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Power, responsibility and sovereignty: China's policy towards Taiwan's bid for a UN seat

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China's power in international relations has been growing in the last two decades, particularly following the handover of Hong Kong in 1997 and of Macau in 1999. Beijing's current political agenda is to unify Taiwan with China. A realist would argue that a Great Power like China can set its agenda for dialogue, that the idea of political equality is irrelevant in settling the Taiwan question, and that the United States will also cease its support of Taiwan if China becomes more powerful in the next two decades. A realist would also be pleased to note that all major political parties in Taiwan except the Democratic Progressive Party (DPP) went to Beijing in 2000 to express their 'loyalty' in the face of the increasing military, political and economic power that China enjoys. All the above views share one key idea—it is power that matters, power that decides Taiwan's fate, and power that settles the Taiwan question. This chapter does not endorse this view of power politics, instead it argues for the politics of responsibility.

The basic idea of the politics of responsibility is that the greater power a state has, the more responsibility it has to take. The international community now expects China to take greater

responsibility in international affairs in accordance with its increased power. China is expected to demonstrate responsibility not only for the interests of its own people, but also the interests of other states and peoples affected by China's policy. This is because, in an increasingly globalised world, the impact of domestic policy often extends beyond borders. Indeed, people in Southeast Asian countries—particularly Singapore—and in Australia are seriously concerned about China's Taiwan policies and their actual and potential impacts. Ignoring the impact domestic policy has beyond one's borders is a form of narrow collective egoism and is likely to invite protests and condemnation from the international community. As a result, responsibility is not only a moral issue, but a real political matter. Failing to take responsibility can damage a state's reputation and weaken its place in the international community. The key question for China is whether Beijing can develop a Taiwan policy that is not only responsible to the Chinese people on the mainland, but also to the people of Taiwan, East Asia, Southeast Asia, and the international community as a whole.

In recent years, China's foreign policies have generally been restrained and responsible. China has, for example, stopped its nuclear tests in response to international pressure. China has cooperated with the international community in pursuing a peaceful settlement in Cambodia and supporting international peace-keeping efforts in East Timor.

China's Taiwan policy has also been restrained and responsible recently, notwithstanding the military exercises it conducted in the Taiwan Straits in 1995–96. Chen Shuibian's policy has also been restrained. In his presidential address in May 2000, Chen pledged that he would not declare independence, change the national title, or push for the inclusion of the so-called 'state-to-state' description in the constitution. Chen further pledged that he would not promote a referendum on Taiwanese independence if the CCP regime had no intention of using military force against Taiwan. Although Beijing was dissatisfied with Chen's ambiguity about the one-China principle, it responded to Taiwan's goodwill in a positive way. In the politics of defining one-China, Beijing made a compromise—although Beijing insisted that Taiwan stick to the

one-China principle, it did not define China as the People's Republic of China and left open the question of what constitutes China.¹ Apart from the absence of military conflict, three mini-links were established, and DPP officials were invited to visit China. Nevertheless, though pragmatic compromises are being made, substantial rethinking of the principle of sovereignty is still lacking. A responsible Taiwan policy must deal with the question of sovereignty.

This chapter attempts to reexamine the fundamental question of sovereignty by examining China's policy toward Taiwan's bid for UN membership. It calls for the development and adoption of a new construct and practice of sovereignty that is acceptable to both sides. The chapter argues for a more flexible and responsible policy regarding Taiwan's UN ambitions.

China's opposition to Taiwan's bid for UN membership

The Republic of China (ROC) government launched its seventh bid to join the United Nations on 12 August 1999. Twenty nations supported its proposal to the UN steering committee. The number of countries that opposed Taiwan's bid, however, increased from 40 to 48. In particular, the United States, United Kingdom and France, all of which had chosen to stay away from the issue in the past, stood against the ROC in 1999.² The ROC launched its eighth bid to join the United Nations in August 2000. On 3 August 2000, only twelve UN members submitted a joint proposal to the UN Secretary-General requesting inclusion of the proposal to consider the ROC seat as a supplementary item in the agenda of the fifth plenary session of the General Assembly in September 2000.

Of course, Beijing saw Taipei's bid as a separatist action and stood firm against the move. China's blockade of Taiwan's bid for UN membership is understandable given the general perception of the United Nations as an intergovernmental organisation of sovereign states. According to international norms, whoever joins the United Nations is regarded as an independent state. In other words, UN membership is an international criterion for independent statehood.

It is also easy to understand China's opposition to Taiwan's entry to the United Nations in the light of the deep-rooted Chinese ideal of Great Unity, which holds that there can be but one sovereignty, just as there is one sun. As far as China is concerned, there is only one China, and China can only speak with one voice and can only be represented by one seat in the United Nations.³

There is another important reason why China is against Taiwan's UN membership. It might be thought of as a mentality, a centre–province mentality. To China, Taiwan is but a province, and as such it cannot join the United Nations separately. This mentality, however, ignores the historical fact that Taiwan has been autonomous for fifty years. The PRC has to realise (however irritating it would be to admit it publicly) that Taiwan is politically, economically and militarily more independent of other powers than many nation–states whose populations and land areas are smaller than Taiwan's.

Given the strength of Taiwan's political, military and economic power, it is not certain that China will be able to prevent Taiwan from joining the United Nations in the long term. Taiwan's UN membership will repeatedly present itself in this new century as a thorny political issue. So far, Taiwan has been recognised by 28 countries. It has never stopped expanding its 'living space' by establishing flexible, substantive international relations. It is only logical that Taiwan will continue to push this agenda as its economic strength grows. Pressure from China can only result in a backlash in Taiwan—the stronger the pressure, the stronger the backlash. In trying to hurt the Taiwanese government politically and diplomatically, China hurts the feelings of ordinary Taiwanese people. As a result, the very notion of reunification is losing its appeal to many Taiwanese.

Institutional innovation

An alternative mode of thinking and search for an institutional innovation is now urgently required. A substantive issue is Taiwan's position in the world. Is it possible that China might stop trying to push Taiwan out of the international community and switch to mutually and multilaterally inclusive policies? Does a peaceful

unification policy require Beijing to renounce the use of force and agree to Taiwan's membership of the United Nations and intergovernmental cooperation?

If Hong Kong enjoys international recognition and a special status in international organisations such as Asia Pacific Economic Cooperation (APEC) and the World Trade Organization (WTO) , Taiwan should enjoy more international space and recognition than Hong Kong if a reunification takes place. There is every reason to explore flexible options that are sympathetic to the will of the Taiwanese people while at the same time laying an inclusive political foundation for reunification. A critical speculative question is whether it is possible for China to welcome Taiwan to the United Nations voluntarily.

Importantly, it is possible for China to negotiate with the United Nations about the status of Taiwan. Taiwan may first become an observer in the United Nations, just as twenty other states or organisations (including Palestine) have done. Then, Taiwan may obtain associate membership. Ultimately, Taiwan may gain a seat in the United Nations under the name China–Taiwan, similar to the arrangement of China–Hong Kong in APEC. Even the name People's Republic of China is open to discussion and change. It should be stressed that China's support for Taiwan's UN membership would be conditional on Taiwan's commitment to an eventual union. If Beijing were to make such a move, a crucial precondition for the resolution of the Taiwan question would be some concession by Taiwan to its claim of sovereignty. Independence-related activities must take into consideration the interests of China and the feelings of the Chinese leadership and people. Taiwan and the PRC need to pool their sovereignty to form a loose federation and share their sovereignty in the United Nations.

Territorial communities like Taiwan have come to enjoy considerable international status. As Michael Davis argues,

Beijing should recognise that affording an autonomous constituent community a substantial degree of international participation would help to gain its trust in any agreed arrangement. For a confederal Taiwan, this

might even include participatory rights normally enjoyed by states. Taiwan's leaders will be reluctant to agree to anything less'.⁴

The old idea that one sovereignty enjoys only one seat is counterproductive in dealing with the Taiwan question. The new idea, that one sovereignty can be represented by two asymmetric seats in the United Nations, is capable of satisfying both Taiwan's desire for international space and China's one-China policy. That is, Taiwan would be a part of China, while enjoying special status in the United Nations. This 'dialectic' politics would achieve reunification through supporting an 'independence' policy that welcomed Taiwan into the United Nations.

The UN system does provide such institutional flexibility. As a sovereign state, San Marino is associated with Italy but controls its own foreign policy and has UN membership. Liechtenstein shares a number of powers with its dominant neighbour, Switzerland, but retains its status as a sovereign state.

The proposal of UN membership as a possible solution to the Taiwan problem might sound 'unrealistic', but this is only because the current Chinese leadership is unlikely to accept the idea of democratic federalism, or the idea of a separate UN seat for Taiwan. The current Chinese leadership rejects such liberal or democratic lines of thought. Qian Qichen, for example, has said that any attempt to change the status of Taiwan through a referendum in Taiwan would pose a serious problem.⁵ Tang Shubei, Vice-Chairperson of the Association for Relations across Taiwan Strait, has also asserted that democracy is not an essential question and that democratic reform should not constitute an obstacle to negotiations on the reunification question. He stressed that Taiwan should not impose democracy on China, nor should China impose socialism on Taiwan.⁶

Nevertheless, such a proposal is certainly not far removed from reality. Top leaders in Beijing have reportedly considered recognising Taiwan as a political entity.⁷ In a new initiative, Beijing has promised that it would not appoint senior Taiwanese officials as it does those of Hong Kong and Macau, that Taipei could maintain some quasi-diplomatic functions, and that the united country need not be

called the People's Republic of China.⁸ The proposal becomes even more feasible if we take into account the international practice of dual seats in the United Nations, the costs and benefits of recognising Taiwan's seat, changes in Chinese practice of sovereignty, and the development of post-modern state sovereignty. Importantly, dissidents within the Party have already proposed new policies toward Taiwan. For example, Fang Jue writes that

the People's Republic of China and the Republic of China should have equal status under international law. Each has its own territory and citizens. In reality, neither entity has ever had legal and administrative jurisdiction over the other. The above statement should be the starting point for an understanding between people on both sides of the Taiwan Straits and for the international community. If mainland China and Taiwan conduct political negotiations, they should be carried out only on an equal basis between the government of the People's Republic of China and the government of the Republic of China.⁹

Comparative lesson

China's current opposition to Taiwan's UN bid is predicated on the assumption that UN membership means independence for Taiwan. This is not a well-grounded assumption. When there is a dispute over national identity, or the question of divided nationhood, the United Nations allows for dual representation.

Let us look at this from a comparative perspective. The two Germanies were admitted to the United Nations in 1973 and unified in 1990. The Yemen Arab Republic joined the United Nations in 1947, the People's Democratic Republic of Yemen became a UN member in 1967, and the two Yemens merged in 1990. It was proposed that UN membership be granted to the two Vietnams, but this did not occur due to the formal unification of Vietnam in 1976.¹⁰ The sovereignty of the Soviet Union was represented by the Soviet Union, Ukraine and Belarus.¹¹ Both the Democratic People's Republic of Korea and the Republic of Korea became UN members in 1991. As of the end of 1991, 153 countries had

established official diplomatic relations with the South and 112 with the North. Today, Korea—the cultural motherland of the Korean nation—is represented by both South Korea and North Korea.

One of the most important things that these cases tell us is that state sovereignty is not necessarily represented by one seat in the United Nations. It is clear that Beijing's notion of 'one sovereignty—one seat' does not equate with the way in which sovereignty is construed in the cases of the two Yemens, the two Koreas, the two Germanies and the Soviet Union, Ukraine and Belarus. China's opposition to Taiwan's UN membership might be justified historically in the sense that Taipei and Washington successfully blocked Beijing's bid for UN membership in the 1950s, but it finds little support from comparative politics.

In the context of dual seat arrangements, China's one seat policy seems to be the exception in international rule. If the two Germanies, the two Koreas, and the two Yemens were able to have dual seats in the United Nations, why is a similar arrangement denied to Taiwan? One explanation is the asymmetric power relations between China and Taiwan. As a greater power in East Asia, China is able to block Taiwan's bid to enter the United Nations, whereas North Korea was in no position to block the South's entry to the United Nations in spite of its initial objection to the idea of dual UN seats. Here, it is China's greater power that renders the idea of dual seats improbable. For this reason, it is imperative (as a precondition to the settlement of the Taiwan question) that China use its greater power wisely. It is this asymmetric power relation that necessitates the power of the United States as a balancing force to create power equilibrium and the current stability of the region.

A cost-benefit analysis

Now let us look at the potential benefits if China agrees to Taiwan's UN membership. First, it can ensure peace and break the cycle of tension and relaxation across the Strait, and reduce the possibility of military conflict. It will also reduce Taipei's motivation to buy defence hardware from the United States.

Second, the economic cost for both sides can be greatly reduced or saved as the need to compete for diplomatic recognition is removed.¹² It would be far more beneficial to the peoples of Taiwan and the mainland if the money consumed in diplomatic wars were wisely used on cross-Straits relations.

Third, Taiwanese UN membership might be helpful to reunification in the long run. If China welcomed Taiwan to the United Nations, the two could potentially create an economic union. This could in turn provide a foundation for political union. Let us now look at this issue from a comparative perspective. Dual seats did not prevent the final unification of the two Germanies (bear in mind that they had separate seats in the United Nations for 17 years) and the two Yemens. It is political arrangements based on mutual recognition, as in the case of the two Germanies, that actually promoted the final unification. In the case of the two Koreas, independence is a non-issue since both are members of the United Nations. For them, the only issue is reunification.

One reason why independence is on Taiwan's agenda is that it is deprived of UN membership. If Taiwan were to become a member of the United Nations, the independence problem would disappear. This would leave reunification as the only issue, and this could only improve cross-Straits relations.

A lesson from the experience of the European Union is that member countries have conceded some of their national sovereignty for the sake of political and economic union so as to compete more effectively with Japan and the United States. If China and Taiwan are locked into the nineteenth century notion of national sovereignty, they are less likely to play a major role in global politics other than as a 'trouble spot' for the international community.

To achieve unification, the sequence of action is important. The rigid view that any action cannot appear to move away from the goal of unification is unhelpful. It might be a better sequence to allow Taiwan to join the United Nations and be autonomous before pursuing reunification. Reunification, like a marriage, should be a

voluntary bond. Reunification is less likely if goodwill in Taiwan is damaged as a result of political pressure from the mainland. Moreover, as a result of China's threat towards Taiwan, Taiwan's unification advocates cannot speak out strongly. If Taiwan were admitted to the United Nations, however, they could develop into a more dynamic force for unification.

A fourth benefit of China being more positive about Taiwan's UN membership is that a contradiction in cross-Straits relations could be resolved—the contradiction between cultural/economic convergence and political divergence manifested in political antagonism. While cultural/economic contact and exchange are increasing between Taiwan and the mainland, the two entities are drifting further apart politically.

Fifth, recognition of Taiwan will enhance China's international status and demonstrate that China is a good international citizen. The idea that losing Taiwan will undermine China's status is myth. The idea that the CCP will collapse if it loses Taiwan is another myth. When China treats Taiwan unequally and violently, it invites international condemnation. If China respected Taiwan as an equal partner, it would also gain respect from the international community.

What is the cost to Beijing of Taiwan becoming a member of the United Nations? The greatest cost is Taiwan's independence. Two seats for one sovereignty means a reduction of one party's claim of sovereignty over the other. Moreover, a substantial cost in the eyes of the Chinese military is that Taiwan's independence poses threats to China's sea power and to China's domestic politics in that it sends a signal to secessionists in Tibet and Xinjiang. Complete independence should, however, be distinguished from the form of 'independence' implied in the proposal for a Taiwanese seat in the United Nations. As stated above, the recognition of Taiwan's UN seat is a special arrangement—it requires Taipei's commitment to unification in return. But recognising Taiwan would only mean 'nominal' independence anyway because Taiwan has already gained its political autonomy. Moreover, what Beijing would like to have is only 'nominal' unification—it has promised that Taiwan would

retain its army, currency and government if unification went ahead. Beijing would not have the right to control Taiwan's people or land, nor could it impose taxation. If that is the case, China should not continue its rigid opposition to Taiwan's international move.

The second cost for Beijing would be the loss of the legitimacy upon which their political authority relies. In Chinese nationalist thinking, the Taiwan question is a potential and actual source of legitimacy for the government. In reality, however, if the CCP could reduce the tension, save diplomatic costs, and benefit both the Taiwanese and mainlanders, this would greatly bolster its legitimacy.

The third cost for Beijing is the reduction of China's privilege in the United Nations. The exclusion of Taiwan helps China maintain its status and privilege in the international community in that only Beijing represents China.

Beijing must also consider the greatest potential cost of all—a war against Taiwan's independence. A war would seriously damage the domestic economy, evoke opposition from Asian countries and the West, and delay modernisation in China. The cost of war would far outweigh the cost of making concessions to Taiwan. Of course, there are other perceptions of costs and benefits. Some military officers in China may see great benefit in waging war against Taiwan. They imagine that a war would free China from the influence of Japan and the United States, and from the disintegrative forces associated with Taiwanese independence.

The above analysis contains an economic rationalist account of the Chinese politics of membership. It stresses that membership is merely a political 'commodity'. China is on the supplying side. To allow Taiwan a seat in the United Nations would not cost China anything, but would return enormous benefits. Why not trade sovereignty for economic interests? A pragmatic approach would take such a trade-off seriously. Some countries sell membership or national licenses for economic interests. Conversely, Beijing uses economic incentives to secure China's 'integrity'. It allows some countries to access China's markets, but, in return, asks those countries to respect Beijing's one-China policy. Compellingly, however, China will not trade sovereignty for economic interest.

Can economic logic extend to the political sphere of sovereignty? As far as territorial sovereignty is concerned, Beijing has kept a rigid line, rejecting any compromise over Taiwan. This way of thinking is characterised by a move from principle to reality, rather than the other way around. This is an ideological obstacle to the peaceful settlement of the Taiwan question. For Beijing, unification is the goal. Rhetorically, Beijing insists that there can be no compromise on sovereignty; sovereignty is sacred.

Adjusting, negotiating and 'trading' Chinese sovereignty

The key issue here is sovereignty. In its Taiwan policy, the Chinese government consistently attempts to defend its sovereignty.

The notion of sovereignty is complex and subject to different interpretations. Simply put, sovereignty denotes a state's entitlement to control the population within its national territories. It is reflected in border control, legal jurisdiction, representation in international organisations, the ability to set the agenda in policymaking, and the capacity to control exchange rates and tax policy.

Several questions need to be considered. First, must sovereignty be exclusive? Can sovereignty be shared and inclusive? Has Chinese sovereignty remained intact or has it been diminished as a result of increasing globalisation? Is there a link between the nature of the political regime and the idea of sovereignty? Democracy entails popular sovereignty, thus respecting the people's consent over the boundary question, while authoritarian regimes rely on an absolute idea of sovereignty as a basis for their existence. Is there a linkage in China between the decentralisation of power and the dilution of its sovereignty?

China has become integrated into the international community by participating in the world economy, joining international organisations, and signing and ratifying international treaties. Integration and the pressures of Great Power relations, the global economy and technological innovation are forcing China to adjust its conception and practice of sovereignty. The Chinese

government has tried hard to maintain what it considers a proper balance between state autonomy and integration into the world community.

Where economic interests are involved, China is willing to make more concessions or place less emphasis on sovereignty. Yongnian Zheng's phrase 'perforated sovereignty' precisely describes the situation wherein the Chinese central government is no longer monolithic in all aspects of foreign affairs and provincial governments are increasingly becoming paradiplomatic actors in China's foreign trade.¹³ It is imperative for China to attract foreign investment in the highly competitive international economy. To do this, China has gradually opened some economic sectors, such as banking and insurance. In doing this, it has given up some of its economic sovereign power by ratifying international treaties and making concessions to global economic forces. Beijing has given up more economic sovereignty in order to join the World Trade Organization (WTO). China allows foreign companies to bypass the Chinese judicial system for a fair trial if an economic dispute occurred. If economic interests outweigh the desire to retain national sovereignty, China may have to consider the option of sacrificing more of its sovereignty to the WTO.¹⁴

The human rights discourse in China has shifted from an emphasis on domestic issues to recognition of universal issues. Although the Chinese government insists that human rights cannot override sovereignty, many books and articles have been published in China advocating the predominance of universal human rights. One article discusses the tendency towards declining state sovereignty and the increasing internationalisation or globalisation of human rights, and elaborates the conditions under which international intervention on human rights is justifiable.¹⁵ Importantly, a new conception of a fundamental basis for government legitimacy has emerged—a genuine protection of human rights. Any government that denies or violates human rights is regarded as illegitimate. As Zhang Chunjin put it, '[h]uman rights are the greatest politics. All activities of politics should take human rights as central, or be guided by the human rights principle. Without human rights, politics become hypocritical and cheating'.¹⁶

In the battle over sovereignty and human rights, Beijing seems to be in a losing position in the sense that it has to make concessions under pressure while still insisting on the sacredness of sovereignty. In practice, China has signed international treaties on human rights, entered the international human rights regime, and has thereby accepted a derogation of national sovereignty (despite this, the question of whether and to what extent China subscribes to the international human rights regime remains). International protection of human rights implies that states do not have supreme authority over the way in which they treat people within their territory. On a fundamental level, the human rights discourse has made it immoral and impractical to view the world as consisting of territorial units each exerting supreme authority within their own borders.

Significantly, a quiet change has taken place in China's policy toward international intervention. China objected to NATO's intervention in Kosovo, but supported the UN peacekeeping force in East Timor by sending some police. This implies that Beijing recognises that sovereignty is not sacrosanct and that international intervention can be allowed to override national sovereignty. That said, Beijing's approach certainly has a different emphasis. For example Beijing believed that the NATO intervention in Yugoslavia was illegitimate because the Federal Republic of Yugoslavia had sovereign power over Kosovo, while UN intervention in East Timor was legitimate because it was invited by the Indonesian government and Indonesia did not have well-established sovereignty over East Timor. Nevertheless, China has changed its position, from a strong one that holds that no intervention is allowed as far as sovereignty is concerned, to a weak position that holds that international intervention may be allowed if injustice occurs and the intervention is under UN auspices.

In other areas, the PRC has suppressed extreme nationalists and discouraged any debate on the sovereignty over Senkaku (Diaoyu) Islands. China's policy toward conflict in the South China Sea is also characterised by an emphasis on mutual benefit rather than sovereignty. In the early 1970s, the Chinese government opposed not only joint development of the East China Sea but

also the idea of putting aside the question of sovereignty. Beijing changed its policy in the 1980s. In 1988, Wang Yingfan, Chinese ambassador to Manila, suggested that Beijing had decided to temporarily shelve the question of sovereignty over the Spratly (Nansha) Islands. This, however, does not mean that China has given up its claim to sovereignty over these Islands. Chinese scholars also object to the Antarctic model being applied to the South China Sea.¹⁷

The notion of 'One country, two systems' in Hong Kong demonstrates the complexity of Chinese sovereignty over Hong Kong. On the one hand, China's sovereignty is symbolised by its military garrison in Hong Kong, the state's monopoly of violence, and the central appointment of the chief executive through a symbolic election process. The latter gives rise to tension between sovereignty and accountability: to whom are the elected politicians and the non-elected government officials accountable—Beijing or the citizens of Hong Kong?¹⁸ On the other hand, China has shown great flexibility in aspects of its sovereignty over Hong Kong. For example, Beijing does not impose taxation—one key element in the traditional practice of sovereignty—on Hong Kong. The people of Hong Kong are allowed to have two or more different passports, implying tacit recognition of dual nationality by Beijing. This undermines the exclusivist notion of Chinese citizenship, which is a part of the Chinese practice of sovereignty. Border controls between China and Hong Kong prohibit ordinary Chinese from freely entering Hong Kong. Moreover, Hong Kong enjoys special status in some international organisations, such as APEC.

Looking back, China has made a great deal of concessions over Hong Kong. Such compromise is now widely accepted in China. It should be emphasised that it was Deng Xiaoping's innovation and determination that convinced his fellows to make such a compromise with regard to sovereignty. Today, China needs a similarly innovative and capable leader to implement a deal with Taiwan.

The Chinese government has considerable flexibility on some practical issues in Taiwan Straits relations. Beijing negotiated a treaty with Taipei to deal with PRC citizens who hijack aeroplanes in

order to reach Taiwan. The negotiation initially broke down on issues of sovereignty, such as whether Taiwan has the jurisdiction to decide if hijackers are to be sent back to mainland China. Eventually, Beijing compromised and ratified the basic agreement on hijackers.¹⁹ Taiwan has already been a member of the Asian Development Bank and APEC. Thus, China's Taiwan policy already implies a divided notion of sovereignty. Although Chinese sovereignty would ideally be realised through formal unification of mainland China and Taiwan, Taiwan would keep its own army, police force, currency, and parliament. Under this arrangement, China's national sovereignty would be reflected by two *different* systems with separate armies, parliaments and currencies.

Against an absolute right of national sovereignty

Clearly, China is flexible enough to adjust its practice of sovereignty even though it often rhetorically insists on the sacredness of sovereignty. The issue is whether Beijing is flexible enough to allow Taiwan to have a seat in the United Nations, in effect allowing China's sovereignty to be represented by dual seats.

Here, new political thinking is needed. The outdated assumption that sovereignty must be safeguarded by force must be abandoned. A modern marriage or union can be maintained only by mutual caring, not force. Also questionable is the tendency to regard territorial integrity as sacred and place it ahead of economic interests and culture. Sovereignty in the modern world is not sacred, but is a commodity that has an exchange value. Sovereignty can be used in bargaining. Compromises on sovereignty can be made for the sake of economic interests. Here, what is required is political pragmatism, and this can be found in Deng Xiaoping's policies with a functional emphasis. Thorough political pragmatism contains the notion that economic interests can override symbolic sovereignty. In other words, symbolic sovereignty can be traded as a commodity for economic benefits. In the South Pacific, for example, the earliest trade in 'tokens of sovereignty' was in postage stamps sold to overseas collectors (Pitcairn Island funds 20 per

cent of its budget in philatelic sales). Tonga licenses other countries to use the geostationary satellite slots it controls as a member of the International Frequency Registration Board and Tuvalu has leased out its internet domain code 'tv'.²⁰

Nevertheless, Chinese pragmatism contains some elements of symbolism, or seemingly 'irrational elements'. But this symbolism is functional in terms of providing moral justification and serving political aims. This is the contradictory function of Chinese political pragmatism. Failure to understand this amounts to failure to understand Chinese politics.

It is now useful to hark back to Mencius, who said that 'the people are the most important element (in a state); the sprites of the land and grain are secondary; and the sovereign is the least'.²¹ In the context of China's foreign relations, if this ancient idea of people is combined with a democratic notion of popular sovereignty, it amounts to the principle that people should be given priority in cross-Straits bickering and that they should have a say. If the first priority is the interests of the people on either side of the Taiwan Strait, and if peace is in the best interests of the people, then territorial integrity and state sovereignty can be negotiated. Sovereignty cannot be detached from the interests of the people. The use of force is certainly not beneficial, whereas flexible policies in the spirit of magnanimity will better serve the interests of the people.

The nationalist idea of absolute sovereignty must be rejected. The nationalist approach emphasises the power of the state to do whatever is necessary to preserve the integrity of national boundaries and endorses the use of force to defend the superiority of national interests and national territory. As Hertz remarks,

[t]he idea of the national territory is an important element of every modern national ideology. Every nation regards its country as an inalienable sacred heritage, and its independence, integrity, and homogeneity appear bound up with national security, independence and honor. This territory is often described as the body of the national organism and the language as its soul.²²

If the state regards its right of sovereignty as absolute and maintains it over dissident secessionist groups or nations, and if an independence group asserts an uncompromising right of secession on the part of any community that calls itself a nation, no solution is possible except the destruction of the state or the suppression of secession.

The idea of absolutist national sovereignty cannot provide a solution to the Taiwan question.²³ The Taiwan issue can be resolved only if national sovereignty is compromised, negotiated, traded and shared. Compromise should be made by both sides. While China needs to reconsider its conception of sovereignty, Taiwan's pro-independence groups must also make a compromise in their claim over sovereignty. Independence groups must not view the right to self-determination as absolute. It is unlikely that a compromise over Taiwan's UN seat can be reached if the DPP continues to stress Taiwanese sovereignty and the right of the people of Taiwan to decide their future.²⁴

Toward post-modern sovereignty?

According to Cooper, pre-modern states, such as Somalia, Afghanistan and Liberia, are characterised by chaos and anarchy. Modern states are concerned with state sovereignty issues and its corollary—non-interference by one country in another's internal affairs.²⁵ China, alongside Russia, Indonesia and Malaysia, best fits this description of a 'modern' state in defending territorial sovereignty. The Shanghai Five Agreement reflects the common ground that state boundaries are sacred and human rights should not be a pretext for outside intervention. On this matter, Segal has pointed out that 'East Asia is reminiscent of 19th-century Europe: its sovereign nations have strong ideas of self-interests but little idea of how to resolve these interests when they come into conflict with each other'.²⁶

Modern states value their sovereignty and feel threatened by post-modern intrusion. According to Cooper's theory, post-modern states have 'largely shed their hang-ups about

sovereignty'.²⁷ Post-modern states are open to mutual inspection and interference as a means of building trust and confidence between states in order to deter fighting. As such, these states attach different values to sovereignty. As Cooper points out,

[t]he post-modern system does not rely on balance; nor does it emphasise sovereignty or the separation of domestic and foreign affairs. The European Union, for example, is a highly developed system for mutual interference in each other's domestic affairs, right down to beer and sausages.²⁸

It seems that national sovereignty has been eroded and reduced in post-modern states such as in the European Union. Sovereignty has declined with the introduction of one unified market and currency, the establishment of the European parliament and court, the emergence of European citizenship, and the absence of visa requirements for European citizens within the European Union. Moreover, supra-national organisations are required to deal with regional and/or global issues (global ecology, nuclear threats, international immigration) and conflicts among nations. Importantly, the idea of legitimate sovereignty has been developing. Sovereignty is not merely decided by a seat in the United Nations. States will be considered full members of international society only if they respect human rights and practice democracy.²⁹ The place of sovereignty in global society and its way of operation have changed but sovereignty still exists. The exclusive practice of sovereignty, the sacredness of sovereignty, and the use of force to defend sovereignty all belong to a nineteenth-century notion of sovereignty.

It is too early for China to accept the post-modern view of sovereignty. Yet, Jiang Zemin has shown his new thinking regarding security. Replying to a question regarding Canberra's military alliance with the United States, Jiang said, 'The...concept of basing security on military alliance and strengthening security through military build-up, a concept that prevailed during the Cold War period, has become obsolete'.³⁰

Since it took China a century or so (and at great cost) to learn Western notions and practices of sovereignty, it will be extremely difficult to persuade China to unlearn them and accept post-modern notions and practices of sovereignty or the thesis of the end or erosion of sovereignty. China has finally come to grips with the original Western notion of sovereignty, only to find that the West has moved on to a new game with a new set of rules.

There are three possible reactions to this new development. One response is that the doctrine of the end of sovereignty is a construct of neo-imperialism, and an intellectual design for Western domination. The second response is to defend the sovereignty principle. Indeed, Beijing is adopting just such an approach in international arenas at the moment, and would like to represent the South, the Third World, to maintain the existing boundaries. The third response calls for 'link up with the world'. This response argues that it is imperative that China learn a new set of international rules that regard sovereignty as questionable. It will take time for China to make adjustments to its understanding of post-modern sovereignty and adopt flexible policies. The adjustment seen in its Taiwan policy is evidence of the learning process. A major issue for China is the cost of learning. If China can adopt flexible policies toward Taiwan, the cost will be lower; refusal to adapt to the post-modern notion of sovereignty is likely to cost China dearly. It is also important for China to learn the new practice of sovereignty from the European Union rather than the United States, which lags behinds on this matter.

Conclusion

It is imperative for China, as an increasingly important power in the Asia Pacific, to develop responsible policies regarding Taiwan, one of which is to welcome Taiwan into the United Nations. The main obstacle comes from Chinese sensitivity to its national sovereignty, but China's rhetorical stress on the sacredness of sovereignty contrasts with its practical application of sovereignty—China has actually been flexible in ceding some sovereignty. Will

Beijing accept the idea of 'one-sovereignty, two-seats' in the United Nations? Can Chinese leaders take an innovative approach to overcome the structural limits of narrow nationalism and the absolute concept of sovereignty? Both the potential for conflict and the way out of a potential war are clear to us, but we do not know when and where a solution will be proposed, accepted and implemented. It will be a great tragedy if there is no political will to implement a responsible Taiwan policy. Must it really take a war to bring both sides to the negotiating table?

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Notes

- ¹ *United Daily News*, 14 July 2000, 1; 19 July 2000, 3.
- ² See *The Free China Journal*, 20 August 1999, 1; 23 September 1999, 2; and *The Peoples' Daily* (Overseas edition), 17 September 1999, 1.
- ³ *The Peoples' Daily* (Overseas edition), 17 September 1999, 1.
- ⁴ Michael C. Davis, 'The case for Chinese federalism', *Journal of Democracy*, 10, no. 2 (1999), 135.
- ⁵ *Peoples Daily* (Overseas edition), 29 January 1999, 1.
- ⁶ *Peoples Daily* (Overseas edition), 28 January 1999, 5.
- ⁷ *Central Daily News*, 28 May 1994.
- ⁸ *South China Morning Post*, 5 January 2000.
- ⁹ Fang Jue is a former Chinese government official presently living in China. On 20 November 1997 he issued a document entitled 'China needs a new transformation: program proposals of the democratic faction', which has been distributed to members of the Central Committee of the Chinese Communist Party. See his article, 'Liberal voices from China II: a program for democratic reform', *The Journal of Democracy*, 9, no. 4 (1998), 18.

- ¹⁰ On November 16, 1976, the United States used its eighteenth veto in the Security Council to prevent the admission of the Socialist Republic of Vietnam. However, Washington dropped its objection to Vietnamese membership in July 1977.
- ¹¹ The Soviet Union, Ukraine and Belarus had seats in the UN in 1945 (when the Soviet Union demanded two extra seats for its republics in order to increase its influence in international affairs).
- ¹² It is reported that Taiwan will pay up to \$US2.5 billion in exchange for Papua New Guinea's diplomatic recognition of the ROC. *The Australian*, 22 July 1999, 6.
- ¹³ Yongnian Zheng, 'Perforated sovereignty: provincial dynamism and China's foreign trade', *The Pacific Review*, 7, no. 3 (1994), 309–21.
- ¹⁴ In India, opposition parties opposed to the government's sacrifice of the country's sovereignty to GATT. See *Economist*, 2–8 April 1994, 26.
- ¹⁵ Li Lin, 'Guoji renquan yu guojia zhuquan' ['International Human Rights and State Sovereignty'], *Chinese Studies of Law*, no. 1 (1993), 37–44.
- ¹⁶ Zhang Chunjin, *Renquanlu* [On Human Rights] (Tianjin: Tianjin People's Press, 1989), 19.
- ¹⁷ Chen Hurng-yu, 'A comparison between Taipei and Peking in their policies and concepts regarding the South China Sea', *Issues and Studies*, 29, no. 9 (1993), 45, 48.
- ¹⁸ Jane C.Y. Lee, 'The exercise of PRC sovereignty: its impact on Hong Kong's governing process in the second half of the political transition', *Issues and Studies*, 29, no. 12 (1993), 88–111.
- ¹⁹ *Central Daily News*, 20 December 1993, 1; 22 December 1993, 1.
- ²⁰ I am grateful to Peter Lamour for this.
- ²¹ Fung Yu-lan, *A History of Chinese Philosophy*, Vol. 1, trans. by Derk Bodde, (Princeton: Princeton University Press, 1952), 113.
- ²² F. Otto Hertz, *Nationality in History and Politics: a study of the psychology and sociology of national sentiment and character* (London: Kegan Paul, 1945), 150–51.
- ²³ In discussing the secession of Nagorno-Karabagh, Khachig Toloyan also arrives at the same conclusion about the limits of sovereignty, see Khachig Toloyan, 'National self-determination and the limits of sovereignty: Armenia, Azerbaijan and the secession of Nagorno-Karabagh', *Nationalism and Ethnic Politics*, 1, no. 1 (Spring 1995), 86–110.
- ²⁴ *Lianhe Zaobao*, 17 July 2000, 22.

- ²⁵ Robert Cooper, a British diplomat, discusses the post Cold War period in terms of pre-modern, modern, and post-modern states. See his book, *The Post-Modern State and the World Order* (London: Demos, 1996), 19.
- ²⁶ Gerald Segal, 'An un-Pacific Asia', *The Economist*, special edition on the world (1996), 71.
- ²⁷ 'Not quite a new world order; more a three-way split', *The Economist*, (20 December 1997), 41–43.
- ²⁸ Robert Cooper, *The Post-Modern State and the World Order*, 23.
- ²⁹ Rosemary Foot, 'Chines power and the idea of a responsible state', chapter 2 in this volume.
- ³⁰ Cited in S.P. Seth's article, 'Potential for trouble ahead as Canberra courts Beijing', *The Free China Journal*, 23 September 1999, 6.