The Prospect and the Performance of “Flexible Diplomacy” on Cross-Strait Relation

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I. Background: Taiwan’s Party Alternative, the setback of the US’s Unilateralism

After the second party alternative, both the cross-strait relationship and the East Asia security have entered a new historical stage. Governments including the US, Japan and most observers worldwide believe that since the missile crisis in 1996, the unstable and tense situation between Taiwan and China has improved significantly. The immediate reason for peace consolidation is that the Taiwanese government has abandoned the former administration’s policy pursuing de jure independence. The big picture behind this development is that the Sino-U.S. relationship has improved and the mutual trust between Taiwan and the U.S. has declined since 2002. Meanwhile, the unipolar status of the U.S. has been weakened after the events such as the war against Iran and the international financial crisis. In terms of issues like nuclear threat, anti-terrorism, and economy, Washington needs more cooperation with other major countries, including China. China has accumulated certain experience and confidence from the increase of its comprehensive national power and international participation, and changed its Taiwan policy to “deter independence via the US”. Apart from aggressive defense
modernization and the “Anti-Secession Law” released in 2005, the offensive talks and moves from China to Taiwan have been reduced since the mid 2008. It is clear to Beijing that the structure factor is favored on China’s side; therefore Beijing postponed announcing many policies favoring Taiwan until May 2008, which created a dramatic impression of a significant improvement of cross-strait relations.

II. Legal Base for “Flexible Diplomacy”

The former Chen administration gave up “strategic ambiguity” (Theory of Integration, Four Noes and One Without)” in the second half of the first presidential term, and clearly disclosed the strategic goal to pursue de jure independence (“One Country, Each Side”). However, the Ma administration has abandoned all the “tactics”, and declared publicly the principle of “keeping the promises, playing no game”. Ma even foretold that he is “unlike to see” the unification between Taiwan and China in his lifetime to lower the public concern of his pro-China stance.

The fundamental difference from the new government’s cross-strait rapprochement and the former government lies in returning to the R.O.C. Constitution and “the 1992 consensus”. The Constitution base of the President Ma’s rapprochement policy comes from Article 11 of the Additional Article of the Constitution of the R.O.C.: Rights and obligations between the people of the Chinese mainland area and those of the free area, and the disposition of other related affairs may be specified by law. Based on this, Taiwan has promulgated “Act Governing Relations between Peoples of the Taiwan Area and the Mainland Area”. To the new
administration, the legal principle remains the same since the act adopted. Under this constitutional structure, Taiwan cannot seek dual recognition in the international arena, but the “mutual non-denial” is acceptable; both sides could pursue a “special relationship of peace and prosperity”, which is the legal base and fundamental spirit of “Flexible Diplomacy.”

III. Emergence of the idea of “Flexible Diplomacy”

The first challenge of Taiwan’s “peace and prosperity, mutual non-denial” policy is R.O.C.’s international space. The attitude of Chen administration was that the term “R.O.C.” was an obstruction to Taiwan’s international participation. Therefore, the authority at that time aimed to join international organizations such as the UN in the name of “Taiwan”. However, after 911 and North Korea’s withdrawal from the NPT, Western countries paid less attention to Taiwan’s actions. During Chen’s two terms, expenditure on diplomacy was enormous but six countries cut diplomatic relations with Taiwan. The current administration therefore adopts a new course: no seeking of dual recognition internationally and no use of the name “Taiwan” in its application to the U.N.

Presumption of the new policy called “Flexible Diplomacy” is that Taiwan can exit from the zero-sum game with China only if there was peace and mutual trust across the Taiwan Strait. The idea of “Flexible Diplomacy” could go back to March 2006, when Ma proposed the “Modus Vivendi (mode living)” between Taiwan and China during his visit to the U.S. Part of the practice of “Flexible Diplomacy” is “Diplomatic Truce”, which serves to consolidate the current diplomatic
relations with diplomatic allies, cut the confidential diplomatic budget, refrain from provocative activities to lessen obstruction from Beijing, and pay more attention to professional and functional international organizations, such as WHA and WHO.

IV. Implementation and the initial performance of “Flexible Diplomacy”

The touchstone of the policy was President Ma’s Journey of Enduring Relations in August 2008. Back then, the mutual trust between Taiwan and the U.S. was not fully restored yet and it was often said that Paraguay and the Republic of Panama were planning to end the diplomatic relations with Taiwan. President Ma departed on this trip to attend the Presidents’ inaugurations in both Paraguay and the Republic of Panama, and assured the U.S. in advance the low-key stopovers in Los Angeles and San Francisco. The shorter-than-a-week trip followed outright the “low-profile, surprise free” principle. The accomplishments can be divided into four categories: First, to prove the diplomatic credibility of Taiwan’s new government to the US. The low-key stopovers made Taiwan’s new diplomatic policy seemed more practical and sound. Second was to exhibit Taiwan’s determination in adopting “Flexible Diplomacy”. For example, President Ma had reaffirmed that Taiwan would stop offering secret money to compete in numbers of diplomatic allies with Beijing. Third was to restore diplomatic relations with Paraguay. The Paraguayan president-elect said before the election that he would build diplomatic relations with Beijing instead of Taiwan, but Ma’s trip stabilized the diplomatic ties between Taiwan and Paraguay. Fourth
was to proclaim a new foreign aid principle to Taiwan’s diplomatic allies, in which Taiwan would shift from “personalized” secret assistance and investment to a more organized, solid, and transparent diplomacy.

A recent example of “Flexible Diplomacy” was Ma’s Journey of Enduring Friendship on 26th May 2009. Different from the previous trip, the delegation expanded to forty people including the First Lady. Moreover, a huge banquet was held with more than three hundred overseas compatriots in Los Angeles. Although “low-profile” remained the principle of Ma’s visit, Taiwan achieved a better unspoken consensus with the U.S. and better understanding from our diplomatic allies. First, Taiwan’s new diplomatic policy and actions have earned trust from Washington, which was proven by President Ma’s reception by AIT Chief Raymond F. Burghardt in sunny California compared to former President Chen’s stopover in wintry Alaska. Second, Beijing is more capable to positively respond to Taiwan’s new diplomatic strategy. Before the departure, Taipei had been granted the observer status in WHA. During the visit, Taiwan’s representative in Canada David Lee was invited to attend a hearing in Canadian Congress together with Chinese Ambassador Lan Lijun, which was the very first time in the forty-year Taiwan-Canada relations. In the meanwhile, KMT Chairman Wu met General Secretary of CPC in Beijing on 27th May and asserted that what Taiwan followed to run cross-strait relations is based on the Constitution. Last but not least, through the Journey of Enduring Friendship, Taiwan reaffirmed the principle of diplomacy: the objective must be legitimate, the process must be legal, and the implementation must be effective and efficient. In short, Taiwan will end “checkbook diplomacy” and adopt a transparent and
accountable method.

V. Possible Challenges and Outlets for “Flexible Diplomacy”

“Flexible Diplomacy” is part of the core of Ma administration’s policies, and the short-term performance is impressive. Jiang-Chen meetings and the different levels’ exchanges with China are progressing; some regional heads visited China to promote agriculture and sports activities. Quite a few American experts, scholars, and critical officials in the Obama team like Hilary Clinton, Dennis Blair, Richard Bush, and David Shambaugh confirmed that the current cross-strait relationship is helpful in stabilizing West Pacific region and beneficial to Taiwan, China, and the U.S.

However, it should not be ignored that there is still more sympathy than support from the U.S, EU, and Japan. They are all concerned that if Taiwan were to make too many promises to China, China would become more influential to Taiwan. Taiwan’s frontline diplomatic officials may not fully understand the essence of “Flexible Diplomacy” and the feasibility of “Truce”. After all, Taiwan had been fighting a shooting war with China for a long time, and even inspired by all the challenges and frustration. In other words, “scorched earth diplomacy” was much more idealistic and emotionally influential, and was easier for social mobilization.

The gap between the idea of “Flexible Diplomacy” and the custom of Westphalia system is enormous. Even though the Chinese media implied that “truce” could be viewed as an unspoken agreement between Taiwan
and China, it is natural that “Flexibility Diplomacy” makes Taiwanese people feel inferior. Therefore, how should the government provide an unequivocal guideline to the diplomatic team and how to bring Taiwan beyond the old Westphalia System are truly the significant challenges in the future.