

The Challenges to the Political Negotiation Across the Taiwan Strait

Tzong-Ho. Bau *

Abstract

The potential problems behind political negotiation across the Taiwan Strait involve those such as the stalemate of preconditions, the lack of consensus about bargaining issues and agenda, the negative impact of the use of "coercion" and the possible inefficient persuasion. Negotiation between the two sides can not be achieved unless the following conditions are satisfied: First, the existence of common interests and mutual benefits and; second, the strong motivation, as H. Peyton Young puts it, is "the process of joint decision making." "Flexibility" is required not only for the exchange of bargaining issues at the beginning of negotiation, but also for the substantial talks during the process of negotiation.

Foreword

The relationship between Beijing and Taipei has been greatly damaged since the former initiated literal and military campaigns against the latter in 1995. Political reasons, in fact, are major factors which bring about this outcome. It seems very apparent that Beijing government is only interested in political negotiation after its military coercion. However, Taipei government is more concerned with nonpolitical negotiation although it does not refuse to accept a political dialogue across the Taiwan Strait. Due to the sensitivity and fragility of political

*Professor and Chairman of Department and Graduate Institute of Political Science, National Taiwan University.

issues, it will be much harder to achieve a political negotiation than to achieve a nonpolitical negotiation. However, if Beijing and Taipei once find solutions to those political issues, the confrontation between the both sides will be removed.

The purpose of this paper is to explore the problems behind political negotiation such as precondition, issues agenda, issues conflicts, the use of coercion and misperception, etc. The possibility of mutual concession will be discussed as well since this is essential for a successful political negotiation.

The Potential Problems Behind Political Negotiation

(1) Precondition

Negotiation, according to H. Peyton Young, is “the process of joint decision making. It is communication, direct or tacit, between individuals who are trying to forge an agreement for mutual benefit. The original meaning of the word is simply to carry on business, but negotiation is also a central activity in diplomacy, politics, religion, the law, and the family.”¹ Based on this argument, we find that negotiation can not be started and finished unless the negotiation of two sides are willing to share the power to make decision and to respect the benefits of the opposing side. “compromise” and “concession” are always the integral parts of negotiation. It will be totally meaningless if the negotiators are not prepared to concede to each other. If the negotiators try to play a zero-sum game, the use of force rather than negotiation is probably the right choice.

Political negotiation, in the eyes of the leaders of Beijing, is required

¹ H. Peyton Young. *Negotiation Analysis* (Ann Arbor: The University of Michigan Press, 1994), p.1.

to normalize the relationship across the Taiwan Strait. The Beijing leaders frequently argue that Chinese mainland is willing to talk anything with Taiwan only if Taipei accepts the principle of "one China". They urge Taiwan to start the process of political negotiation under the previous principle. It is therefore clear that Taipei's acceptance of the principle of "one China" is a precondition to develop a political negotiation.

As a matter of fact, Taipei government never abandoned the principle of "one China". The problem is that Beijing and Taipei define "one China" in terms of different meanings. Chinese mainland regards "one China" as "People's Republic of China" and "Taiwan is the part of China". Consequently, Taiwan, logically, is the part of "People's Republic of China" although the Chinese mainland occasionally refutes this argument.² "One China", in the eyes of the leaders of Taipei, is perceived as a divided China.³ In the future, "one China" should be a free, democratic, equally rich and unified China.⁴ Officially, "one China" is defined by Taipei as "The Republic of China after 1912" which was adopted by National Unification Council at its eighth meeting on August 1, 1992. Basically, Taipei government does not mention its official definition of "one China" frequently in order to avoid a showdown with Beijing government.

Intsofar as the meaning of "one China" is concerned, we find that the lack of consensus between Taipei and Beijing is clear. The definition of "one China" is therefore an issue which might be discussed during the process of negotiation. The acceptance of "one China" as a precondition of political negotiation by both sides, in fact, will be favorable to Chinese mainland. Because most of the nations in the world recognize or acknowledge the PRC as the sole legal government of China, "one China" is referred to the PRC rather than ROC as a result. Unlike nonpolitical negotiation, political negotiation normally involve those issues which are

² See *A Rudimentary Analysis of Chinese Mainland's "One China" Strategy* (Taipei: Mainland Affairs Council, Executive Yuan, ROC, 1996).

³ See *"One China" Policy - The Position of the Government of the ROC* (Taipei: Mainland Affairs Council, Executive Yuan, ROC, 1993), p.2.

⁴ See *Guidelines for National Unification*. Adopted by the National Unification Council at its third meeting on February 23, 1991.

very sensitive and are closely associated with the contexts of “one China”. Unless “one China” is defined in terms of historic, geographical and cultural sense or in terms of a much more equal status in political sense, political negotiation across the Taiwan Strait might end up with a zero-sum game as a result.⁵ That is to say, a successful political negotiation will be impossible since mutual benefits can not be achieved through a zero-sum game. “One China” as a precondition of political negotiation will inevitably slow down the process of bargaining unless both Beijing and Taipei are able to find a mutually acceptable definition of this concept.

(2) bargaining issues and its agenda

The issues of political negotiation are various. The issue Beijing prefers are not necessarily those Taipei prefers and vice versa. The best choice of issues, in the minds of Beijing's leaders, is the end of hostility between the both sides.⁶ On behalf of Taipei government, this issue is acceptable. Nevertheless, the emphasis of Beijing and Taipei on this issue might be different. Beijing may define this issue as “the end of diplomatic struggle”, “three links” (i.e. postal, transportation and commercial links) and “Taiwan's commitment to national reunification”. It is very possible that Beijing will ask Taipei to maintain the diplomatic status quo.⁷ On the other hand, Taipei may be more interested in Beijing's commitment to renounce the use of force against Taiwan. Taipei is also interested in playing a much more active role in the international society, which is difficult to achieve without Beijing' support. Furthermore, Taipei might ask Beijing to respect the ROC as an equal political entity. All of these preferences are not really compatible and may be exclusive in some respects.

⁵ For the definition of “one China”, see Tzong-Ho Bau. “The Current Meanings of ‘One China’” *The Comments on Current Political Affairs: Domestic Affairs, Diplomacy and the Relationship Across the Taiwan Strait* (Taipei: Yung Jan Cultural Publishing Inc.) pp.485-500.

⁶ The writer of this paper paid a visit to Beijing in February, 1998 and met many officials of Chinese mainland. This viewpoint is concluded from a number of interviews and seminars then.

⁷ *United Daily News*. February 26, 1998, p.3.

First, Taiwan is very concerned with its diplomatic status in the international society, which is normally downplayed by Beijing government. Beijing is eager to push Taiwan to maintain its commitment to national unification. However, Taipei government might be hesitant to do it due to the possible resistance of DPP, the greatest opposing party on Taiwan. Three links are Beijing's favorite choice. Nevertheless, Taipei tends to take advantage of "three links" as bargaining chips to exchange for political interests. Moreover, Taipei is afraid that Taiwan will be fragile to the possible political penetration of Chinese mainland once "three links" are carried out.

"The end of hostility between Chinese mainland and Taiwan" as a bargaining issue is critical to the normalization of relationship across the Taiwan Strait. However, it is clear that Beijing and Taipei tend to define it in terms of their own preference. On behalf of the position of Taiwan, the renunciation of the use of force across the Taiwan Strait should be put on the bargaining agenda. Unfortunately, Beijing government regards this as an issue of sovereignty. The leaders of Beijing always argue that Chinese government enjoys absolute power to use force on its own territory. Taiwan is the part of China and is therefore the territory which can be targeted by the force of Chinese mainland. In other words, the use of force is an issue of principle. Besides, Beijing government does not trust Taipei's commitment to national unification, particularly when DPP is emerging as a major party on Taiwan. The threat and the use of force are employed as a feasible approach to deter the possible development of "Taiwan independence movement" as a result.

As a matter of fact, the choice of bargaining issues is only one problem which might take time to settle. Another problem is the priority of these issues. Because the preferences of issues of Beijing and Taipei are different, both sides will choose their most favorite issues as their first choice. For example, Beijing might be more interested in the issues of "three links" and "national reunification" while Taipei might be more interested in the issues of "security" and "the end of diplomatic isolation". Issues agenda is therefore another problem remained to be settled. A preliminary talk about issues agenda is probably associated with the

substance of issues. For example, Taipei government is not so interested in the issue of “national unification” because Beijing enjoys a favorable status in dealing with this issue at this point. On the contrary, Beijing government is not concerned with the issue of “the end of Taiwan's diplomatic isolation” since the leaders of Chinese mainland regard it as an issue of sovereignty. The lack of consensus with respect to what should be talked and which priority should be set will inevitably delay the schedule of political negotiation.

(3) coercion and misperception

Assuming that Beijing and Taipei are willing to engage in a political negotiation, the process of bargaining will be not only time-consuming, but also tough. Coercion and persuasion are probably two strategies which will be employed by the both sides. Due to the imbalance of power between the two parts, the greater party, i.e., Chinese mainland, might use coercion to push Taiwan to concede during the process of negotiation. The problem is that Taipei government may not respond by concession but by resistance instead. Thomas C. Schelling argues that “coercion by threat of damage requires that our interests and our opponent's not be absolutely opposed. If his pain were our greatest delight and our satisfaction his greatest woe, we could just proceed to hurt and to frustrate each other. It is when his pain gives us little or no satisfaction compared with what he can do for us, and the action or inaction that satisfies us costs him less than the pain we can cause, that there is room for coercion. Coercion requires finding a bargain, arranging for him to be better off doing what we want - worse off not doing what we want - when he takes the threatened penalty into account.”⁸ Snyder and Diesing assert that “some acts of coercion logically fall outside the bargaining umbrella. For example, if the carrying out of a certain compelling threat were costless or positively beneficial to the threatening party, but costly to the victim, the parties would have no common interest in avoiding the fulfillment of the threat and thus no mutual incentive to reach a bargain.”⁹ These arguments

⁸ Thomas C. Schelling. *Arms and Influence* (New Haven: Yale University, 1966), p.4.

⁹ Glenn H. Snyder and Paul Diesing. *Conflict Among Nations* (New Jersey: Princeton University Press, 1977), p.196.

concur with Young's viewpoints that negotiation is the process of joint decision-making and should be an effort to reach an agreement for mutual benefit.

The crisis of political negotiation across the Taiwan Strait is that the use of coercion by Beijing government is possible and there is very little room for Taipei to concede in the political sense. Basically, the political issues such as sovereignty, national identification and integration are normally referred to a zero-sum game. The use of coercion as a bargaining strategy might bring about a showdown between Beijing and Taipei. Consequently, coercion will fall outside the bargaining umbrella and a successful agreement, as Snyder and Diesing put it, can not be reached.

The use of "coercion" as a bargaining strategy might let the relationship across the Taiwan Strait worse off due to "misperception". Jack S. Levy argues that "exaggeration of the hostility of the adversary's intentions is the most common form of misperception... In the extreme case, perception of unmitigated hostility generate belief in the inevitability of war..."¹⁰ Because "coercion" implies a threat of damage, the use of this strategy by Beijing will inevitably increase Taipei's hostility towards Chinese mainland. Although Taiwan will not initiate a preemptive conflict against Chinese mainland, a misperception in terms of overestimation of Beijing's hostility might result. This will extremely destabilize the process of negotiation and might shut down the door towards peace.

(4) inefficient persuasion

Persuasion is another strategy which might be employed by Beijing government during the process of political negotiation. Persuasion, according to Snyder and Diesing, is "akin to coercion in that its aim is to influence the adversary to concede, to accept one's own demands. Unlike coercion... it does not involve threatening harm to the other party if he

¹⁰ Jack S. Levy. "Misperception and the Causes of War: Theoretical Linkages and Analytical Problems". *World Politics*. Vol.XXXVI, No.1, (October 1983), p.88.

does not concede.”¹¹ On the basis of this definition, it is possible that Taipei government may employ the strategy of persuasion as well during the negotiation. However, if we further explore the essentials of coercion, we shall find that this strategy is not necessarily as efficient as the negotiators imagine. Snyder and Diesing argue that “one form of persuasion is to attempt to change the adversary's estimate of the empirical consequence of possible outcomes, or the value he places on these consequences... Persuasion also includes trying to change the adversary's estimates of how oneself predicts the nature of outcomes and values them. In short, persuasion attempts to influence the adversary's value structure and his perception of one's own values- for given outcomes.” They further argue that “persuasive tactics are potentially effective only when they change payoffs or perceptions of them asymmetrically.”¹² The party that takes advantage of the strategy of persuasion tends to increase the costs of intransigence for the opponent and decrease the costs of backing down for it.¹³

Based on these arguments, we find that the strategy of persuasion will be efficient only if the adversary perceives its intransigence as costly policy. In other words, the adversary will concede if the costs of intransigence is greater than that of concession. However, on behalf of Beijing government and Taipei government, the costs to maintain their political values are normally less than that to abandon them. In this occasion, the strategy of persuasion will be inefficient no matter either Beijing or Taipei chooses it since it is difficult for them to change the values of adversary.

The Way Towards Political Negotiation

The achievement of political negotiation between Beijing and Taipei is dependent upon whether or not there exist mutual benefits across the

¹¹ Snyder and Diesing *op.cit.*, p.198.

¹² *ibid.*, p.198, 204.

¹³ *ibid.*, p.204.

Taiwan Strait. Schelling is sound to argue that “the bargaining can be polite or rude, entail threats as well as offers, assume a status quo or ignore all rights and privileges, and assume mistrust rather than trust. But whether polite or impolite, constructive or aggressive, respectful or vicious, whether it occurs among friends or antagonists and whether or not there is a basis for trust and goodwill, there must be some common interest.”¹⁴ This conclusion can be illustrated by the following figure:

Figure 1. The bargaining set for a two-person negotiation

Source: H. Peyton Young, *Negotiation Analysis* (Ann Arbor: The University of Michigan Press, 1994), p.3.

Figure 1 shows that the bargaining set is bowed outward. The shaded region is referred to each party's best alternative to a negotiated agreement (BATNA). That is to say, no party will accept an agreement that leaves him worse off than his BATNA. This condition, according to Young, is known as individual rationality.¹⁵ Young further argues that “a reasonable criterion of a negotiated agreement is that all potential gains should be realized. In other words, it should not be possible to make some parties better off while making no party worse off. An agreement that satisfies this criterion is said to be efficient. The efficient agreements correspond to points that lie on the northeastern boundary of the bargaining set.” The boundary in bold outline in Figure 1 corresponds to

¹⁴ Schelling, *op.cit.*, p.1.

¹⁵ Young, *op.cit.*, p.3.

the agreements that are both individually rational and efficient.¹⁶ That is to say, the outcome of the negotiation should be a point somewhere on the boundary in bold outline in this figure. The implications of this figure are that the two parties of negotiation are able to find common interests and their interests could be maximized simultaneously.

The possibility to achieve a political negotiation between Chinese mainland and Taiwan can be illustrated by game theory as follows:

Figure 2. Prisoner's Dilemma and Deadlock

		A	
		cooperate	defect
B	0	3	1
	defect	4	2
		2	4
		1	3

In this game, we can find that B is playing a Prisoner's Dilemma game while A is playing a Deadlock game. The dominant strategy of both A and B is “defect”. The outcome of this game is “mutual defection”. The difference is that B has motivation to achieve a “mutual cooperation” in which it will be better off while A does not have this motivation since it will be worse off in a condition of “mutual cooperation”.¹⁷ As to negotiation, “defect” can be referred to “stand firm” while “cooperate” can be referred to “concession”. A negotiation can not be achieved if A does not expect to achieve a “mutual cooperation” in which its condition can be better off. In other words, the game shown in Figure 2 must be

¹⁶ *ibid.*

¹⁷ For the detailed explanation of “Prisoner’s Dilemma game” and “Deadlock game”, see Tzong-Ho Bau. *The Interaction Across the Taiwan Strait: A Theoretical and Policy Dimension Anyalses*, 3rd ed. (Taipei: San Ming Books, 1993), pp.7-13.

transferred to a game which is shown as follows:

Figure 3. Prisoner's Dilemma Game

		A	
		cooperate	defect
B	0	2	1
	1	4	3

Figure 3 shows that both A and B are playing a Prisoner's Dilemma game. Although the dominant strategy of two parties is “defect” and the outcome of this game is “mutual defection”, both A and B have “motivation” to achieve a “mutual cooperation” since all of them will be better off then. As a matter of fact, Taipei government is not as enthusiastic as Beijing to engage in political negotiation because the former does not expect to benefit from “mutual cooperation”. Apparently, Taipei government thinks that it has nothing to concede in a political negotiation only if Beijing does not relax its political demands on Taiwan. Figures 2 and 3 show that Taipei's playing a Prisoner's Dilemma game is the first step towards political negotiation. However, this is not sufficient for both sides to achieve a political agreement in a PD game. The precondition of reaching an agreement is summarized by Robert Jervis. Jervis argues that “the chances of achieving CC will be increased by: (1) anything that increases incentives to cooperate by increasing the gains of mutual cooperation (CC) and/or decreasing the costs the actor will pay if he cooperates and the other does not (CD); (2) anything that decreases the incentives for defecting by decreasing the gains of taking advantage of the other (DC) and /or increasing the costs of mutual noncooperation (DD); (3) anything that increases each side's expectation that the other will cooperate.”¹⁸ The implications of Jervis's arguments are that the two

¹⁸ Robert Jervis. “Cooperation Under the Security Dilemma”. *World politics* 30 (January

parties should avoid cheating each other and “mutual cooperation” is not only beneficial, but also hopeful. That is, there is always the room for both sides to concede.

By the use of figures 1-3, we can conclude that “common interests” and “mutual benefits” are essential for the achievement of political negotiation. Beijing and Taipei have to modify their positions towards political issues in order to avoid playing a zero-sum game which will inevitably end in a deadlock. At first, Beijing should relax its concept of “sovereignty”. In fact, the rigidity and the lack of flexibility of the concept of sovereignty has been questioned by some of western scholars. They are trying to take advantage of feminism to weaken the thought of paternalism which characterizes the concept of sovereignty.¹⁹ If the concept of sovereignty can be relaxed, Beijing and Taipei should accept the notion that “sovereignty” can be shared within a country. According to this logic, “one China” should be defined as “one divided China” in political sense. Both Beijing and Taipei ought to respect the power of governing of the opposing side. Beijing better promise to renounce the use of force against Taiwan in order to exchange for Taipei's commitment to stay on the track of national reunification. Beijing should allow Taiwan to develop its relations with other countries and international organizations in order to exchange for Taipei's acceptaion of “three links”. The issue of unification models should be opened up. The model of “one country, two systems” should not be imposed by Chinese mainland upon Taiwan unilaterally. In a word, both Beijing and Taipei must maintain appropriate room to concede so that a political negotiation does make the sense. “Flexibility” is required not only for the exchange of bargaining issues at the very beginning of negotiation, but also for the substantial talks during the process of negotiation.

1978), p.171.

¹⁹ John Hoffman. “Feminism, Democracy and the Problem of Sovereignty.” A paper prepared for presentation at *the XVIth World Congress of the International Political Science Association*, August 21-25, 1994.

台海兩岸政治談判所面臨的挑戰

包宗和

摘 要

台海兩岸政治談判背後的潛在問題包括雙方預設先決條件所形成的僵局，雙方在談判議題及談判議程上缺乏共識，使用「強制」戰略所帶來的負面影響以及雙方無法說服對方之困境等。雙邊談判只有當下列條件獲得滿足後方可能成功。第一，彼此間存在著共同利益；第二，有強烈達成「相互合作」的動機。談判是一種「共同決定」的過程，「保持彈性」不僅在談判議題設定階段有其必要性，在談判過程中做實質討論時也是一項必備的要件。

