen rejected the legitimacy of any effort to translate the U.S. position into even tacit approval of the threat or use of force, which remains “unacceptable” to the United States. But he made clear that the current effort on behalf of the referendum raises the risk that force might be used. On those grounds, Christensen rebuffed notions the United States had no right to speak on these questions; the threat posed to American national interests by the referendum gives the United States that right. And he rejected arguments that opposition to the UN referendum bespeaks inadequate support for or even

interference in Taiwan's democracy; "bad public policy initiatives are made no better for being wrapped in the flag of democracy."

Once again, to be sure that the appropriate audiences got all aspects of the message, and did not need to depend on press accounts or official interpretations, Christensen's speech was posted in Chinese on websites of the State Department, AIT (Taipei), and U.S. Embassy Beijing.

¹¹⁷ "In Australia, Hu Jintao denounces Taiwan Referendum on UN Membership," Hong Kong, Phoenix TV, 5 September 2007, translated by OSC CPM20070905715010. Part of the reasoning behind the assessment that this was aimed at Bush rather than to a broader audience was that there is no record the remarks were carried domestically within China.

¹¹⁸ "Beijing Scholar: US Gives Some Leeway," *Ming Pao*, 7 September 2007, translated by OSC, CPP20070907708001. The scholar being cited was Professor Shi Yinhong of People's University.

¹¹⁹ "President Bush Meets with President Hu Jintao of the People's Republic of China," 6 September 2007 (<http://www.whitehouse.gov/news/releases/2007/09/20070906-1.html>).

¹²⁰ "Chinese President Hu Jintao Meets with His U.S. Counterpart Bush," 6 September 2007, (<http://www.fmprc.gov.cn/eng/zxxx/t360601.htm>). The Chinese-language version of the briefing can be found at http://www.fmprc.gov.cn/chn/ziliao/wzzt/hcfa_APCE/t359491.htm. For a discussion of "gao wei qi" (高危期) see *China Leadership Monitor* 21. In this analyst's view, it is very significant that this term, several months ago used only by a few officials in Beijing, has now made it into the lexicon at the highest levels.

¹²¹ "Press Briefing by Deputy Press Secretary Dana Perino and Senior Administration Officials," 6 September 2007 (<http://www.whitehouse.gov/news/releases/2007/09/20070906-2.html>; emphasis added).

¹²² Some have charged that the United States supports democracy only when the outcome suits U.S. self-interest. Others speak of how Taiwan democracy is in a U.S.-imposed "birdcage." Still others have employed more inflammatory rhetoric, charging that the U.S. "has virtually become a mouthpiece for the Chinese government," willing to "oppress Taiwanese democracy rather than muster up the will or the courage to take a stand against China's arbitrary and unreasonable demands." "Rhetoric that seeks to separate Chen [Shui-bian] from the public only serves to show how little the US, one of the world's foremost democracies, understands democracy." (Lo Chih-cheng, "US stance risks hostile responses in Taiwan," [opinion piece], *Taipei Times*, 8 September 2007, <http://www.mac.gov.tw/english/index1-e.htm>.)

The Mainland Affairs Council in Taipei issued a press release urging, "the U.S. should not sacrifice Taiwan's interests to make a compromise with China's peremptory hegemony." (Mainland Affairs Council Press Release, No. 072, 31 August 2007.)

Unsurprisingly, then-DPP chairman Yu Shyi-kun called the speech "irresponsible" and said it twisted the meaning of democracy and showed a lack of understanding of Taiwan. ("Taipei undeterred by US opposition to UN referendum," *Taipei Times*, 13 September 2007.)

Even Ma Ying-jeou reacted by reiterating that "returning to the United Nations" is the "hope and aspiration" of the overwhelming majority of people in Taiwan—thus distancing himself to some extent from Christensen's position. But he also once again touted the "moderate, pragmatic, flexible" nature of the KMT's proposal, which is why, he claimed, "the United States has time and again severely criticized the DPP's initiative while leaving the KMT's proposal untouched. Because our version does not involve change of the status quo [while] the DPP's version . . . is clearly intended to break the status quo." ("Ma Statement on Christensen Speech," KMT News Network, 13 September 2007.)

¹²³ In addition to his complaints during the transit, in a video hookup with a group in New York City the day after Christensen's speech, Chen charged that "To demand that Taiwan remain silent merely because of China's peremptory and unreasonable attitude, or to expropriate the right of the people of Taiwan to say 'no' to China merely because of the threat of a Chinese military invasion of Taiwan, is for the United Nations to allow itself to become a pawn—not just a hostage kidnapped by China, but a debased mouthpiece of the Chinese government. Some have claimed that Taiwan is not a sovereign country, or wrongly cited the Resolution 2758 when they denied Taiwan's qualification to apply for UN membership. Some have even denounced Taiwan's efforts to join the UN as an 'unnecessary provocation, an attempt to alter the status quo in the Taiwan Strait.' In reality, these are just excuses and [an] alibi. The real reason is China's incessant, obsessive attempt to obstruct, intimidate and blockade Taiwan's noble pursuit." ("President Chen Shui-bian's Remarks at Video Conference with NYC [UN issue]," Office of the President, 14 September 2007, <http://www.president.gov.tw/en/>.)

¹²⁴ “President Chen Shui-bian Takes Part in the Opening Ceremony of the Seventh Annual Meeting of the World Taiwanese Congress,” Office of the President, 7 September 2007, reported in translation by OSC, CPP20070907045001; Chinese text 總統參加「世界台灣人大會」第七屆年會開幕典禮 is at <http://www.president.gov.tw/>.

¹²⁵ “Transcript of the Interview with President Chen Shui-bian,” *Wall Street Journal*, 13 September 2007.

¹²⁶ Dennis Engbarth, “Chen urges citizens to march for UN referendum in Kaohsiung,” *Taiwan News*, 15 September 2007.

¹²⁷ Lilian Wu, “President Wants High-Level Security Dialogue Mechanism with U.S.,” CNA, 7 September 2007; Lawrence Chung, “Chen Admits Referendum Dispute Has Halted Dialogue with the US,” *South China Morning Post*, 16 September 2007.

¹²⁸ Ko Shu-ling and Charles Snyder, “Chen calls for greater US-Taiwan communication,” *Taipei Times*, 23 August 2007.

¹²⁹ Dennis Engbarth, “Chen urges citizens to march for UN referendum in Kaohsiung,” *Taiwan News*, 15 September 2007.

¹³⁰ Lilian Wu, “No Need to React to Chinese Leader’s Remarks on Taiwan Strait: MOFA,” CNA, 7 September 2007.

¹³¹ T.C. Jiang, “U.S. Adopts More Cautious Attitude towards Taiwan’s U.N. Bid: FM,” CNA, 6 September 2007.

¹³² Sofia Wu, “Bush-Hu Meeting Could be Calm Before Storm: Spokesman,” CNA, 6 September 2007.

¹³³ Following the Negroponte and Wilder comments, the PRC foreign ministry “applauded” the U.S. government “for its reiterated opposition to the Taiwan Authorities’ referendum on UN membership on many occasions recently.” (“Foreign Ministry Spokesperson Liu Jianchao’s Remarks on the US Reiterated Opposition to Taiwan’s proposed Referendum on UN Membership,” Ministry of Foreign Affairs, 29 August 2007, <http://www.fmprc.gov.cn/eng/xwfw/s2510/2535/t356470.htm>.)

¹³⁴ Chiehyu Lin and Sofia Wu, “U.S. Harpoon Sales to Beef Up Taiwan’s Deterrence Force: Official,” CNA, 9 August 2007.

¹³⁵ “U.S. proposes US\$2.2b arms sales to Taiwan,” Reuters, 14 September 2007.

¹³⁶ “Foreign Ministry Spokesperson Jiang Yu’s Regular Press Conference on 13 September 2007,” (<http://www.fmprc.gov.cn/eng/xwfw/s2510/2511/t362589.htm>; emphasis added.)

This formula—appreciation for opposition to the referendum but further “calls” on the United States “to adhere to the commitments to China” and to avoid sending “erroneous signals” to Taipei—continued to be used in various fora, including PRC ambassador to the United States Zhou Wenzhong’s speech on National Day. (Qiu Jiangbo, “Zhou Wenzhong Praises Overseas and Ethnic Chinese, Calling Them Chinese Culture Disseminators, China’s Image Exhibitors,” ZXS [in Chinese], 29 September 2007, translated by OSC, CPP20070929063007.)

¹³⁷ “Transcript of the Interview with President Chen Shui-bian,” *Wall Street Journal*, 13 September 2007.

¹³⁸ Sofia Wu, “76% Local People Perceive Taiwan as Independent, Sovereign State,” CNA, 6 September 2007.)

Even Americans apparently find that passing a referendum would lend legitimacy to Taipei’s quest for UN membership. A recent poll commissioned by Taipei showed that roughly 55 percent of Americans support Taiwan’s application for UN membership now, but that number rises to 70 percent if it is posited that the people of Taiwan have supported that application in a referendum. (“U.S. Opinions on Asia-Pacific Countries and Taiwanese Membership in the U.N.,” Zogby International, September 2007, <http://www.zogby.com/TaiwanReport.pdf>.)

¹³⁹ “Public Opinion Poll on the Referendum on Joining the United Nations,” *TVBS Poll Center*, 4 September 2007 (http://www.tvbs.com.tw/FILE_DB/DL_DB/davidkuo/200709/davidkuo-20070906145839.pdf). A translation of the charts is available at the KMT News Network, Surveys, 4 September 2007).

¹⁴⁰ The first side of this debate is represented by Zhang Nianchi, (president of the Shanghai Institute for East Asian Studies), “The ‘UN-Entry Referendum and Cross-Strait Relations,” *Hong Kong Zhongguo Pinglun*, 01–30 September 2007, No. 117, pp 6–11 (translated by OSC, CPP20070910710009). The other is represented by Lin Hsiu-chi, (“experienced” commentator on Taiwan issue), “Referendum Is a Real Topic for Discussion on ‘Taiwan Independence,”” *Hong Kong Ta Kung Pao*, 14 September 2007 (translated by OSC, CPP20070914710006).

¹⁴¹ The Referendum Act (Passed by the Legislative Yuan on 27 November 27, 2003, Promulgated by Presidential Order on December 31, 2003), English Translations, Ministry of Foreign Affairs.

Article 1 states the act “has been formulated in accordance with the constitutional principle that sovereignty resides with the people and in order to safeguard the direct exercise of the rights of the people.” But it goes on to say: “For that which is not prescribed under this act, the provisions of other laws apply.” Moreover, a special provision is made with regard to constitutional amendments: “Referendums relating to amendments to the Constitution shall be addressed in accordance with the procedures for amending the Constitution.” (Article 31, Paragraph 4)

The UN referendum comes under Article 2, which specifies the subject matters on which national and local referenda may be held. In this case, the applicable category is “Initiation or confirmation of a major policy.”

Once a referendum has passed (being voted upon by more than half of the qualified voters in the nation and with more than half of the valid ballots cast being in support of the referendum measure) (Article 30), the election commission shall publicly announce the results within seven days and, for major policies (as in this case) the responsible agency shall do what is necessary to implement the content of the referendum. (Article 31, paragraph 3)

Of possible relevance to how voting proceeds on 22 March, the Act provides that referenda “may be held on the same day as a national election,” (Article 24), but it provides that “When a referendum is held concurrently with a national election, the register of qualified voters for the referendum and register of electors for the election shall be compiled separately.” (Article 25)

One reason Annette Lu has expressed such doubts about the wisdom of proceeding with the referendum as formulated is that the Act provides: “For three years after an election commission publicly announces the passage or defeat of a referendum, no referendum on the same issue shall be proposed.” (Article 33)

¹⁴² James A. Kelly, Testimony before the Committee on International Relations, House of Representatives, Hearings on “The Taiwan Relations Act: The Next Twenty-five Years,” (Serial No. 108-107), 21 April 2004 (http://commdocs.house.gov/committees/intlrel/hfa93229.000/hfa93229_0f.htm; emphasis added).

¹⁴³ “American Interests and the U.S.-China Relationship.” Address to the Asia Society, the Council on Foreign Relations and the National Committee on U.S.-China Relations, 17 May 1996 (<http://64.233.169.104/search?q=cache:9xuaNqR3-lgJ:dofan.lib.uic.edu/ERC/briefing/dossec/1996/9605/960517dossec1.html+warren+Christopher+speech,+May+17,+1996,+text&hl=en&ct=clnk&cd=3&gl=us>).