

Re-examining the US “Six Assurances” to Taiwan

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The “Six Assurances” is an extremely unique practice in the history of diplomacy. It literally creates a viable international norm in the theory of international relations. Further, given the origin of such unilateral political statement and its subsequent developments, it also establishes an alternative format in the international law since it never has the formal codification, signing, ratification and depository process generally adopted for pledging the legitimacy and legality.

Authors of this paper intend to re-exam the nature of the Six Assurance from the angle of realpolitik because of its fundamental pragmatism. Various versions taken by different parties that satisfying their individual political preference is also a point to be noted in the paper so that to certify its utilizations. Nevertheless, examples and arguments will be suggested to verify the validity of statements noted in the Six Assurances. Issues regarding the US arms sales to Taiwan will be discussed since the starting point of such assurances are driven by a US-PRC communiqué regarding the US arms transactions to Taiwan.

Moreover, whether the US would have the legitimate position to have such assurances will also be reviewed so that to assess the genuine functions of such political statements. Perspectives of various US administrations towards the Six Assurances are another dimension worth of review. The stances defined by the US Congress after it had aware of such political statements and their subsequent developments may possibly reflect the potential of the Six Assurances in the future.

Authors of this paper have a genuine conviction that the Six Assurances is not only the valuable political asset for both the US and the Republic of China but also a value human wisdom ever addressed by the international relations theorists and political practitioners in the sphere of diplomacy. To some extends, it also benefits Beijing as it may still have certain reluctances to corner Taipei into some track that the communist regime would never wish to happen simply because it may actually terminate the US arms sale to Taiwan.

Facing some political commentators in Washington advocate to review the Six Assurances, authors of this paper had a good reason to exam it again so that suitably arguing why such a practice is still a cornerstone supporting cross-strait interactions and regional stability. Even such a political promise may not so perfect in its original design, yet, it does act as many parties involved originally expected. By the standards or criteria generally adopted in theories of international studies, it is never a perfect design. But its perfection has been validated by the executions in the past years. Authors of this paper are most willing to share their perspectives to those who are interested in the theory of international relations, international judiciary arrangements and realpolitik.

The Origin and Nature of the Six Assurances

The Six Assurances was originated by the Reagan administration as negotiating the third US-PRC diplomatic communiqué regarding the arms sale to Taiwan with the People's Republic of China. It is an extremely unique practice in the history of diplomacy. It has literally created a viable international norm in the theory of international relations. The Six Assurances is not perfect in its original design, yet, it does act as many parties involved originally expected. By the standards or criteria generally adopted in theories of international studies, it is far from a flawless design. But its perfection has been validated by the executions in the past years.

Notwithstanding the Six Assurances was promised by the Reagan government and some wordings within the original text has somehow become irrelevant to the reality, the political promises have been followed by subsequent US administrations with variation in the degree of emphasize between each administration. Although the starting point of the Six Assurances was the request from Beijing to terminate the US arms sale to Taiwan, the Six Assurances can, to some extent, also serve Beijing. The Chinese communist authority

may still have certain degree of reluctances to corner Taipei, thereby forcing undesirable consequences, simply due to the termination of the US arms sale to Taiwan.

It is very difficult to determine the original goal of the Six Assurances since, unlike international treaties, no written preamble to the Six Assurances had ever existed to specify the purpose of these political terms. It was a set of political statements unilaterally given by the US government to the Republic of China leadership on Taiwan shortly prior to signing the US-PRC joint communiqué regarding the premises of terminating the US arms sales to Taiwan.

The initial text of the Six Assurances was verbally delivered on July 14, 1982, to President Chiang, Ching-Kuo by James Lilley and a message attached to these statements may more or less reflect the goal of the Six Assurances. The message is known as "I want to point out this decision on a joint communiqué is based on a PRC decision only to use peaceful means to resolve the Taiwan issue. On this point, 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. The intelligence attained would be brought to your attention. If there is any change with regard to their commitment to peaceful solution of the Taiwan issue, the U.S. commitments would become invalidated”, which at least reflects the origin of the Six Assurances and the reason for signing the coming US-PRC communiqué on US arms sale to Taiwan.

Whether certain messages delivered by James Lilley on July 26 and August 16, 1982, to President Chiang can be also be viewed as the goal of the Six Assurances is a matter of judgment. According to Ambassador Harvey Feldman, messages of reassurance from President Reagan together with the Six Assurances such as “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”, “predicated on one thing: that is, that the PRC will continue to advocate only to use peaceful means to settle the Taiwan issue”, “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”, “The intelligence attained would be brought to your attention”, “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”, “any change

in circumstances will of course change our judgment of Taiwan’s defense needs” and “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” had been delivered to Taipei during three James Lilley’s visits to President Chiang. Nonetheless, all these messages could only implicitly express the goal of the Six Assurances. However, according to James Lilley, the Six Assurances was simply a sign to Taiwan that it was not being abandoned by the Reagan Administration.

Theoretically, given the fact that the Six Assurances is unilaterally initiated by the United States government, there was no legitimate space left for the Republic of China to add their perspectives in order to shape the final result of these statements. Otherwise, the Republic of China government would have prepared terms much favorable to its political preferences, should it own the privilege to put its words in the United States administration’s mouth at that time. Nevertheless, Taiwan undeniably had the concession of a prior notice for the coming US-PRC joint communiqué as well as a certain degree of consultation on the contents of the Six Assurances before the final settlement of these political statements. It indicated that mutual trust did exist between Taipei and Washington during that period of the US-ROC diplomatic history. Yet, the influence of Taipei could not compete with the pragmatic

interests that the Reagan administration in Washington needed from Beijing at the time. Otherwise, Taipei would simply pay its greatest effort to stop another US-PRC communiqué that would fundamentally damage its security interests. According to the fact that it took James Lilley three visits to settle the whole issue, it is reasonable to assume that certain reconciliations were needed then. We may believe that certain inputs from Taipei to shape the final content of the Six Assurances should not be totally groundless.

Ambassador Harvey Feldman categorized the format of the Six Assurances as non-paper employed by the US Foreign Service for American diplomacy. As defined in his article, ‘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’. Despite this, we may still believe that the nature of the Six Assurances is undeniably official. Nonetheless, the Six Assurances had never ever gone through any formal codification, signing, ratification and depository process generally adopted for pledging the legitimacy and legality in charging of the international affairs. We therefore should not expect the Six Assurances would have the same capacity like the international treaties.

Although the development of the Six Assurances has not been as solid as international treaties, yet, these statements unquestionably reflect US policies toward

Taiwan from the beginning. Further, these statements are addressed as the US policies by various actors who own the authority to say so. For example, immediately after the 1982 August 17 US-PRC Communiqué on arms sales was settled, at a hearing on August 18, 1982, titled “Hearing on China-Taiwan: United States Policy” hosted by the Committee on Foreign Affairs of the U.S. House of the Representatives, contents of the Six Assurances, “did not agree to set a date certain for ending arms sales to Taiwan”, “no mediation role for the U.S.”, “nor will we attempt to exert pressure on Taiwan to enter into negotiations with the PRC”, “no change in our long-standing position on the issue of sovereignty over Taiwan”, “the Chinese at one point suggested that the Taiwan Relations Act be revised. We have no plans to seek any such revisions” and “should not be read to imply that we have agreed to engage in prior consultations with Beijing on arms sales to Taiwan”, are addressed in the prior prepared statement offered by the Assistant Secretary of State for East Asian and Pacific Affairs John H. Holdridge though some phrases were not completely identical.

Holdridge’s statement at this hearing was later adopted by Assistant Secretary of State Stanley Roth on May 15, 1998, to reassure the validness of the Six Assurances as the U.S. policy by a written statement noting the administration upholding “commitment to the principles articulated by then-Assistant Secretary Holdridge in his 1982 testimony

to the House Foreign Affairs Committee” to questions posed at a hearing of the Senate Foreign Relations Committee on May 14, 1998. Moreover, on March 8, 2001, at a hearing of the Senate Foreign Relations Committee on U.S. Foreign Policy, Secretary of State Colin Powell explicitly noted that the Six Assurances remained U.S. policy to Senator Jesse Helms and that the Bush Administration would never favor consulting the PRC on arms sales to Taiwan. The Assistant Secretary of State James Kelly has assured that the Bush Administration would continue to follow the Six Assurances as the policy so that excluding the possibility of U.S. mediation and putting pressure on Taiwan to go to the bargaining table as attending the defense industry conference hosted by the U.S.-Taiwan Business Council in March 2002.

Also, it is believed that President Bush himself did not respond to the linkage of reducing missile deployment targeted at Taiwan to a restraint of the US arms sales to Taiwan proposed by PRC President Jiang Zemin at the U.S.-PRC summit in Crawford on October 25, 2002, was based on policy consideration including the Six Assurances. The Six Assurances is also accepted by researchers to be an essential element like the three communiqués and the Taiwan Relations Act guiding the US policies on Taiwan. In spite of such a perception, the Six Assurances is not listed in the Key U.S. Foreign Policy Documents for the Region on the official website of the American Institute in Taiwan but the Taiwan

Relations Act and three US-PRC communiqués are indisputably included.

Interestingly, the Six Assurances is sometimes believed existing in a form of formal document that directing the U.S. policy toward Taiwan. Yet, there was no formal codified version ever published by any agency of the US administration as these political statements were initially stated. Actually, the Six Assurances was delivered by James Lilley in his capacity as the Director of the American Institute in Taiwan in the form of a blind memo with no letterhead or signature to President Chiang, Ching-kuo through Fredrick Chien, the Vice Foreign Minister of the Republic of China. Yet, readers of this study should be aware that the Six Assurances is on the other hand perceived as a relevant part of the “one China” policy upheld by the United States.

Nonetheless, it is worthy of note that the Six Assurances can be emphasized as US policy but meanwhile the United States may also urge certain political maneuvers which fundamentally contradicts the context of the Six Assurances. For instance, at the hearing titled “The Taiwan Relations Act: The Next 25 Years” hosted by the House International Relations Committee on April 21, 2004, the Assistant Secretary of State James Kelly then reiterated the Six Assurances as the US policy whilst actively advocating Taipei and Beijing to dialogue “as soon as possible” and “without preconditions”.

From the answer of a question taken by the

State Department Spokesman at November 10, 2004 Daily Press Briefing, the Six Assurances had been indisputably again affirmed by the statement, “There is no change in U.S. policy, including regarding the Six Assurances. The United States remains firmly committed to our one China policy, the three joint communiqués, and our responsibilities under the Taiwan Relations Act”. This statement regarding the Six Assurances had been interpreted as praise from the United States government to President Chen’s initiative of cross-strait peace proposals delivered in a national security meeting in Taipei. Nonetheless, the Six Assurances is addressed to be the US policy toward Taiwan once more.

The next surge of addressing the Six Assurances happened in 2007 as the mutual trust between Taipei and Washington dramatically deteriorated by President Chen’s political maneuvers at that time. It was reported that President Chen, Shui-bian urged the United States on June 14, 2007, to reaffirm the Six Assurances at an opportune time while meeting with Raymond Burghardt, the Chairman of the American Institute in Taiwan. President Chen believed that it was essential to prevent the People’s Republic of China from downgrading Taiwan’s sovereignty in the international community. It was reported that Raymond Burghardt did not directly respond to President Chen’s request then. Likewise, there is no response to President Chen’s request from President George W. Bush’s administration at all.

The ROC Representative to Washington Joseph Wu later paid certain efforts to retrieve the original copy of the Six Assurances from President Reagan’s archive as there have been several variants of the so-called Six Assurances. According to Wu, the record of the Six Assurances is restricted as state top secret of the United States, and without the permission from the State Department no one would have the access to the real content of the document. Nonetheless, Joseph Wu also claimed that he failed to access the file left in the Ministry of Foreign Affairs of the Republic of China so he could not acquire the true text of the Six Assurances. Given the fact that the United States government declined to respond to President Chen’s request of restating the Six Assurances, it more or less proved that these political propositions are essentially the privilege exclusively owned by the United States to condition political interactions around Taipei, Beijing and Washington. Allowing others to acquire political leverage from addressing the Six Assurances would be fundamentally unimaginable.

President Chen’s pledge of restating the Six Assurances had initiated the interest of reviewing the appropriateness of these political statements after so many years. As argued by Randall Schriver, a former US Deputy Assistant Secretary of State for East Asian and Pacific Affairs, “even if Taiwanese leaders got their wish, would they in fact be convinced that the content of the so-called assurances

are appropriate for their contemporary circumstances”, certain assurances contained within the Reagan’s Six Assurances can only reflect to the political realities in 1982. A set of “six new assurances” is proposed by Randall Schriver in the same article, but no response from the US administration by any means but his perspective has been positively responded by Ambassador Harvey Feldman with written statement.

It is quite interesting to mention that Randall Schriver himself had never reviewed the validness of the Six Assurances during his service for the US government and charging affairs directly associated with these political statements. Further, on June 16, 2011, within the testimony provide to the House Committee on Foreign Affairs in the capacity of President & CEO, the Project 2049 Institute, Randall Schriver still questioned “whether the administration honors this element of the Six Assurances” to express his concern of “not to give prior consultation to China on potential U.S. arms sales to Taiwan” in his written statement though he had ever criticized the appropriateness of the Six Assurances before and never mentioned any word with this regard in his version of “six new assurances”.

The Six Assurances was mentioned again in early 2011 after the second joint statement issued by President Obama and Hu Jintao. Three communiqué and Taiwan Relations Act are separately noted by Secretary Clinton and President Obama. Nevertheless, President

Ma, Ying-jeou agreed that U.S. policy has been consistent with the Taiwan Relations Acts and the Six Assurances during Raymond Burghardt visit in Taipei for discussing the joint statement with President Ma on January 25. It was reported that Burghardt reaffirmed the Six Assurances in his press conference after meeting with President Ma.

Another wave for discussing the content of the Six Assurances emerged at the two hearings titled “Why Taiwan Matters” hosted by Committee on Foreign Affairs, House of Representative, separately held on June 16 and October 4, 2011. It is such a surprise to read the record of the first part of these two hearing sessions that certain experts could misunderstand the Six Assurances and the Taiwan Relations Act so inaccurately whilst criticizing Secretary Powell’s statement. It is recorded that Ms. June Teufel Dreyer, Professor of Political Science at University of Miami and Senior Fellow at Foreign Policy Research Institute ever said, “In 2003, the Department of Defense published a handbook entitled ‘Taiwan, Province of China.’ If I had a cell phone, I would be typing OMG. After that, Colin Powell, as Secretary of State, said, ‘Taiwan is not independent. It is not a sovereign state.’ Violation of six assurances in Taiwan Relations Act—well, he misspoke”. Whether or not did Secretary Powell’s statement violate the Six Assurances or the Taiwan Relations Act is a matter of personal judgment, yet, no Six Assurances was ever noted in the Taiwan

Relations Act is certain. Nevertheless, Ms. Dreyer's real stance still can be clearly verified by her written statement attached in the record. In her written statement, a non-existed linkage between the Six Assurances and the Taiwan Relations Act had not been again created.

It also need to noted that the Six Assurances was addressed by congresswomen Ileana Ros-Lehtinen, Chairman of the Committee on Foreign Affairs, House of Representative, in her opening statement at the first part of the "Why Taiwan Matters" hearing on June 16, 2011. Meanwhile, Randall Schriver, in the capacity of President & CEO, the Project 2049 Institute, orally expressed his perspective on the Six Assurances, "we have six assurances that we still allege to honor", in this hearing session hosted by the House Committee on Foreign Affairs together with a written statement already mentioned above.

The second part of the "Why Taiwan Matters" hearing was held on October 4, 2011. The Six Assurances was reaffirmed several times by Kurt Campbell, Assistant Secretary of State for Asian and Pacific Affairs. No prior consultation with Beijing on US arms sale to Taiwan was also addressed repeatedly. Nevertheless, it should be noted that Dr. Kurt Campbell did not specifically reply to a request by congresswoman Karan Bass by stating "I knew you had said several times that the Six Assurances were a part of U.S. policy. As a new member, I was just asking if you could reiterate what the Six Assurances

are". It was initially answered by Kurt Campbell as "They are primarily associated with no prior consultations about arms sales" but immediately confessed with "And there are some other variants of those and I would be more than pleased to make sure that in a private consultation come up and provide you greater clarity on those issues". It had actually touched a spot of controversy on the real content of the Six Assurances since these political statements were not formally codified initially.

Various Versions of the Six Assurances

There are many different versions of the Six Assurances. Each of them may reflect personal understanding of the issue or political preference or even aspiration of future political destiny.

According to the "ROC Statement on the August 17 Communiqué" released on August 17, 1982, the content of the Six Assurances offered by President Reagan to Taiwan on July 14, 1982 are:

In negotiating the third Joint Communiqué with the PRC, the United States:

1. has not agreed to set a date for ending arms sales to Taiwan;
2. has not agreed to hold prior consultations with the PRC on arms sales to Taiwan;
3. will not play any mediation role between Taipei and Beijing;
4. has not agreed to revise the Taiwan Relations Act;
5. has not altered its position regarding sovereignty over Taiwan;

6. will not exert pressure on Taiwan to negotiate with the PRC.

Another version is noted by Ambassador Harvey Feldman in various articles. It states that the United States:

1. Had not agreed to set a date for ending arms sales to the Republic of China
2. Had not agreed to hold prior consultations with the People's Republic of China regarding arms sales to the Republic of China.
3. Would not play any mediation role between the People's Republic of China and the Republic of China.
4. Would not revise the Taiwan Relations Act.
5. Had not altered its position regarding sovereignty over Taiwan.
6. Would not exert pressure on the Republic of China to enter into negotiations with the People's Republic of China.

According to Feldman, the original version of the Six Assurances initially expressed to President Chiang on July 14, 1982, by James Lilley including the United States:

1. Had not agreed to set a date for ending arms sales to the Republic of China;
2. Had not agreed to hold prior consultations with the PRC regarding arms sales to the Republic of China;
3. Would not play a mediation role between the PRC and the Republic of China;
4. Would not revise the Taiwan Relations Act;
5. Had not altered its position regarding sovereignty over Taiwan; and

6. Would not exert pressure on the Republic of China to enter into negotiations with the PRC.

This version is indeed similar to other versions from all possible official channels except several wordings used here.

There is another version claimed by the Assistant Secretary of State for East Asian and Pacific Affairs John H. Holdridge proposed by the Republic of China listed as below. Nevertheless, this version has been strongly defied by Harvey Feldman in his article "Taiwan, Arms Sales and the Reagan Assurances" and is never consistent with the version publicized by Taipei on August 17, 1982. Even the testimony regarding the content of the Six Assurances delivered by Holdridge himself at the hearing on August 18, 1982, titled "Hearing on China-Taiwan: United States Policy" hosted by the Committee on Foreign Affairs of the U.S. House of Representatives was different from the text shown as following:

1. The United States would not set a date for termination of arms sales to Taiwan.
2. The United States would not alter the terms of the Taiwan Relations Act.
3. The United States would not engage in advance consultations with Beijing before deciding on U.S. weapons transfers to Taiwan.
4. The United States would not serve as a mediator between Taiwan and the mainland.
5. The United States would not alter its position regarding sovereignty of Taiwan (that is,

while we would continue to regard Taiwan as part of China, the question of reunification would be left to the Chinese themselves, with our only stipulation being that reunification be by peaceful means.) Nor would we exert any pressure on Taiwan to engage in negotiations with the mainland.

6. The United States would not formally recognize China's sovereignty over Taiwan.

Based on Holdridge's statement, the website of Taiwan Document Project listed a version of the Six Assurances as below,

The "Six Assurances" to Taiwan
July 1982

In 1982, during negotiations for the Third United States - China Joint Communiqué on Arms Sales to Taiwan, the Taiwan government presented the United States with six points that it proposed the United States use as guidelines in conducting United States - Taiwan relations. According to former Ambassador John Holdridge, the United States agreed to these points, conveyed this assent to Taiwan, and, in late July 1982, informed the Congress of the agreement. The six points are:

1. The United States would not set a date for termination of arms sales to Taiwan.
2. The United States would not alter the terms of the Taiwan Relations Act.
3. The United States would not consult with China in advance before making decisions about U.S. arms sales to Taiwan.
4. The United States would not mediate between Taiwan and China.

5. The United States would not alter its position about the sovereignty of Taiwan which was, that the question was one to be decided peacefully by the Chinese themselves, and would not pressure Taiwan to enter into negotiations with China.
6. The United States would not formally recognize Chinese sovereignty over Taiwan.

This version is accepted by the Formosan Association for Public Affairs and publicized on their official website. Likewise, it is noted by Kerry Dumbaugh of the United States Congressional Research Service in his report. This version was also adopted by Ms. Dreyer in her prepared written statement to the hearing titled "Why Taiwan Matters" hosted by Committee on Foreign Affairs, House of Representative held on June 16, 2011.

To be honest, it is impossible to reach any consensus on the content of the Six Assurances as many versions are actually followed by communities with various political preferences. Different versions already turn to be basis for political accusations. Any effort to reach reconciliation on the text of the Six Assurances will be most likely inconclusive since there was no codified version at the very first beginning.

Nevertheless, on September 14, 2011, Chairwoman of the US House Committee on Foreign Affairs Ileana Ros-Lehtinen introduced H.R. 2918, the Taiwan Policy Act of 2011, it contains a version of the Six Assurances noted as below,

SEC. 106. CONTINUATION OF THE

SIX ASSURANCES AS GUIDELINES IN CONDUCTING UNITED STATES-TAIWAN RELATIONS.

Notwithstanding any communiqués entered into between the United States and the People's Republic of China, the United States continues to assent to the six assurances provided to Taiwan in July, 1982, including that the United States —

1. has not agreed to set a date for ending arms sales to Taiwan;
2. has not agreed to hold prior consultations with the People's Republic of China on arms sales to Taiwan;
3. will not play any mediation role between Taipei and Beijing;
4. has not agreed to revise the Taiwan Relations Act;
5. has not altered its position regarding sovereignty over Taiwan; and
6. will not exert pressure on Taiwan to negotiate with the People's Republic of China.

This is the first time that the text of the Six Assurances formally codified by a branch of the United States government. It may provide much authoritative clarification of the text noted for the Six Assurances, regardless whether this bill may eventually pass or not. The process of codification of the Six Assurances has been already completed by an agency of the United States government with no immediate objection from any agency charging the US policy toward Taiwan. Authors of this study would

further argue whether the text of the 1982 Six Assurances may still be meaningful according to the text shown in the draft of the bill.

Text Analysis of the Six Assurances

To conduct a text analysis on the Six Assurances, it may inevitably notice that there are mainly two forms for the beginnings of each assurance, “has not” and “will not”. Most likely, items start with “has not” should reflect to the immediate political event, i.e. the coming third US-PRC Communiqué on arms sale to Taiwan. According to the substantial wordings of these four assurances, “set a date for ending arms sales to Taiwan” and “hold prior consultations with the People's Republic of China on arms sales to Taiwan” are two items directly associated with the arms sale but the other two statements, “revise the Taiwan Relations Act” and “altered its position regarding sovereignty over Taiwan” are only indirectly related to the arms sale to Taiwan. Nevertheless, these four statements are seemingly reflecting the US stances at the moment right before signing the third US-PRC Communiqué on arms sale to Taiwan. These four assurances were very unlikely designed to address long term US positions according to the phrases they have adopted. On the other hand, the other two statements, “play any mediation role between Taipei and Beijing” and “exert pressure on Taiwan to negotiate with the People's Republic of China” may well present long-lasting US policies on Taiwan and China. Regardless of the implication of the phrases chosen at the

moment, all these six statements have gradually become US persistent stances toward Taiwan eventually. The original intention of choosing such wordings turned to be insignificant in any way.

If we scrutinize each assurances noted in the Six Assurances by realities accordingly, we may apprehend that these political statements are not still so consequential since the dynamics of the international relations had already reshaped the conditions for establishing these political propositions. First, the promise of excluding to “set a date for ending arms sales to Taiwan” was tightly connected with the content noted in the third US-PRC Communiqué. If the US-PRC Communiqué signed on August 17, 1982 had successfully established certain premises of terminating the US arms sale to Taiwan, then how can we set a date for ending arms sales to Taiwan before we can actually confirm that the situation becomes mature and all conditions requested have fully been satisfied already? Setting a date before the realities can be totally satisfactory is literally reversing the causality relationship. It therefore needs no worry on whether any date will be selected to stop arms sale to Taiwan before the peaceful resolution of the Taiwan issue can be completely settled.

The second assurance about never “hold prior consultations with the People’s Republic of China on arms sales to Taiwan” is also a matter in no way needs to worry about. There are several reasons to exclude the possibility

of a consultation of the arms sale to Taiwan between Beijing and Washington. First, any items included by the arms sale may naturally contain military significance. In another words, all these articles may be lethal thus causing damages or even fatalities to soldiers of the People’s Liberation Army, should any armed conflict really happen in the future. If that is the case, who in the Chinese communist regime may have the authority and dare bear the responsibility to allow these products becoming assets owned by the Republic of China armed forces that potentially producing deadly effects to their military personnel? The political stake is simply unbearable. Given the political calculations mentioned here, all the answers for the consultation of any item existed in the arms sale shopping list for Taiwan should be “no”. If no other responses may possibly be issued by Beijing, then it is virtually meaningless to engage in any prior consultation. In essence, it is totally logically irrational to imagine such kind of consultation. Although a briefing to the PRC officials on arms sale to Taiwan after the decision already made is a sensible and understandable diplomatic gesture, yet, it should never be confused with the prior consultations.

Second, adding the PRC’s perspectives to the US arms sale administrative procedures can only increase the overall complexity of the process. The arms sale itself is an inter-agency task that requiring extensive reconciliations and consensus-buildings within the US

administration. No segment in the whole task force managing arms sale may have the privilege to override perspective of other agencies. It simply reminds us that all cases of arms sale need to go through scrutinization of each individual agency involved for the decision to pass unanimously. Hence, no agency in the arms sale process would impart its privilege to a foreign state and risk damaging its professionalism and reputation by foreign political considerations. Any arms sale containing foreign intervention will certainly undermine its fundamental function of supporting US security interests. It is extremely unlikely to blend any external factor into such national security formula. If the closest US allies do not have a say in associated arms sale processes to their neighboring nations, how can a potential strategic competitor possibly gain such a privilege? Can the leadership in Washington afford the political damages caused by potential accusations of surrendering such an exclusive right to foreign states?

Third, allowing PRC's involvement in the arms sale to Taiwan is essentially opening the Pandora's Box. There are many sets of countries containing tensions may easily lead to armed conflicts but maintaining arms sale relationship with the United States. If the United States holds a prior consultation with the People's Republic of China on arms sale to Taiwan, then how can Washington decline the same request from Israel regarding arms sale to surrounding Arabic states? Likewise, Greece,

Turkey, India and Pakistan may also deliver similar requests to the United States. Given the potential of such terrible consequences, a prior consultation with Beijing on arms sale to Taiwan is an untouchable red line that one should never ever attempt to cross. Beijing may request Washington to comply simply because the Chinese communist regime fundamentally intends to negate every military item to Taiwan through arms sale channel. Hence, this request is in essence a pseudo-proposition which should only deserves a straightforward answer - no.

Regarding the "revise the Taiwan Relations Act", it was unquestionably a correspondence to Beijing's request prior to the discussion for the third US-PRC Communiqué. This was signified by Holdridge's testimony, "the Chinese at one point suggested that the Taiwan Relations Act be revised. We have no plans to seek any such revisions", right after signing the communiqué in 1982. Whether the United States has really followed this assurance is a matter of perception and personal interpretation. If we insist that the term "revise" means a comprehensive overhaul, then such an act has never taken place so far. However, if we adopt a more flexible definition of "revise" to include amendments made by other legislation bills passed by the US Congress, as well as certain US President Executive Orders of which had substantially altered the practices noted in the Taiwan relations Acts, then this assurance has not been perfectly followed by the United States government. Nevertheless, all the alternations regarding the Taiwan Relations Act are apolitical in nature.

It is clearly noted by the United States Code that the Taiwan Relations Act has been amended through various schemes including follow-on acts and US President Executive Orders. Particularly, the President Executive Order 13014 of August 15, 1996 titled Maintaining Unofficial Relations with the People on Taiwan signed by President Clinton has purposely and substantially altered certain practices of the Taiwan Relations Act. Acts changed the practice of the Taiwan Relations Act are specifically titled as “Amending laws” by the United States Code Annotated Popular Name Table. It is worthy of note that all these amendments or alternations have never changed the main theme regarding the political aims established by the Taiwan Relations Act in 1979. Many amendments were made to influence administrative functions, congressional oversight and personnel management of the American Institute in Taiwan. Also, it is necessary to address that none of these amendments or alternations had been achieved prior to the declaration of the Six Assurances. It therefore was reasonable to grant an assurance that the United States has not agreed to revise the Taiwan Relations Act in 1982. Hence, this may indirectly demonstrate to the readers that the four assurances started with the phrase “has not” was made to clarify the situation up to the point prior to signing the third US-PRC communiqué, rather than a permanent guarantee as many people would rather choose to believe.

The statement “altered its position regarding sovereignty over Taiwan”, can be considered to be an even more interesting political statement. This is due to the fact that there has not been any legitimate US proclamation that defines its position regarding sovereignty over Taiwan. Many propositions are expressed by different actors and through various channels to address US stances over Taiwan. Even the one china policy is frequently reaffirmed but the comprehensive context of the policy is still more or less untold. Further research to cover various perspectives and arguments is required to address the US position on Taiwan’s sovereignty. Nevertheless, the fundamental issue remains that whether the United States owns any legitimacy to decide Taiwan’s political destiny. If the United States does have any legitimate right to decide the sovereignty of Taiwan, then Washington will need to bear the obligation to explicitly express its stances over the matter. Possessing the influences is attributed to the sphere of realpolitik but ownership of the legitimacy is in the field of the international norms. Given the power owned by the United States, the US stance to the political future of Taiwan is of undeniable importance. Yet, given the fact that the United States has engaged with the Republic of China for several decades as it substantially exercises the possession over the territory of Taiwan, no diplomatic objection had ever formally delivered to the ROC government in Taipei, it is difficult to argue that the United States may have any legitimate right on sovereignty over Taiwan.

The United States did uphold its own stances of sovereignty over the three Baltic States as they were occupied by the Soviet Union but Washington did not have any legitimate position to intervene the matter. There are many similar cases still around. The United States still decline to accept many political realities. But disagreements on these political actualities do not justify the right for intervention. Neither the survival of the Republic of China nor the political destiny of Taiwan can merely rely on this assurance since the United States has no legitimate right to decide upon the sovereignty over Taiwan. In terms of realpolitik over Taiwan, the United States influence is unquestionable. But the legitimacy is the factor that really matters. Anyway, this political statement is the core element that made leadership in Taipei and officials in Washington repeatedly addressing the Six Assurances over the years without really considering its true implications.

The last two assurances started with “will not” can be reviewed together. The two statements, “play any mediation role between Taipei and Beijing” and “exert pressure on Taiwan to negotiate with the People’s Republic of China”, both have seemingly lost their significances in light of the intensive cross-strait exchanges and negotiations at the moment. Started from September 12, 1990, since the first cross-strait agreement titled Kinmen Accord regarding mutual legal assistance was signed, over forty formal negotiations had taken place and thirty-eight cross-strait agreements or equivalentents were established.

As we consider the categories covered by the cross-strait negotiations and the established agreements, it is very hard to imagine that there is any space left for the United States to “play any mediation role between Taipei and Beijing” unless the two sides approach into political negotiations in the future. Reluctances of political negotiations from two sides of the Taiwan Strait are significant. As of now, conditions for political reconciliations have not yet matured. Even though, there is hardly any expectation that the United States may be needed to “play any mediation role between Taipei and Beijing” any more. On the same token, it is not necessary for the United States to “exert pressure on Taiwan to negotiate with the People’s Republic of China” since there are so many exchanges and negotiations that are already in place. The likelihood of occurrence for the United States to take action against these two assurances is extremely insignificant.

In summary, we have reviewed all the significances actually owned by each political terms contained by the Six Assurances for the moment. But the value of each assurance varies with time since the strategic environment in the international community and the cross-strait interactions is fundamentally dynamic. Whether any of these political statements may become surprisingly important at certain occasion, the possibility can not be totally excluded.

Conclusion: The Significance of the Six Assurances

The driving force for the US, more precisely,

President Reagan personally, to grant the Six Assurances to Taiwan was to alleviate the concerns from Taipei as Washington negotiated the arms transaction to Taiwan with Beijing. To grasp the significance of the Six Assurances, scrutinization of the fundamental nature and its subsequent implications of the US arms sale to Taiwan is therefore needed.

The fundamental goal of the US arms sale is never to satisfy the defense requirements of the procurers but to serve the US security interests. It is obvious that all these arms transactions signifying a political support to the regimes acquiring defense items, hardware or services, from the US since it represents these specific nations' existence in the US security formula. In substance, the arms transactions may enhance the receiving states' defense capabilities. On the other hand, their symbolic contents may also boost the morale of these nations to keep their security and foreign policies parallel with the US security interests. It therefore needs to note here that the Six Assurances does not guarantee the US arms sale to Taiwan will automatically proceed with no objection from the US administration. As admitted by Admiral Keating in a seminar hosted by the Heritage Foundation on July 16, 2008, the arms sale to Taipei could be frozen by the US administration in order to preserve the stabilization of situation in the Taiwan Strait, despite the risks of being criticized of violating the Taiwan Relations Act and the Six Assurances.

This is especially important for the case of

Taiwan since Washington is the solely persistent arms provider to the Republic of China over the past six decades despite the interference from various domestic and international political factors in the United States and Taiwan, as well as security calculations over such period. Nevertheless, the US arms sale to Taiwan has been magnified by various administrations in Taiwan, particularly after 1979, as the political indicator of the US support to Taiwan. This highlights the rationale behind Taipei's sensitivity regarding any potential US-PRC interaction regarding arms sale to Taiwan. On the same token, it justifies why a set of US assurances driven by the political bargains between Washington and Beijing on arms transactions to Taiwan would be essential to the leadership in Taipei.

Another implications brought by the arms sale linkage is the potential for enhancing jointness between the procurers and the suppliers. In another word, interoperability can be established along with the arms transactions since the process containing hardware, services and, in many cases, doctrines. Whether different armed forces can fight together and to defend common enemies shoulder to shoulder must rely on mutual understandings. To know features and thinking of your friendly forces is basis of establishing unity of effort and avoiding fratricide. The military exchanges may follow with the military procurements. Professional military education and training programs are vital elements in arms sale projects.

Technical supports, logistics consultations and infrastructure establishment are also associated with arms sale. The possibility of expanding the sphere of military diplomacy to achieve high level officer visits, port calling, strategic dialogues and eventually joint military exercises from simple military procurement relationship always exists. This is the reason why the arms sale can be so essential for the relationship between Taipei and Washington.

What should be the right way to manage the Six Assurances for Taipei and Washington? Authors of this study would like to argue that neither side should ever try to revise the Six Assurances, including any act that may seemingly enhance them, otherwise, such a political maneuver will inevitably deliver unnecessary political signal that may complicate the stability in the region, particularly, cross-strait interactions. If we never ask our partner to repeat the wedding oath from time to time as reaffirmation of their love, then similarly there should be no reason for Taipei to ask the United States to restate the Six Assurances. Sometimes, a lack of restatement of the Six Assurances from the United States does not imply an invalidity of these political statements - it may simply imply an inconvenience of the current situation, either due to timing or political atmosphere, to do so. Forcing one's spouse to restate their wedding oath against their free will may ultimately lead to the failure of the marriage.

Taipei should bear in mind that the US arms sale is never a relationship made to last forever. The origin of this relationship is in essence

circumstantial, especially, after Washington signed the third US-PRC communiqué in 1982. This stance was clearly addressed by the testimony of Assistant Secretary of State James Kelly at a hearing in April 2004. It was told as Beijing meets the promise of a peaceful resolution of the Taiwan issue and subsequently adjusting its military posture accordingly, then in Kelly's own statement, "it follows logically that Taiwan's defense requirements will change".

So Taiwan should never try to use the Six Assurances to clamp the US freedom of action and force Washington to restate them. It is most essential to keep Taipei's policies parallel with the United States security interests. All military leadership in democratic states knows in order to have the change to get the sword they want, they will have to make sure that their political masters can get the vote. Likewise, if Taipei would like to get the sword, they should support Washington to reach its objectives in the aspect of security. Is it necessary to clarify the implication of the Six Assurances? Authors here would like to argue that expectation, no matter how illusive it may really be, is the basis of conviction, and subsequently, commitment. Therefore, leaving the Six Assurances as it was actually may cause no harm, conversely any excessive action to challenge these cornerstones supporting cross-strait interactions and regional stability is totally unnecessary and may be dangerous. Perfection of political statements is achieved by execution, never its original text. 🙏

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