

## The real meaning of changing the ‘status quo’

Written by Chen Yi-shen 陳宜生

Saturday, 17 October 2015 07:30

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When Democratic Progressive Party (DPP) Chairperson Tsai Ing-wen (蔡英文) attended the Double Ten National Day celebrations, some pan-blue commentators said that she was angling for votes by cloaking her support for Taiwanese independence in a sham show of support for the Republic of China (ROC). On the other hand, some online self-appointed commentators said she was betraying independence ideals with her pragmatic compromise.

Former president Lee Teng-hui (李登輝) wrote in his book *New Road to Democracy* that when he sent Tsai to the UK in the late 1990s to ask nine international law experts whether Taiwan is a sovereign and independent nation, about half of the academics said it is, while the other half said it is not. This clearly shows that Taiwan’s status is both complicated and unique.

Chen Lung-chu (陳隆楚), an international law expert, talked about the nation’s evolving independence and self-rule as early as 20 years ago.

In Chen’s view, Taiwan became an independent nation following democratization, a view that was adopted by the DPP in its 1999 Resolution on Taiwan’s Future.

It is on this foundation that Tsai expressed her intention to maintain the “status quo” in the Taiwan Strait as part of her presidential election campaign. When she attended the Double Ten National Day celebrations hosted by President Ma Ying-jeou (馬英九), she came prepared and was actually picking a fight.

Although Ma held the upper hand as the host of the event and talked at length about the support given to the “status quo” during his terms in office, the “status quo” defined by the DPP or Tsai — while accepting that the ROC is the country’s official title — states that neither Taiwan nor China has any jurisdiction over the other, and that neither state represents the other. This is very different from the Chinese Nationalist Party’s (KMT) “one China, different interpretations” concept — the so-called “1992 consensus.”

The reason Lee in his book criticized Ma so fiercely for betraying the nation is Lee’s conviction that accepting cross-strait relations as relations between two states is the only view that accurately describes the “status quo,” while satisfying national interests. According to this

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view, Ma’s rejection of state-to-state relationships is an attempt to break the “status quo.”

British international law academic James Crawford’s doubts about Taiwan’s, or the ROC’s, statehood focus on history, such as the Constitution or the constitutional amendments, but his legal view is mainly based on the fact that the ROC — the Taiwanese — government has never declared itself to be an independent nation and has never sought international recognition as an independent state, but instead fell back on ambiguous declarations, which only served to bolster the view that it tacitly agrees that China has sovereignty over Taiwan. As a saying in international law goes: No nation will receive recognition for more than what it claims.

As long as the system remains unchanged it will be of utmost importance that the public elect an appropriate leader, as the outcome of next year’s election is an expression of the public will and national direction.

The “status quo” in Taiwan must be changed and surely it must be clear to anyone who cares about the nation that what it means is that the KMT must be kicked out of government.

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Translated by Perry Svensson

Source: [Taipei Times - Editorials 2015/10/17](#)