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Discussion Paper  
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**Cross-Strait Relations and DPP Transformation**

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The vantage point to observe the development of cross-Strait relations in the next four years would most probably be found in Taiwan's main opposition party, the Democratic Progressive Party (DPP).

Judging from his second inauguration speech last May, Mr. Ma Ying-jeou's cross-Strait policy would remain the same with the one during his first term and the momentum of peaceful development across the Strait could be expected to persist. The emphasis would continue to be on the economic and cultural cooperation. The Taiwan side seems not ready for serious political dialogues on matters such as the peace accord, and the mainland does not intend to "pressurize" Taiwan for such talks. However, as the economic cooperation entered into "deeper waters", the two sides would need more time to negotiate new agreements. In my parochial view, the event that would have a strong and long-term impact on cross-Strait relations in the coming four years will be if the DPP would transform itself and accommodate one way or another with the one China principle firmly held by the mainland. In other words, if it could accept what in my term a "1992 consensus without 1992 consensus". If that happened, most likely before the 2016 general election, another "party rotation", that is the possibility of DPP regaining power should not be excluded.

The DPP defeat in last January's general election prompted a heated debate in the party on the causes of the loss, the second one since 2008. So far, the mainstream arguments have been based on, to borrow a stock exchange metaphor, the "technical analysis" rather than the "fundamental analysis". For example, they blamed the poor performance in some rural area, traditionally DPP strongholds, on the abolition of party cells at the village level some years ago which had weakened its ability to mobilize the grass-root voters. The party's campaign tactics, particularly the response to cross-Strait matters, have much to be desired too. The DPP candidate Ms. Tsai Ing-wen did in introspection attribute her setback to voters' wariness over her willingness and ability to maintain the present cross-Strait rapprochement, but she called only for "reflection" on the party's cross-Strait policy. Some prominent DPP members are far more vocal than Ms. Tsai. They stand for a recalibration of its mainland policy. Former DPP lawmaker Mr. Julian J. Kuo was quoted as saying that taking into account of the rapid development of cross-Strait economic and trade relations and the "coherent support" to the "92 consensus" framework by the Chinese mainland and the United States, the DPP would never extricate itself from the adversity of a permanent opposition party if it insists on its "Taiwan independence" platform which proved to be out of date as it failed to be implemented when the party was in power. At the moment, many people in leading positions of the DPP, especially the "deep greens", disdain Mr. Kuo's "doomsday" prophesy. They stubbornly refuse to modify their "Taiwan independence" stance and still cherish the hope of returning to power in the next election in 2016. They argue that the party still has

the “fundamental share” of at least 45% of the electorate and garnered more seats in the legislative election held simultaneously with the general election (from 27 to 40). But their optimism finds only faint echoes. The general public opinion in Taiwan tends to believe that DPP’s fate in 2016 hinges on its cross-Strait policy.

A distinctive phenomenon of the January election is the advent of the so-called “economic voters”, those non-partisans who care most about the economic benefits derived from the cross-Strait reconciliation. In a recent co-authored article, a former DPP senior official at the Mainland Affairs Commission (MAC) Mr. Tung Chen-yuan categorized the 6% voters who made Mr. Ma Ying-jeou be reelected as this cohort. According to his research, these people were not satisfied with Mr. Ma’s leadership and supported Ms. Tsai during the campaign race, but made an about-face at the last moment because of their worries over the possible adverse effects on their economic interests if Ms. Tsai won. He came to the conclusion that the cross-Strait relationship had been “economized”, which posed a “serious challenge the DPP could in no way avert.”

Mr. Tung’s prediction is also contentious among the “greens”. However, the re-election of Mr. Ma Ying-jeou, in any case, made it possible for the cross-Strait momentum gathered in the past four years to persist. Political reconciliation based on the “1992 consensus” would hold and economic cooperation would become closer in the coming four years. Such a prospect should mean that Taiwan would yield more economic benefits from cross-Strait cooperation which in turn would widen its support base. In another word, when the next election comes, the cross-Strait relationship would be more “economized” and the “economic voters” would have been enlarged. Hence, if DPP’s cross-Strait platform fails again in 2016 to allay the electorate’s worries over economic adversities, then as Messrs. Kuo and Tung predicted, the chance of a DPP victory would indeed be slim.

As mentioned above, the DPP leadership is still reluctant to go through the ordeal of abandoning its “Taiwan independence” stance. It fears that doing so would split the party. It is almost certain that the DPP’s cross-Strait policy will continue to be confrontational with the mainland for some time to come.

Does that mean the DPP would never moderate its cross-Strait position, accommodating one way or another to the one China principle of the mainland? The answer should not be absolutely negative. The *raison d’être* of any political party is to be in power. The DPP will be obliged to transform itself sooner or later by the cross-Strait reality and the international rebuff to “Taiwan independence”. A review of the history of the party’s cross-Strait policy would reveal that its “Taiwan independence” stance has been ideologically consistent but practically opportunistic. At the time of its founding in 1986, the DPP pledged loyalty to the “Constitution of the Republic of China”, according to which “Taiwan independence” is out of the question. The so-called “Taiwan independence party charter” was adopted five years later in 1991 when the “Taiwan identity” thoughts

began to surge. Before the 2000 general election when the “Taiwan independence” ticket was seen as “poison to vote”, the party maneuvered for the “centre” by adopting the “Resolution on Taiwan’s Future” in 1999. Evading its “Taiwan independence” stance, the resolution claimed that “Taiwan is a sovereign and independent country”, meaning there was no need to proclaim again independence. Before the 2008 election, when the Chen Shui-bian authorities were plagued with embezzlement and corruption, the DPP badly needed to consolidate its hard-core constituencies. It hardened again its pro-independence position and passed the “Resolution on Normal State”, advocating for a “new constitution” and membership in the United Nations. From this brief review, one could safely say that at the end of the day, DPP’s quest for power would circumvent its utopia of “Taiwan independence”.

In an article carried in the pro-DPP English daily the Taipei Times, the above-mentioned Mr. Tung Chen-yuan, now a professor at the National Chengchi University, proposed a three-stage strategy for the DPP to “interact” with the mainland:

“First, the next DPP chairperson should move quickly to forge a consensus on a set of principles to guide cross-Strait relations.

“Second, the CCP (Chinese Communist Party) continues to judge the DPP on the basis of the 1991 Taiwan Independence Clause in the DPP’s charter, but the party’s cross-Strait policy is based on the Resolution on Taiwan’s Future. A revision of the independence clause would not have to change the DPP’s ideas and values, but it could eliminate the CCP’s misunderstandings.

“Finally, after eliminating these misunderstandings, the DPP must rely on dialogue and interaction to establish mutual trust with the CCP. Only in an atmosphere of mutual trust and friendly cross-Strait relations can the DPP hope to promote mutual understanding between itself and the CCP, while also strengthening the impetus for political and social cross-Strait reconciliation.”

Whether Professor Tung harbingers DPP’s change of mind, definitely not of heart, remains to be seen. But the fulcrum of his suggested strategy, in the CCP perspective, is what sort of consensus the DPP would have. “A revision of the independence clause” will be well received by the CCP. However If the consensus remains the “Resolution on Taiwan’s Future”, it could hardly “eliminate CCP’s misunderstanding” because the resolution says clearly that Taiwan, for the time being called “The Republic of China”, is “an independent state”, and its sovereignty, territory and jurisdiction do not cover the Chinese mainland. This is a catechist assertion of “one China, one Taiwan”, though under the cover of the ROC. The CCP will never accept it as the political basis for party to party relationship. Nevertheless, any attempt or show of willingness on the part of DPP to mitigate the “misunderstanding” between the two parties should be welcomed by the CCP.

In 2006, the “National Security Council” of the Chen Shui-bian authorities released their first ever “National Security Report” in which it said that “It (Taipei) fully acknowledges the ‘one China’ position insisted by the Beijing authorities...” If the word “acknowledge” does not mean to “accept”, neither does it mean to “rebuff” talks over one China to find a mutually acceptable formula similar to the “1992 consensus”, then there should be room for CCP and DPP contacts and talks as parties.

Tentative ideas have been floated in the past in search of “a ‘1992 consensus’ without ‘1992 consensus’” between the CCP and DPP. The latter rejects the “1992 consensus”, arguing that it is the KMT “party property” and to accept it would mean “plagiarizing” the KMT. The CCP is understood to have no objection to a new formula so long as it does not run counter to the “1992 consensus”.

In March 2000, the cross-Strait relationship was on the verge of an unprecedented crisis following the DPP victory in the general election. The author thought hard to find a way to avoid a devastating conflict not only in the Taiwan Strait, but most probably in a much wider area. The key to it remains a compromise on the issue of one China.

An undisputable reality is that Taiwan’s political, judicial as well as social systems, including the general election, are all functioning under the “ROC Constitution”. Promulgated in Nanking in 1947, the constitution fixates legally that Taiwan and the mainland are all parts of one China. Proceeding from the constitution, more than 50 clauses in Taiwan’s laws, most importantly the Act Governing Relations Between the People of Taiwan Area and the Mainland Area, define the people in Taiwan and the mainland as residents of two areas of one China. Despite of the fact that the constitution has been added or amended seven times, it has never altered the national boundary. In addition, the amendments and additions were made “to meet the requisites of the nation prior to national unification...” So the legal status quo across the Taiwan Strait is that both Taiwan and the mainland are areas of one China. The territory and sovereignty remain intact. The DPP could and indeed should formulate its cross-Strait policy on the basis of “constitutional one China” or “legal one China”. If it does so, the threatening conflict in the Taiwan Strait could most probably be avoided. The author threw the idea to a visiting DPP lawmaker, but he didn’t respond. In the same month, the author discussed the idea with Professor Don Zagoria of the National Committee on American Foreign Policy during a conference on Taiwan in Washington and Don considered it as a good idea.

Up till today, the author still believes that the nearest compromise over one China between the DPP and CCP is the “constitutional one China” or “legal one China” formula. It is not impossible for the two parties to reach a new consensus if the two sides abide by what is called the “1992 spirit”. The “1992 consensus” was reached following the Hong Kong talks between The Association for Relations

Across the Taiwan Straits (ARATS) and The Straits Exchange Foundation (SEF) because both sides firstly had the sincerity and willingness to reach an agreement; and secondly both adopted an inclusive approach, that is to “seek common grounds while reserving differences”. (The SEF position, to be more precise, is to reserve differences while seeking common grounds.) They agreed on the principle of one China, and reserved their differences on the political meaning of the one China. So if the DPP has the willingness and inclusiveness to work out a new formula over one China with the CCP, the “constitutional one China” or “legal one China” should most likely be the new common ground. The DPP is totally valid to accept that because that is what the constitution stipulates. The CCP should accept that because it acknowledges that at the moment the country “is not reunified” and has to face up to the existence of two de facto “constitutional orders”. The difference over the political meaning of this one legal China should be reserved as does the “1992 consensus”. The DPP would most probably insists that the one China is meant “within the framework of the ROC constitution” ; while the CCP would stick to the existing position that in dealing with cross-Strait matters, the political meaning of one China is not to be referred to. The CCP does not acknowledge the ROC constitution for obvious reasons, but it might move a step forward by referring it as the “Nanking constitution” or the “1947 constitution”.

At present, the CPP position vis-à-vis its party to party relationship with the DPP is for the DPP to revise the “Independence clause” of its party charter first; at the same time, it welcomes high ranking DPP figures to visit the mainland in “proper capacities”. On the part of the DPP, it insists that it would deal directly with the CCP “without preconditions”. It seems that both parties have stretched out tentacles in search of channels to start contacts. Whether the two sides have the chance and the ability to reach a “one legal China” or “constitutional one China” consensus remains to be seen. But one thing is certain: If the CCP and DPP would normalize their relations, peace and stability in the Taiwan Strait could be expected to be further consolidated.