

TAIWAN RELATIONS ACT (APRIL 10, 1979)

Introduction

In 1972 United States President Richard Nixon made his historic visit to the People's Republic of China (PRC). The two nations had not had diplomatic relations or trade relations since the founding of the People's Republic in 1949. The United States had regarded China as part of the Communist bloc and thus a target of containment. The People's Republic had regarded the United States as an aggressive enemy power. Beginning in the late 1960s, however, both sides showed interest in opening relations. Sporadic contacts developed into a more serious dialogue in late 1970 and early 1971, and by 1972, both sides were seriously interested in opening up relations.

President Nixon and his National Security Adviser, Henry Kissinger, viewed opening relations with China as a part of the strategy for withdrawing the United States from the Vietnam War. They also saw a strategic advantage to "playing the China card" in the Cold War against the Soviet Union. In China, Mao Zedong and his advisers were equally interested in achieving balance in their foreign relations by playing the United States against the Soviet Union, which they regarded as a threatening "hegemonist" and "revisionist" practitioner of "social imperialism."

As the relationship between the PRC and the United States deepened in the years after 1972, the two sides made progress toward the establishment of full diplomatic relations. To establish full relations required that the United States withdraw its troops from the island of Taiwan and withdraw diplomatic recognition of the government of the Republic of China (ROC) on Taiwan. These conditions were fulfilled under U.S. President Jimmy Carter, and an agreement on mutual recognition was issued on December 15, 1978.

The Democratic Carter administration's recognition of the PRC (and withdrawal of recognition from the ROC) did not go down well in the Republican-controlled Congress. Indeed, many members of Congress would have much preferred not to extend diplomatic recognition to a Communist power. As a result, Congress passed the "Taiwan Relations Act" of 1979 in order to lay the basis for a continuing relationship with Taiwan, albeit a relationship that fell short of diplomatic recognition.

Document Excerpts with Questions

Taiwan Relations Act (April 10, 1979) [Public Law 96-8, 96th Congress]

SECTION 1. This Act may be cited as the "Taiwan Relations Act."

Findings and Declaration of Policy

SECTION 2.

(a) The President having terminated governmental relations between the United States and the governing authorities on Taiwan recognized by the United States as the Republic of China prior to January 1, 1979, the Congress finds that the enactment of this Act is necessary —

- (1) to help maintain peace, security, and stability in the Western Pacific, and
- (2) to promote the foreign policy of the United States by authorizing the continuation of commercial, cultural, and other relations between the people of the United States and the people on Taiwan.

(b) It is the policy of the United States -

- (1) to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan, as well as the people on the China mainland and all other peoples of the Western Pacific area;
- (2) to declare that peace and stability in the area are in the political, security, and economic interests of the United States, and are matters of international concern;
- (3) to make clear that the United States decision to establish diplomatic relations with the People's Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means;
- (4) to consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States;
- (5) to provide Taiwan with arms of a defensive character; and
- (6) to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan.

(c) Nothing contained in this Act shall contravene the interest of the United States in human rights, especially with respect to the human rights of all the approximately eighteen million inhabitants of Taiwan. The preservation and enhancement of the human rights of all the people on Taiwan are hereby reaffirmed as objectives of the United States. ...

Questions:

1. To what do the parts of the Taiwan Relations Act excerpted above commit the United States?

2. Do the declared policies of the United States pledge or commit the United States to go to war in defense of Taiwan if the PRC invades the island?
3. How would you regard this Taiwan Relations Act if you were looking at it from the point of view of a Communist Party leader in the People's Republic?
4. How would you regard this Taiwan Relations Act if you looked at it from the point of view of a political leader in Taiwan?