



Taiwan-U.S. Crisis – Congress to the Rescue?

by Robert Sutter

Taipei's insistence on pursuing a referendum amid initiatives on broad constitutional and other changes affecting Taiwan's relationship with mainland China not only has soured cross-Strait relations. Its effect on U.S. policy toward Taiwan has been profound, arguably resulting in the most serious crisis in mutual trust in US.-Taiwan relations since gangsters secretly supported by Taiwan officials gunned down prominent dissident Henry Liu in California 20 years ago.

Taiwan supporters in Washington are mobilizing to appeal to the U.S. Congress, which begins a new session in late January and will get down to legislative business in early March. They will be seeking strong signs of congressional support to pressure and offset the Bush administration's firm stance against Taiwan efforts to disrupt the cross-Strait status quo. They have been successful in the past in getting Congress to pass resolutions at odds with administration policy, notably in the wake of President Clinton's accommodation of China in supporting the Three No's during a visit to China in 1998. Congress is likely to be more reserved this time for several reasons.

First, because of the US. Constitution, Congress has a hard time initiating foreign policy. More often than not, the best it can do is to try to break administration actions. To be effective in this regard generally requires broad bipartisan efforts such as those seen in amending the Taiwan Relations Act (TRA) in 1979. The Bush administration has done a pretty good job in keeping Republican/conservative Democrat members in Congress together, even in the face of big disasters like Iraq. One can assume the administration can handle any congressional dissent on Taiwan more easily.

Second, during national security crises, Congress is reluctant to go against the president on national security issues. Congress went along with President Nixon's downgrading of Taiwan after 1972 in part because the opening to China was seen as a way out of the Vietnam crisis. There was no similar crisis seen uniformly by Congress when President Carter normalized in late 1978, adding to reasons why members of Congress were prone at that time to second guess the president and amend the TRA. There was no sense of national security crisis at all when Congress pushed President Clinton to grant a visa to President Lee Teng-hui in 1995. After 9/11, and given the protracted war in Iraq and big dangers in North Korea, there is a clear sense of national security crisis in the U.S. Members remain reluctant to second guess the president on important national security issues in ways that would put US. troops, already in harm's way, in potentially greater danger.

Third, the issues for Congress at the time of the TRA involved Taiwan's survival. There was a real sense that if Congress didn't act, Taiwan's future was in jeopardy. When Congress pushed Lee's visa and later against the Three Nos,

the issues were less serious from a U.S. national interest point of view. Few on Capitol Hill thought Taiwan was in jeopardy but many felt a need for partisan, particularistic, and other more narrow reasons to take a stand against the administration. Moreover, supporting Taiwan was in many respects a "free ride." The Clinton administration was unlikely to punish a member for voting for Taiwan, the PRC was as likely as not to invite the member of Congress to a VIP trip to China, and the U.S. media would likely play positively the member's anti-China, pro Taiwan position. This year, members are dealing with the first U.S. president in many decades who gives top priority to punishing his enemies; important segments of the U.S. media, including conservative media, have come out against the Taiwan referendum; and China now has a proven record of resorting to military action over Taiwan.

Fourth, a big change is that a member of Congress cannot be sure what Taipei will do. During the 1970s and 1980s, the credibility of the Taiwan government was good in Congress. Taiwan leaders worked very hard to show how Taiwan's interests were very much in line with US. interests, and that Taiwan had no intention of causing the U.S. unneeded difficulty. Taiwan was a "friend" of the U.S., and friends don't hurt each other, Taiwan officials said repeatedly. The situation became more complicated with the rise of Taiwan-American interest groups and Taiwan political parties lobbying in Washington, but there still seemed to be a clear chain of command on the Taiwan side. President Chen Shui-bian's maneuvers on the referendum and related issues have seen Taiwan officials repeatedly scramble to explain his new positions. This has meant a big loss of Taiwan's credibility in Washington, including in Congress.

Fifth, President Lee Teng-hui in his later years also surprised his government's officers in Washington and Taipei, but he was seen on Capitol Hill as in part provoked by Clinton administration pressure. By contrast, President Chen is seen, even by some of Taiwan's strongest U.S. supporters, as engaging in dangerous maneuvers with potentially very negative consequences for the U.S. for the sake of political expediency – his election. Members of Congress know political expediency when they see it.

Over the next several weeks, members of Congress will be listening attentively to arguments about democracy and rights made by Taiwan advocates and lobbyists in Washington. But those arguments will be offset by the recognition of the political leader in Taiwan seeking reelection by taking advantage of his U.S. "friend."

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