



Strategic Ambiguity, Triangularity, and Hokey-Pokey Aggression

Since at least the dissolution of WWII, the Chinese Communist Party has considered Taiwan, the only Chinese-speaking democratic country,¹ its “breakaway province.”² Recently, President Xi Jinping of China has been focusing his political efforts on reunification with Taiwan, while showing strong opposition for US interference with that goal.³ With this conflict resulting in Taiwanese-Chinese military tensions “at their worst in more than forty years,” Taiwan’s Defense Minister believes that China may launch a full-scale war by 2025.⁴ Nevertheless, Taiwan’s administration has explicitly committed to meeting the “enemy full on” if tensions rise to the level of combat.⁵ If tensions between China and Taiwan finally reach a boiling point, should the world expect for the US to join the fight?

The Taiwanese strait began emerging from an “effective [Chinese] dictatorship” in the 1970-80s.⁶ During Taiwan’s emergence, the US sought to carefully build its relationship with Taiwan in order to preserve American security interests in the Pacific.⁷ However, “in the aftermath of the Sino-Soviet split, the United States [also] sought to normalize relations with the People’s Republic of China [(PRC)].”⁸ The Chinese government posed their three key demands to the US: “(1) no diplomatic relationship could be maintained with Taipei if the United States were to establish official relations with Beijing, (2) the Mutual Defense Treaty with [Taiwan] must be severed, and (3) U.S. troops must be removed from Taiwan.”⁹ While the US avoided recognizing China as sovereign over Taiwan, it did acknowledge that Taiwan was a part of China.¹⁰ For geopolitical reasons, that was sufficient for the US to continue to maintain and build upon relationships with both nations.¹¹ In 1979, the 96th US Congress passed the Taiwan Relations Act, committing the US to “provide Taiwan [in particular] with arms of a defensive character.”¹² Although Taiwanese-Chinese relations seemed to improve since then,¹³ in 2005, the Chinese Communist Party passed anti-secession law that mandated the use of military force against Taiwan if the island resisted efforts of “reunification”—a move that some have regarded as a Chinese challenge to US power.¹⁴

Since Taiwanese President Tsai’s election in 2016, China began more aggressively touting their intent to reunify by force, if necessary, by repeatedly making armed demonstrations within the boundaries of Taiwan’s air defense zone.¹⁵ The Taiwan Relations Act legally binds the US to defend Taiwan against this world superpower, should they attack. Yet, up until now, when diplomats or news media have inquired upon the Whitehouse to relay the extent of their commitment to militarily defend Taiwan, the Whitehouse has continued to formally hold a stance of “strategic ambiguity”.¹⁶ This US policy “seeks to deter both Beijing from forcing a change in

the status quo and [Taiwan] from crossing China's redlines ... Washington, therefore, has sat in judgment on which side is 'at fault' for crises in cross-strait relations and has leaned away from the side it has deemed responsible."¹⁷ However, as matters have gotten even more heated recently, the Biden administration has been artfully dodging media inquiries regarding their intentions to militarily defend—or not to defend—Taiwan in case full-on war breaks out.¹⁸ Taiwanese President Tsai Ing-wen says she "has faith" that the US would step up to their aid if the worst were to transpire.¹⁹

Today, over forty years after the Taiwan Relations Act was passed, the balance of power between China and the US has shifted since its drafting, and its premises no longer match the modern state of affairs in Asia.²⁰ Aimed at keeping peace in the Pacific, the Taiwan Relations Act was—to an extent—predicated on the US' once-held dominance over China.²¹ However, strategic ambiguity is now "unlikely to deter an increasingly assertive China with growing military capabilities."²² Failure to come to the aid of Taiwan will send a message to the US' other Asian allies (Japan and South Korea) that they cannot rely on the US in the future.²³ At the same time, waiting to decide how to respond until war does break out could have disastrous effects.²⁴ As Richard Haass and David Sacks from Foreign Affairs opine, "To defend its achievement and continue to deter Chinese adventurism, the United States should adopt a position of strategic clarity, making explicit that it would respond to any Chinese use of force against Taiwan."²⁵ That is, in order to keep the status quo in the Pacific, ironically, a new promise of retaliation may be the US' best bet for keeping the peace.²⁶

¹ See Frédéric Krumbein. *The Significance of Taiwan as the First and Only Chinese Democracy*, TAIWAN INSIGHT (Feb. 4, 2020), <https://taiwaninsight.org/2020/02/04/the-significance-of-taiwan-as-the-first-and-only-chinese-democracy/> [https://perma.cc/3QKD-V87L].

² See *What's behind the China-Taiwan divide?*, BBC NEWS (May 26, 2021), <https://www.bbc.com/news/world-asia-34729538> [https://perma.cc/Y96X-JX8B].

³ “‘The Taiwan question is purely China’s internal affair, which tolerates no external interference . . . No one should underestimate the Chinese people’s strong determination, will and capability to safeguard national sovereignty and territorial integrity,’ [said Xi Jinping].” See Huizhong Wu. *China’s Xi Calls for ‘Peaceful’ Reunification with Taiwan*, AP NEWS (Oct. 9, 2021), <https://apnews.com/article/xi-jinping-taipei-beijing-taiwan-china-61f510599558249f9afa839052c4000a> [https://perma.cc/PA4C-W6G7].

⁴ See Ben Blanchard. *Taiwan won’t start a war with China, defence minister says*, REUTERS (Oct. 14, 2021), <https://www.reuters.com/world/china/taiwan-defence-minister-says-china-will-have-ability-mount-full-scale-invasion-2021-10-06/> [https://perma.cc/S7NM-SA4S].

⁵ See *id.*

⁶ See BBC NEWS, *supra* note 2.

⁷ See Tiffany Ma & Jessica Drun. *The Taiwan Relations Act at 40*, THE DIPLOMAT (Apr. 1, 2019), <https://thediplomat.com/2019/03/the-taiwan-relations-act-at-40/> [https://perma.cc/74XX-DGSH].

⁸ See *id.*

⁹ See *id.*

¹⁰ See Michael J. Green. *What Is the U.S. “One China” Policy, and What Does it Matter?*, CTR. FOR STRATEGIC & INT’L STUD. (Jan. 13, 2017), <https://www.csis.org/analysis/what-us-one-china-policy-and-why-does-it-matter> [https://perma.cc/NX32-QJJ8].

¹¹ See *id.*

¹² See Taiwan Relations Act. Pub. L. 96-8 96th Congress. 22 U.S.C. § 3301 et seq. (Jan. 1, 1979), <https://www.ait.org.tw/our-relationship/policy-history/key-u-s-foreign-policy-documents-region/taiwan-relations-act/> [https://perma.cc/N9LN-98CQ].

¹³ See BBC NEWS, *supra* note 2.

¹⁴ See *China Passes Taiwan Secession Law*, ALJAZEERA (Mar. 14, 2005), <https://www.aljazeera.com/news/2005/3/14/china-passes-taiwan-secession-law> [https://perma.cc/6QUR-M7ZV].

¹⁵ See REUTERS, *supra* note 4; Lindsay Maizland, *Why China-Taiwan Relations Are So Tense*, COUNCIL ON FOREIGN RELS. (May 10, 2021), <https://www.cfr.org/backgrounder/china-taiwan-relations-tension-us-policy> [https://perma.cc/ATC5-X498].

¹⁶ See Dennis V. Hickey, *Biden, Taiwan, and Strategic Ambiguity*, THE DIPLOMAT (Oct. 25, 2021), <https://thediplomat.com/2021/10/biden-taiwan-and-strategic-ambiguity/> [https://perma.cc/D49A-Y85P].

¹⁷ See Jacques Delisle, *The Taiwan Relations Act at 40: A Troubled but Durable Legal Framework for U.S. Policy*, 14 Asia Pol'y 35, 35–42 (Oct. 2019).

¹⁸ See CNN, *Bash to Blinken: Will US defend Taiwan if attacked, yes or no?*, YOUTUBE (Oct. 31, 2021), <https://youtube.com/watch?v=F1EezYHktNE>.

¹⁹ See *Taiwan's Tsai Has 'Faith' in US Help Amid New China 'Intrusions'*, ALJAZEERA (Oct. 28, 2021), <https://www.aljazeera.com/news/2021/10/28/taiwans-tsai-has-faith-of-us-help-amid-new-china-intrusions> [https://perma.cc/53Y6-XPVK].

²⁰ See George F. Will, *Opinion: 'Strategic ambiguity' is no longer a prudent U.S. policy on Taiwan*, WASH. POST (Jul. 2, 2021), <https://www.washingtonpost.com/opinions/2021/07/02/strategic-ambiguity-is-no-longer-prudent-us-policy-taiwan/> [https://perma.cc/M72U-JGRE]; Maizland, *supra* note 15; Delisle, *supra* note 17.

²¹ See Richard Haass & David Sacks, *American Support for Taiwan Must Be Unambiguous*, Foreign Affairs (Sept. 2, 2020), https://www.foreignaffairs.com/articles/united-states/american-support-taiwan-must-be-unambiguous?utm_medium=promo_email&utm_source=lo_flows&utm_campaign=registered_user_welcome&utm_term=email_1&utm_content=20211114 [https://perma.cc/F8AP-KHQP].

²² See *id.*

²³ See *id.*

²⁴ See *id.*

²⁵ See *id.*

²⁶ See Richard Haass & David Sacks, *American Support for Taiwan Must Be Unambiguous*, Foreign Affairs (Sept. 2, 2020), https://www.foreignaffairs.com/articles/united-states/american-support-taiwan-must-be-unambiguous?utm_medium=promo_email&utm_source=lo_flows&utm_campaign=registered_user_welcome&utm_term=email_1&utm_content=20211114 [https://perma.cc/F8AP-KHQP].