

Scrapping the Third Communique

Written by Joseph Bosco

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US President Donald Trump has not hesitated to tear up international commitments made by his predecessors if he determines they are not in the US' interest. That was the fate of the Paris Agreement, the UN Global Compact on Migration, the North American Free Trade Agreement, the US-Korea trade agreement, the Joint Comprehensive Plan of Action, the Trans-Pacific Partnership, the Treaty of Amity with Iran, the opening to Cuba and the long-established recognition of Tel Aviv as Israel's capital.

As it happens, all those canceled deals were consummated by Democratic presidents. However, Trump would do well to scrap a badly flawed document that was mistakenly signed by a Republican — former US president Ronald Reagan.

That agreement is the US-China joint communique executed by Reagan and then-Chinese premier Zhao Ziyang (赵紫阳) on Aug. 17, 1982, the third of the Three Joint Communiques.

It followed the Shanghai Communique that then-US president Richard Nixon and then-Chinese premier Zhou Enlai (周恩来) signed on Feb. 27, 1972, to open informal relations and the communique of diplomatic recognition executed by then-US president Jimmy Carter and then-Chinese president Deng Xiaoping (邓小平) on Jan. 1, 1979.

Those prior breaks with longstanding US policy, far more momentous than any of today's controversial Trump reversals, severely disadvantaged Taiwan, and set China and the US on the long-term course to the potential conflict now looming.

The third communique made a bad situation even worse, but for Beijing it was a diplomatic bonanza. It furthered the sense that, after Nixon and Carter's actions, momentum was moving inexorably in China's direction and away from Taiwan.

It accomplished what Beijing had been pressing for since the earlier two communiques: imposition of a ceiling on the US' arms sales to Taiwan and its commitment to gradually eliminate them.

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What makes the communique so astonishing is that it occurred less than three years after the US Congress had overwhelmingly passed the Taiwan Relations Act (TRA), mandating that the US provide Taiwan with “a sufficient self-defense capability.”

The TRA was an angry and instantaneous reaction to Carter’s rupture of diplomatic and military ties with the Republic of China.

Yet, here was Reagan, who, during his 1980 campaign, had criticized Carter’s treatment of Taiwan and pledged to enforce the TRA, in effect undoing the Congress’ repudiation of Carter. The man who fervently opposed Chinese communists now was giving them what they wanted on Taiwan. How did this happen?

Henry Kissinger, who was in a position to know as a former US secretary of state, wrote in his book, *On China*, that it was the work of his former deputy, Alexander Haig, who was secretary of state under Reagan.

Consistent with his campaign positions, “Reagan made no secret of his wish that some arms sales to Taiwan go forward... Haig had a contrary view,” Kissinger wrote.

After complicated and confusing negotiations with China — and with Reagan — Haig produced the infamous third communique.

When the media, and conservative and liberal supporters of Taiwan in Congress expressed their dismay, Reagan immediately disavowed his own communique.

Kissinger writes that Reagan told the *National Review*’s editor: “You can tell your friends there I have not changed my mind one damn bit about Taiwan. Whatever weapons they need to defend themselves against attacks or invasion by Red China, they will get from the United States.”

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To repair the damage inflicted and reassure Taiwan, Reagan directed his staff to accept an earlier Taipei proposal to guide US-Taiwan relations.

Known as the “six assurances,” it provided that Washington would not set a date for termination of arms sales, amend the TRA, consult with China regarding US arms sales, mediate between Taiwan and China, alter its position that Taiwan’s future be decided peacefully between the parties, or pressure Taiwan to negotiate or recognize Chinese sovereignty over Taiwan.

Kissinger notes that the third communique “has become part of the basic architecture of the US-China relationship, regularly reaffirmed as part of the sacramental language of subsequent high-level dialogues and joint communiques.”

In US Vice President Mike Pence’s speech on the Trump administration’s updated China policy, there it was again: the official genuflection to the Three Joint Communiques.

Kissinger finds it “odd that the third communique should have achieved such a status together with the Shanghai Communique of Nixon’s visit and the normalization agreement of the Carter period.”

Why?

“The communique is quite ambiguous, hence a difficult roadmap for the future,” he says.

This from the self-described grandmaster of diplomatic ambiguity.

Actually, President Trump needs to cancel the communique for the opposite reason. It is far too specific in two respects:

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First, it purports to regulate the level and duration of US arms sales to Taiwan. True, the “six assurances” go a long way toward nullifying that intended Chinese veto, but the fact that the document is still constantly invoked gives Beijing ongoing leverage over Washington and operates as a psychological constraint on many US policymakers.

Beijing points to the communiqué, accuses Washington (accurately) of noncompliance, and, keeping Washington on the defensive, demands concessions or indulgence elsewhere.

Second, the communiqué rigidly circumscribes US policy options regarding Taiwan’s future. It says the US “reiterates that it has no intention of infringing on Chinese sovereignty and territorial integrity, or interfering in China’s internal affairs, or pursuing a policy of ‘two Chinas’ or ‘one China, one Taiwan.’”

The language is taken verbatim from the Chinese side’s statement in the Shanghai Communiqué. US negotiators never adopted it there or in the second communiqué, but there it is, stated in the third communiqué as the position of both sides.

Yet, it conflicts with the US’ stated agnosticism on Taiwan’s future because it has never conceded that Taiwan is part of China’s “sovereignty,” “territorial integrity” or “internal affairs.”

If Washington one day decides to take a new position and recognize “two Chinas” or, more likely, “one China, one Taiwan,” it would do so without violating those principles as the US and Taiwan see them.

Beijing, of course, would protest mightily over such a change in US policy, but there is a ready response to its moral outrage: From the beginning, China has violated Washington’s rock-bottom position in all three communiqués and in every policy statement over the past 46 years — that Taiwan’s fate must be settled peacefully.

China accepts that concept only as a convenient aspirational path to unification, not to any other outcome. However, it has deployed an arsenal of 1,600 ballistic missiles targeting Taiwan, fired some toward the island in 1995 and 1996, declared in its 2005 “Anti-Secession”

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Law its intention to attack Taiwan if it were to refuse to capitulate, and escalated its aggressive maritime and aviation maneuvers around Taiwan.

A US decision on recognition is in the future, but the rationale of the Chinese Communist Party's bad faith and threats of force equally applies now for casting the anachronistic third communique into the dustbin of history.

However, the "six assurances," even without the third communique, should remain as important guiding principles for the US.

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