

# Separatism in Taiwan: The Taiwan Independence Movement and possible development of future Cross-Strait Relations

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**Abstract.** This paper will take the Taiwan referendum as a starting point to analyze political party replacement since Kuomintang took hold of Taiwan and propose reasons in terms of politics and social changes for Taiwan's tendency to split from mainland, and clarify misunderstandings caused by the mainland's policies toward Taiwan. From the standpoint of the mainland government, this article will demonstrate the illegality of Taiwan Independence and the legitimacy of "One China" policy, and briefly put forward the development of future cross-strait relations.

## 1. The illegal campaign of Taiwan independent referendum

The recent goal of Taiwan to seek "legitimate independence" has become a heat political issue. The referendum on "national self-determination" has led to increasing pressure for secession from the mainland. However, from the perspective of international and domestic law, political attempts to pursue independence through a unilateral referendum have no legitimate basis.

First, the right of national self-determination is not helpful for establishment of a new state in a multi-ethnic country, which mainly applies to liberation movements for the pursuit of national independence in the process of decolonization. The Declaration on the Independence of Colonies and Peoples adopted by the United Nations General Assembly in Resolution 1514 in the year 1960 clearly stipulated that people have the right to self-determination and are free to determine political status, economic, cultural and social development. Obviously, the right of national self-determination is closely related to the colony, a consensus of the international community. Since relations between the mainland China and Taiwan are colonial in nature, the rhetoric of self-determination does not apply in this case.

Second, Taiwan is not entitled to a "referendum on self-determination" or the right to change territorial ownership. International law has a clear definition on the three specific conditions allowing referendums on self-determination to take place. The first is the unknown or disputed territory of historical sovereignty. In these circumstances, a referendum is considered the most viable option avoid war. The second is when lands under foreign domination or occupation, such as colonies, decide to seek independence. Third, the original independent nation-state was merged by other states while retaining its unique nationality. In this situation, it can pursue independence through a referendum due to sharp ethnic conflicts.

Taiwan has been a part of China since ancient times. There is no dispute over its sovereignty. It is not a colony, nor has it ever been a nation-state. Therefore, it does not have the preconditions for a referendum. Furthermore, the second article of the Anti-Secession Law stipulates that "the state will never change the 'Taiwan independence' separatist forces to split Taiwan from China in any name or in any way. "Taiwan's referendum on self-determination" is a violation of national sovereignty and territory. It violates the integrity of the UN Charter and the principles of international law, for which it will not be recognized by countries concerned or the international community. Therefore, the "Taiwan independence" forces have no legal basis and are doomed to fail.

Based on the international law, Taiwan can never be a nation-state but subordinate to China. How is this? Behind the "One China policy" rationale lies multiple factors, the most important of which is history.

Historically, after the Kuomintang defeated Taiwan, there have been political party replacements, especially after the establishment of the Democratic Progressive Party. Since then, the calls for Taiwan's independence have been growing. From Chiang Kai-shek sticking to one China to the gradual abandonment of the policy after the DPP came to power, Taiwan independence went through a long process and gradually evolved into today's situation.

## **2. The evolving trend of pursuing independence in Taiwan**

### **2.1 The adherence to the one China policy during the Chiang Kai-shek period**

During the period of Chiang Kai-shek in the late 1950s and 1980s, the Taiwan authorities, taking a firm stance of One China policy, resolutely opposed secession while diligently attempting to "recover the mainland." There was a debate over who is qualified to represent China, the government of the People's Republic of China or the "Government of the Republic of China". The Taiwan authorities, on behalf of the "Republic of China", claimed to represent the whole of China."

### **2.2 The Deviation from the one China policy during the Lee Teng-hui period**

Since the early 1990s, the leader of the Taiwan authorities, Lee Teng-hui, came to set aside the one China policy in pursuit of "independence of Taiwan". On July 9, 1999, Lee Teng-hui proposed the "two-state theory" in an exclusive interview with the "Voice of Germany". In the interview, he claimed that "since the amendment of 'Taiwan's Constitution of the Republic of China' in 1991, cross-strait relations have been defined as a state-to-state relation, or at least a special form of state-to-state relation, rather than an internal relation between a legitimate government and a rebel group, or between a central government and government at local level subordinate to China." Lee Teng-hui, completely deviating from the one China principle, labeled cross-strait relations as "one family and two countries", that is, despite shared ancestry between the two sides, they are two " independent sovereign countries" that are not affiliated with each other.

The year 1986 marked the establishment of the Taiwan Democratic Progressive Party, whose initial aim was to oppose the Kuomintang's authoritarian rule. However, it soon turned to the pursuit of "Taiwan independence" to secure its leadership. The DPP was a result of the Taiwanese non-partisan democratic campaign. The political and international situation in the 1970s gave a boost to the party's development, gaining strong local support and drawing public attention to the international status of Taiwan, arousing the issue of national identity, Taiwan sovereignty and national positioning in the public. Later, growing ideology and internal struggle within the DPP coupled with internal and external factors led to the escalation of the DPP's pursuit of "independence" of Taiwan, which was eventually listed as a party program. With the evolution of Taiwan's political restructuring, Taiwan Independence has become the core of the DPP's political claims, directly affecting the party's development.

### **2.3 The abandonment of the one China policy during the presidency of Chen Shui-bian**

In 2000, Chen Shui-bian from the Democratic Progressive Party was elected as the leader of the Taiwan region. The government of Chen Shui-bian completely abandoned the one China policy, claiming that "Taiwan enjoys independent sovereignty." "Republic of China" is only a temporary name for the country. The ultimate goal is to establish the "Republic of Taiwan." This is a fundamental change from the political position of the Taiwan authorities in the past two Chiang Kai-shek periods, who never publicly stated that "Taiwan is a country with independent sovereignty.

### **2.4 The destruction of "one China" in Tsai Ing-wen period**

When Tsai Ing-wen came to power on May 20, 2016, she insisted that "the two sides of the strait are two sovereign states that do not belong to each other" and refused to recognize the "92 Consensus". While it claims to pursue a cross-strait policy of "maintaining the status quo", it has vigorously promoted the "de-Chinaization" policy on the island to eliminate Chinese elements. Therefore, in essence, the cross-strait policy is not fundamentally different from that of Chen Shui-bian' but was implemented in a more covert and flexible approach.

However, the Taiwan authorities have developed misinterpretations of mainland policies by manipulating public opinion. This is especially evident in the tampering of textbooks approved by the Taiwan government. A new generation of young people who grew up under the Democratic Progressive Party's power were educated to recognize Taiwan's independence. Today, the young generation has become the main promoter of Taiwan Independence.

In recent years, social tension, populism, separatism, political chaos and democratic backsliding have emerged in Taiwan's political development.. In addition to the demand for democracy, there has been appeal for localization, that is, Taiwan's sovereignty. For Taiwan's political parties, antagonism has become the most useful tool to attract votes among all the political policies. Therefore, the DPP is keen to resort to "anti-other" mobilization, which has contributed to growing calls for independence and misinterpretations of mainland relative policies in many ways.

### **3.The stigma of "one country, two systems" in Taiwan and clarification from the mainland China**

The misinterpretation of "one country, two systems" in Taiwan involves many aspects.

To start with, the people of Taiwan believe that the policy is a conspiracy of the Mainland to weaken or control Taiwan.

They also believe that the mainland attempts to use the general perception among the international community that confuse People's Republic of China with the "Republic of China" of Taiwan. In addition, as the "one country, two systems" policy considers Taiwan as an equal with Hong Kong and Macao, it seems like a devaluation of "Republic of China" (or Taiwan) from a "state with independent sovereignty" to a province of the People's Republic of China. The former "foreign minister" of the Taiwan authorities, Cheng Jianren, remarked that "the "one country, two systems" and the Taiwanese sayings are 'insulting' and 'irritating', which will not help the reunification of the two sides of the strait, but will be harmful."

The "one country, two systems" has been officially "unrecognized" in Taiwan, leaving only a political symbol coated with ideology.

However, "one country, two systems" is still the best solution available for the reunion. Currently, the mainland refuse to practice federalism while Taiwan (the blue camp) does not accept the unitary system. Therefore, it is necessary to find a compromise between the two for reunification. Although "one country, two systems" is an institutional arrangement under the unitary framework, it is functionally flexible. Like a mosaic with eclectic colors, it should contribute to the reunification of the two sides of the strait while taking into account differences across the straits. The "one country, two systems" in Taiwan is not a decision unilaterally decided by the Mainland, but jointly agreed upon through cross-strait negotiations. Taiwan is not a bystander of the policy but an important participant. Whether it is the overall grasp of the basic framework of the "one country, two systems" before the reunification, or the specific documents and legal drafting in negotiations in the future, Taiwan is playing a key role. As mainland scholar Li Yihu put it, "The current framework of cross-strait peace development, the future unified model and the new model of national modernization should be jointly constructed by the two sides of the strait instead of the responsibility and obligation of one party."

Second, the Taiwanese people believe that Hong Kong proves the failure of "one country, two systems". Since the reunification, there have been many social and economic problems in Hong Kong, including sluggish economy, the widening gap between the rich and the poor, the soaring housing prices and the value conflicts between Hong Kong people and the mainland. There has been a growing trend in the public opinion against the SAR Government and the Central Government, as indicated by the increasing street protests and the emergence of "Hong Kong independence." These have become the main "arguments" against the "one country, two systems" policy in Taiwan.

However, the problem in Hong Kong is not rooted in the "one country, two systems." Like Hong Kong, Macao has also implemented "one country, two systems", but it has flourished under the framework; Taiwan has not implemented "one country, two systems", but there have been more problems than Hong Kong. Obviously, the policy of "one country, two systems" is not to blame.

Zhuang Yinxi, a mainland scholar, believes that the core of the Hong Kong issue lies in economic transformation and the structural conflicts. After the reunification, Hong Kong faced a triple transformation. First, transition from a colony forces it to go through decolonization, presenting a potential crisis of national identity. Second, the transition from authoritarian rule to "democratic politics" was a daunting task threatening democratic governance. Third, the transition from the most important economic bridge connecting the mainland and the world to a more independent economy poses dangers of economic recession. The triple transformation and the crisis it caused are the root of the Hong Kong issue. Without the "one country, two systems" policy, the problem in Hong Kong may be even worse.

#### **4. Conclusion**

A number of political and social changes have taken place along with historical development in Taiwan, with changing policies and attitudes toward the mainland. However, the stance of the mainland has never changed. That is, there is only one China in the world; Taiwan is an inalienable part of China's territory; the unification of the two sides of the strait is only a temporary phenomenon, and the two sides will surely achieve unity in the future; China is against any form of Taiwan independence. The Government of the People's Republic of China is the sole legal government representing China in the international community. Promoting understanding of "one country, two systems" in Taiwan is still the key to resolving cross-strait issues, which requires the joint efforts of the two sides.

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