

WebMemo



Published by The Heritage Foundation

No. 1653
October 2, 2007

President Reagan's Six Assurances to Taiwan and Their Meaning Today

Ambassador Harvey Feldman

The Reagan Administration spent the first half of 1982 in increasingly tough negotiations with the People's Republic of China (PRC) over America's continuing arms sales to Taiwan following the 1979 shift of U.S. diplomatic relations to Beijing. The Carter Administration had insisted that, given congressional opinion, continuing limited arms sales to Taiwan was a political necessity, but this was a bone in the throat as far as Beijing was concerned. American supporters of the new relationship with China also saw the arms sales as an obstacle to good relations with Beijing and were vocal on that point.¹

In the spring of 1982, the PRC began threatening to severely downgrade its relationship with the U.S. unless something was done about the arms sales, and some in Beijing were discussing "playing the Soviet card." Then-Secretary of State Alexander Haig was convinced that, "in the last quarter of the twentieth century, China may well be the most important country in the world" in terms of American interests.² He pressed hard and successfully for some form of accommodation with Beijing, although his ultimate recommendation that the U.S. agree to cease arms sales to Taiwan was not accepted.³

The result was the communiqué signed on August 17, 1982—almost two months after Haig had left office. In it, the U.S. government stated "that it does not seek to carry out a long-term policy of arms sales to Taiwan, that its arms sales to Taiwan will not exceed, either in qualitative or in quantitative terms, the level of those supplied in recent years since the establishment of diplomatic relations between the United States and China, and that it intends to re-

duce gradually its sales of arms to Taiwan, leading over a period of time to a final resolution."⁴

Though he agreed to sign the communiqué, President Reagan was disturbed by its possible effect on Taiwan and put little trust in Chinese promises to adhere to a peaceful solution. Therefore, while allowing the August 17 communiqué to go forward, President Reagan also placed a secret memorandum in the National Security Council files, which read:

The U.S. willingness to reduce its arms sales to Taiwan is conditioned absolutely upon the continued commitment of China to the peaceful solution of Taiwan-PRC differences. It should be clearly understood that the linkage between these two matters is a permanent imperative of U.S. foreign policy. In addition, it is essential that the quantity and quality of the arms provided Taiwan be conditioned entirely on the threat posed by the PRC. Both in quantitative and qualitative terms, Taiwan's defense capability relative to that of the PRC will be maintained.⁵

This was not the only step President Reagan took. He decided that Taiwan needed to be reassured that the U.S. would not abandon the island

This paper, in its entirety, can be found at:
www.heritage.org/Research/AsiaandthePacific/wm1653.cfm

Produced by the Asian Studies Center

Published by The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002-4999
(202) 546-4400 • heritage.org

Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

republic. Therefore, on July 14, 1982, James Lilley, then the head of the American Institute in Taiwan, America's nominally unofficial representative body in Taiwan, called on Republic of China President Chiang Ching-kuo. His visit came as negotiations with the PRC were close to reaching a conclusion and as Taiwan's anxiety was at its height. In President Reagan's name, Lilley delivered orally, not in writing, six assurances regarding America's policy toward Taiwan. The United States, he explained:

- Had not agreed to set a date for ending arms sales to the Republic of China;
- Had not agreed to hold prior consultations with the PRC regarding arms sales to the Republic of China;
- Would not play a mediation role between the PRC and the Republic of China;
- Would not revise the Taiwan Relations Act;
- Had not altered its position regarding sovereignty over Taiwan; and
- Would not exert pressure on the Republic of China to enter into negotiations with the PRC.

With American approval, the statement was made public in Taiwan three weeks later, and soon after that, "The Six Assurances" were the subject of a Senate hearing.

But this was not President Reagan's only message of reassurance. Twice more, James Lilley delivered additional messages to Chiang. Together with the assurances, they form a startling package, one that has not received the attention it deserves.

On July 26, 1982, 12 days after their first meeting, Lilley called again on President Chiang. This

time he delivered a "non-paper"⁶ again stating that the "U.S. side has no intention of setting a date for termination of arms sales. The U.S. does not agree to the PRC's demand to have prior consultations with them on arms sales to Taiwan." It went on to outline the U.S. proposal to the PRC about arms sales reduction over time—language which in fact was included in the communiqué—and twice made the point that this and any other concession to Beijing would be "predicated on one thing: that is, that the PRC will continue to advocate only to use peaceful means to settle the Taiwan issue."⁷

Unwilling to trust Beijing, the non-paper said, "The U.S. will not only pay attention to what the PRC says, but also will use all methods to achieve surveillance of PRC military production and military deployment." And then, quite dramatically, it added, "The intelligence attained would be brought to your attention." The "non-paper" concluded, "If the PRC agrees to the U.S. suggestion and issues the joint communiqué, the U.S. would continue in accordance with the provisions of the Taiwan Relations Act to sell such military items as Taiwan really needs."⁸

On August 16, 1982, the day before the issuance of the joint communiqué with the PRC (though word of its contents had already leaked to the press), Lilley delivered a third "non-paper" to Chiang Ching-kuo. In it, President Reagan reaffirmed the Six Assurances, repeated the statement that Beijing's intentions toward Taiwan would be monitored continuously (but did not again promise to share intelligence), and said any change in circumstances "will of course change our judgment of Taiwan's defense needs." It concluded with these

1. Much of the content of this *WebMemo*, in a greatly expanded form, can be found in Harvey J. Feldman, "Taiwan Arms Sales and the Reagan Assurances," *The American Asian Review*, Vol. XIX, No. 3, Fall 2001, pp. 75-102.
2. Alexander Haig, *Caveat* (New York: Macmillan, 1984), p.194.
3. See "Ronald Reagan and Taiwan" in James Mann, *About Face*, (New York: Vintage, 2000).
4. For full text of the communiqué, see Shirley A. Kan, "China/Taiwan: Evolution of the 'One China' Policy—Key Statements from Washington, Beijing and Taipei," Congressional Research Service *Report for Congress*, September 7, 2006, p. 41.
5. *Ibid.*, p. 43.
6. As used in American diplomacy, a "non-paper" is a document on plain bond paper, without seal or signature, intended to convey a position or policy in an informal but nevertheless authoritative manner.
7. Harvey J. Feldman, "Taiwan Arms Sales and the Reagan Assurances," p. 87.
8. *Ibid.*

words: “Our only interest in this matter is that any resolution of these issues be accomplished peacefully. We will do nothing to jeopardize the ability of the people of Taiwan to deal with this matter in their own way.”⁹

Taken together, Reagan’s three messages to Chiang Ching-kuo, together with the Taiwan Relations Act, laid a basis for U.S. policy toward Taiwan which, with one significant and one partial exception, has continued to this day. The partial exception is Washington’s tendency to decide which weapons will be sold Taiwan on the basis of what Beijing will, in the end, tolerate. The more significant exception is the sovereignty question.

From the time of the Shanghai Communiqué of February 1972 to the present, the U.S. position on Taiwan’s sovereignty has been a well-calibrated agnosticism, a refusal to say anything at all. In the Shanghai Communiqué, the U.S. said it “acknowledges that all Chinese on either side of the Taiwan Strait maintain there is but one China and that Taiwan is a part of China. The United States does not challenge that position.” Nor did the U.S. state any position of its own.

This agnosticism continued in the communiqué of January 1, 1979, that recognized the PRC as the sole legal government of China. Dropping the part about “all Chinese on either side of the Taiwan Strait,” the United States said that it “acknowledges the Chinese position that there is but one China and Taiwan is a part of China”—that is, in effect, “We hear you; we understand this is what you claim.” Again, the U.S. stated no position of its own.

In the communiqué that Reagan signed on August 17, 1982, the U.S. took an additional, but modest step. Immediately following a paragraph in which Beijing reiterated its position that “the question of Taiwan is China’s internal affair” and that its “fundamental policy is to strive for a peaceful solution to the Taiwan question,” the American side

pledged not to pursue either a “two Chinas” or a “one China, one Taiwan” policy. But in a public statement immediately following the communiqué, Reagan said, “We will not interfere in this matter or prejudice the free choice of or put pressure on the people of Taiwan in this matter. At the same time, we have an abiding interest and concern that any resolution be peaceful.”¹⁰

President Reagan’s last sentence set out what became the U.S. position. The U.S. will take no position on the ultimate goal, whether independence, unification with China, or some other status. That will be up to the parties themselves to determine. But the U.S. will maintain a keen interest in the process: It must be peaceful; it must not involve coercion of any kind, economic, political or military; and it must have the consent of the parties on both sides of the Taiwan Strait.

President Clinton modified this position in a statement known as the “Three No’s”: “We don’t support independence for Taiwan, or two Chinas, or one Taiwan, one China. And we don’t believe Taiwan should be a member in any organization for which statehood is a requirement.”¹¹ Under the current Bush Administration, a kind of corollary was added: The United States will oppose any *unilateral* attempt to change the status quo. Most recently, a senior member of the National Security Council staff added a further fillip, stating that neither Taiwan nor the Republic of China (which remains Taiwan’s formal name) has the status of a state internationally.

These statements move the U.S. from the position of refusing to state Taiwan’s status to one of saying that, whatever Taiwan is or may be, it is not now a state. Knowingly or not, this tack put both the current and the last administration in apparent contradiction with the Taiwan Relations Act. Section 4(d) of the Act reads, “Nothing in this Act may be construed as a basis for supporting the exclusion

9. *Ibid.* p. 90.

10. For the full text of “Presidential Statement on Issuance of U.S.-PRC Communiqué of August 17, 1982,” see Lester L. Wolff and David L. Simon, *Legislative History of the Taiwan Relations Act*, (Jamaica, NY: American Association for Chinese Studies, 1982) p. 314.

11. White House, Office of the Press Secretary, “Remarks by the President and the First Lady in Discussion on Shaping China for the 21st Century,” June 30, 1998.

or expulsion of Taiwan from continued membership in any international financial institution or any other international organization.” For Congress to have made this part of American law must mean that Taiwan is qualified to join international organizations which make statehood a requirement for membership.

An administration could argue that, whatever the law says about Taiwan being a state—and it is definitely treated as a state in American domestic law¹²—the President, exercising his authority in foreign affairs, has decided that it is not in the overall U.S. interest to support Taiwan’s membership in international organizations that make statehood a requirement for joining. But even this is different from the current policy of actually opposing such membership.

Except for the sovereignty issue, then, the rest of the Six Assurances appear to be alive and essentially unchanged. The U.S. continues to sell arms to Taiwan; does not formally consult with Beijing on arms sales though it necessarily must be aware of PRC reactions; has not adopted the position of mediator between the two but instead urges China to talk directly to Taiwan’s government; has not forced Taiwan into negotiations with China; and has not altered the Taiwan Relations Act.

Recently, Taiwan government officials have suggested, and in some cases urged, that the U.S. formally repeat President Reagan’s Six Assurances and declare that they remain U.S. policy. In considering this suggestion, it is important to understand what has changed since 1982. Taiwan has gone from a one-party, authoritarian state under martial law to a freewheeling, sometimes messy multi-party democracy of 23 million people with per capita GDP that will reach around \$15,000 this year.

China meanwhile has experienced enormous economic advancement, with unprecedented speed. But it remains a one-party, authoritarian state where basic human and civic rights are guaranteed in the constitution but ignored in practice. The PRC has

long since abandoned the pretense that its “fundamental policy” is peaceful reunification and instead threatens military action if Taiwan should attempt formally to change its *de facto* separation into *de jure* independence. Every day, China is closer to having the might to take Taiwan, with 900 missiles emplaced opposite it, fourth generation fighter aircraft, growing bomber and naval fleets, and regular military exercises which simulate invasion across the Taiwan Strait. Its military publications discuss “decapitation strikes” and ways to overcome Taiwan before the United States can intervene.

As for reiterating that the Six Assurances remain U.S. policy, though there is nothing wrong with reiterating basic American policy from time to time—as in the formula “U.S. China policy is based upon the three communiqués, the Taiwan Relations Act, and the Six Assurances” used by administration spokesmen from time to time—a commitment given by the President of the United States, especially on subjects as important as those covered in the Six Assurances, must be understood to remain in effect unless and until formally revoked. And of course such revocation can never be done lightly.

The same view applies to commitments given by the heads of state of all other parties, including Taiwan. In particular, the assurances as to national policy—usually referred to as the “Four No’s and One May Not”—given by President Chen Shui-bian in his inauguration speech of May 20, 2000, are understood to remain in effect.

In a recent article, former Deputy Assistant Secretary of State for East Asia and Pacific Affairs Randall Schriver suggested updating the assurances in a new, expanded package. This would include the following:

1. The survival and success of democracy in Taiwan is in the interest of the U.S. and thus the U.S. government will endorse efforts that deepen and strengthen Taiwan’s democracy.

12. Section 4(B)(1) of the Taiwan Relations Act reads: “Whenever the laws of the United States refer or relate to foreign countries, nations, states, government, or similar entities, such terms shall include and such laws shall apply with such respect to Taiwan.” The author claims some credit for the presence of this statement within the TRA. Without it, the U.S. could not sell Taiwan arms or enriched uranium fuel for its nuclear power reactors.

2. The U.S. will always honor the Taiwan Relations Act and will continue to ensure that the U.S. government makes available to Taiwan weapons needed for self-defense and that the U.S. military maintains the capacity to resist force in the Taiwan Strait.
3. The U.S. endorses cross-Strait dialogue and interactions but will not pressure Taiwan to enter into negotiations with the PRC on terms Taiwan may deem unfavorable.
4. Issues related to the sovereignty of Taiwan are for the people of the PRC and the people of Taiwan to decide peacefully themselves; the U.S. will not formally recognize PRC sovereignty over Taiwan; and the U.S. will not support any outcome achieved through the use of force, nor any outcome that does not enjoy the support of a majority of Taiwan's people.
5. The U.S.–Taiwan relationship is valuable in its own right and worthy of greater investment. The U.S. will not “co-manage” the issue of Taiwan with the PRC. While the U.S. needs good relations with China to further a broad range of

security interests, under no circumstances will the U.S. seek to curry favor with China by making sacrifices in its relationship with Taiwan.

6. Taiwan, as a successful democracy, a thriving economy, and a global leader in health and science stands ready to contribute to the greater good as a citizen of the world. Therefore, the U.S. will seek opportunities for Taiwan to participate meaningfully in international organizations and will resist pressure to isolate Taiwan from participating and benefiting from cooperative work among nations in international organizations.¹³

Provided that they are taken together with the original Six Assurances, these new six assurances form an excellent foundation for contemporary American cross-Strait policy. Combined with an equal commitment to partnership with America on Taiwan's part, they should meet contemporary needs and help the parties navigate the troubled waters of the present.

—Ambassador Harvey Feldman is Distinguished Fellow in China Policy in the Asian Studies Center at The Heritage Foundation.

13. “Randall Schriver on Taiwan: Taiwan needs ‘six new assurances,’” *Taipei Times*, Wednesday, August 8, 2007, at www.taipeitimes.com/News/editorials/archives/2007/08/22/2003375330.