

Bringing Ethics of Global Governance Back In: A Case Study of the Republic of China (Taiwan)⁺

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Abstract

This paper touches on the ethical dimension of global governance and calls for a study or (re-)examination of the lack of Taiwan's participation in institutions of global governance. The first section explains the meaning of ethics of global governance, followed by the second section that uses four commonly seen ethical discussions in global governance – i.e., the “actor problem”, the “speech act problem”, the “accountability fragmentation” issue, and the “universal application” issue – to scrutinize the case of Taiwan that has been largely excluded from the mainstream international society for almost fifty years. Then, this papers provides an idealistic remedy, a “post-international universe” with greater participation and power sharing of non-state actors, while emphasizing the political reality in which major power politics cannot be neglected.

Keywords: *global governance, ethics, Taiwan (ROC), mainland China (PRC)*

1. Introduction

Why have contemporary theoretical arguments of global governance left little room for constructive reflection on the issue that the Republic of China (ROC, commonly known as Taiwan), a very important economy with twenty-three million population and advanced development, has been excluded from the mainstream international community since late 1971? Despite the fact that the People's Republic of China (PRC or mainland China) has established more than one hundred and seventy diplomatic ties with the majority of the international community, the ROC as a sovereign independent country has been holding formal relations with fifteen countries – one in Europe, one in Africa, four in the Asia-Pacific (Oceania), and nine in Latin America and the Caribbean – and is still an international legal person that constitutes an important part of the contemporary world affairs. On the international stage, moreover, the rights of the people in Taiwan have not been taken care of by the PRC for even a single day. It would be fair to argue instead that their rights have been deprived of by the commonly seen practices such that in most of the international governmental organizations (IGOs) the rights of the people in the ROC have been unable to be represented either by the ROC having very limited access to these IGOs or by the PRC having no jurisdiction over Taiwan (臺灣), Penghu (澎湖), Kinmen (金門) and Matsu (馬祖), the territories still controlled by the ROC.

It is hard to imagine that the ROC on Taiwan, once one of the four little dragons in Asia and a place with strong economic power and vigorous people willing to devote themselves to international affairs, has been excluded from the United Nations (UN) in late 1971, its specialized agencies, and most of the IGOs in Asia or the world for more than 4 decades. The moral appeal and the practical need of global governance

would easily point out the inappropriateness or self-contradicting nature of isolation of Taiwan from the international community. Beyond a doubt, the pressure of mainland China that centers on the principle of non-interference with “China’s domestic affairs” and the unification with Taiwan has made most of the countries unwilling or hesitant to accept Taiwan as part of their joint effort to consolidate or promote global governance, thus leading to an obvious infringement on the rights of people of the ROC. It can be held that current global governance has an obvious defect derived from the political and legal struggle between the two sides of the Taiwan Strait and from the grave concern of world politics influenced and formed partially by mainland China. An urgent task for all is to find a remedy for it.

This article will begin with a brief review of the ethical or moral dimension of global governance. Then, the constraints on the ROC’s participation in global governance will be introduced, followed by a call for “remapping” and a reconfiguration of power in world politics. The aim of this article is largely to suggest some morally resilient and appropriate arrangements in the practice of global governance in order to uncover the ROC on Taiwan, a critical missing piece, and deal with the above-mentioned ethical dilemma.

2. Ethical Dimension of Global Governance

It is very likely that global governance and ethics have been taken into account when officials are making their external policies. In numerous IGOs, good governance can result in political, economic and social benefits, which may have continued to create and enhance the need for codes of ethics. Ethical issues have been raised by the structures of global rule and the effects of globalization, as well as by normative questions of state and non-state actors’ accountability in world affairs.

For the first part of these ethical issues, international law plays a major role. For the second part, i.e., the “accountability fragmentation”, one should scrutinize the maintenance of accountability created both by global governance-related organizations and by individual state or non-state actors more or less with self-centered or self-interested logics of action.

Scholars have addressed concerns as to potential conflict between international law and morally justified acts (e.g., Frost, 2001, and Klabbers and Piiparinen, 2013), as well as the complex relationship between state sovereignty and the desire for effective global governance (e.g., Bexell, 2015). Sovereignty and global governance co-exist but sometimes conflict with each other when coming to the issue of effectiveness or accountability. The institutions of global governance must come from past and current global practices by state and non-state actors. In both of them the individual actors that comprise the practice have equal sets of freedoms and are not subject to any over-arching sovereign government. Traditionally, sovereign countries were the central actors. Nowadays, non-state actors, including individuals as rights holders are also the actors that initiate, implement, maintain and revise the practice (for more details about these practices, see Rosenau, 2003, and Frost, 2002). Being “constrained by the ethical values embedded in the practices within which they are constituted” as states or as non-state rights holders, “the process of their social constitution puts ethical constraints on what institutions of global governance would be proper for them to create.” (Frost, 2001)

By being sovereign, a participant country is determined and accepted by other countries within the practice of states. In other words, to become a legitimate member of the institution of global governance, other states’ recognition is indispensable. In terms of involving in such an international social practice, “the actor in question has to understand,

accept and promote the ethical values embedded in the practice to which entry is sought.” (*ibid.*)

There are many entities around the world that wish to become legal participants in the international community, but they have not yet been given the appropriate recognition. With “a set of actions which all, or at least most, member of these practices can clearly interpret as broadly contributing to the maintenance, upholding and development of the fundamental ethical values embedded in these practices,” state and non-state actors “who are constituted as who they value themselves to be in the practice of sovereignty and, respectively, are constituted through a fact of reciprocal recognition.” (*ibid.*)

In addition to ethical discussions as to sovereignty and global governance, as mentioned earlier, another major focal point is about the management of the potential conflict between the international legal rules and regulations and morally justified acts sometimes deemed as mankind’s tradition or common responsibility.

In the realm of ethics, global governance has challenged contemporary international law to a certain extent. The desire for better global governance sometimes clashes with the current international law system. A good example is strong calls for better and more efficient maritime conflict management and resource explorations has not led to the serious amendment of the United Nations Convention on the Law of the Sea, in part because of the opposition of powerful relevant state actors. A cursory review shows at least the “actor problem”, the “speech act problem”, the “accountability fragmentation” issue, and the “universal application” issue.

As for the “actor problem”, it is worth noticing that behavior related to actors participating in global governance may not necessarily be bound by contemporary international law. Despite the fact that the influence of international law has gradually become more salient after

the end of the World War II, according to Jan Klabbers (2013: 313), international law has fared markedly better in granting rights to some countries whose statehood has been questioned or challenged and to non-state actors including civil society organizations and corporations than in presenting them with obligations – i.e., these state and non-state “actors have certain rights under international law, but they cannot be said to be bound by international law in an unequivocal manner.” This is what the “actor problem” stands for.

With regard to the “speech act problem”, officially or diplomatically, the words available or used for a specific situation already carry an evaluation within them. For instance, those who feel that the promotion of free trade is a positive prerequisite for a better global economic growth and development differ from those who view the promotion of free trade as a negative sign of liberalization and the more advanced economies’ candy coated with poison to maneuver or deprive the less advanced (*ibid.*). In the case of cross-Taiwan Strait relations, a soft or positive statement of the mainland Chinese authorities about Taiwan’s meaningful participation in functional inter-governmental organizations may be viewed differently in Taiwan by those who are opposed to or dubious about any united front strategy-related move by the mainland Chinese authorities, by those who are seeking a stable status quo between the two sides of the Taiwan Strait, and by those who are in favor of gradual or immediate reunification. This is what the “speech act problem” implies.

With regard to accountability in global governance institutions, it has been expected and created by those who have participated in global governance, and it has remained a critical component of contemporary international organizations. But what is problematic is that due to a likely difference in national or leaders’ interest, member states or stakeholders have varied views about the particular accountability their

organization chooses and how their organization should be held accountable. For example, the call for accountability of the World Trade Organization (WTO) can carry different meanings that result from who is asking and/or what values that are prioritized. One of the possible explanations is that state and non-state actors have been intertwined with the process of social construction in contemporary international relations within which their beliefs, ideas, and interests are portrayed and interpreted intersubjectively (Onuf, 1989). According to Jan Klabbers (2013: 320), the issue of “accountability fragmentation” is relevant closely “not just to what the rules say, but also to the character traits of those making and applying the rules.” It is also very likely that conflicts between domestic responsiveness and international obligation determine in part the level of such fragmentation in an organization of global governance (Wolfe, 2015). Similarly, Michael Barnett (2016) argues that, in addition to the self-interest of individual negotiators or politicians, the priority of public values and interests interpreted and represented by experts who can facilitate effectiveness of an organization and justify anti-democratic rules of the game also affects accountability. Importantly, in order to develop an ethic in governance, which can lay a crucial foundation for more accountability in global governance, Charles Garofano (2008) holds,

practitioners and scholars need to identify a common set of moral principles; to collaborate on ways to structure the exercise of discretion in public service, to apply moral reasoning, judgment, and values to the concrete circumstances and dilemmas that public servants confront daily; and to commit to morally informed discourse, within their own organizations, with their counterparts in other organizations and polities, and, above all, with citizens.

The above-mentioned points have led to a more serious issue, that is, the universal applicability of global governance approaches agreed by a variety of individual IGOs. Ecological dangers, population growth, and natural resources management and other dimensions close to human welfare would be in favor of universal application as their top priority in respective tasks. In the United Nations, for example, as Vincent Pouliot and Jean-Philippe Thérien (2017) point out, the “universal values” with an array of definitions is a contending concept, and state and non-state actors try to garner and preserve their respective interest by referring to part of such a contending concept, not to mention the domestic politics that would meddle the discussion of universal values in the UN. Ideally, the legitimate voice of the people of the world and of the governments that represent the people, in theory or in practice, can be expressed through the universal application of international law, or the rule of law. The *UN Universal Declaration of Human Rights* and the *Earth Charter* have provided a solid foundation on which to build a universally recognizable and acceptable rule of law that does not discriminate every single person in the world. In both domestic and global governance, fundamental democratic principles signify that universal application and universal participation should co-exist and that a responsible form of global governance should develop with universal participation. Yet, it is beyond doubt that some of the global governance frameworks and mechanisms could impair the non-participating state and non-state actors. As Jamie Gaskarth (2015: 3-4) points to “critique the way global governance discourse masks the exercise of power by elites and state governments, both developed and rising” and to defy the belief that global governance represents some form of public goods, the issue of “universal application” has encountered quite a few challenges both from the practices of global governance favored by certain specific

powers and from the unintended consequence of making state actors but not others the vital players in global governance. Furthermore, in the case of Taiwan, with a population of roughly 23 million (ranked 56th in the world in 2019), neither universal application nor universal participation have been applied to the people and the government of Taiwan, for the majority of mainstream IGOs have either limited or denied Taiwan's participation. This ethical issue in relation to global governance will be elaborated in the following section.

3. Taiwan's Participation in Global Governance since 2000

The main goal of this section is to introduce Taiwan's meaningful participation in global governance institutions since Chen Shui-bian's presidency, starting from May 2000, both because the term "meaningful participation" gradually appeared in the mid- or late 1990s and because the governments of Taiwan and the US began to adopt it more often in their respective official statements after the year of 2000.

The most generally recognized institution of global governance is the UN. The ROC was one of the UN founding members and one of the five permanent members in the UN Security Council between late 1945 and most of 1971, despite its withdrawal from the Chinese mainland to the island of Taiwan. Throughout most of that period, the Chinese representation question was brought up for debates, and the "China seat" was not given to the PRC until November 1971, when the PRC was accepted by the UN General Assembly Resolution 2758 as the only legitimate representative of China to the UN. As such, nowadays the ROC only exists, by its title, in Article 23 of the *UN Charter* which states that the "Republic of China" heads the listing of the five permanent members of the Security Council, as well as in Article 110 which states that the *Charter* shall come into force upon the deposit of

ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states.”

Although the UN General Assembly Resolution 2758 indicates that the General Assembly agreed to “expel forthwith the representatives of Chiang Kai-shek from the place they unlawfully occupy at the United Nations and in all the organization related to it,” according to James Hsiung (2006: 257), “the delegation to be ‘expelled,’ as stated in the document, was ‘the representatives of Chiang Kai-shek,’ not of the Republic of China... By the language of the Resolution, strictly speaking, the representatives sent by any successor to Chiang Kai-shek in the Taipei government are not to be barred from taking the seat of ‘the Republic of China’ that Art. 23 of the Charter identifies as a permanent member of the UN.” The fact is, however, since November 1971, the ROC on Taiwan has gradually lost all its representations in UN-related organizations and never been able to return as a full member. It quit from most of the major IGOS, such as the International Monetary Fund and the World Bank. Thus, the Kuomintang (KMT) government under Lee Teng-hui’s leadership chose to “return to the UN”, while the DPP government under Chen’s leadership claimed either that it would participate meaningfully in the UN or that it would like to be admitted to the UN as a full member state under the title of Taiwan instead of the ROC.

Generally speaking, despite such a rapid development of global governance in various fields, Taiwan has been largely excluded from most of the related institutions simply due to the political struggle between the ROC and the PRC since 1949. It is not that Taiwan has had little interest in participating in global governance but that Taiwan has little access to institutions of global governance. Sometimes Taiwan’s

call for meaningful participation in such institutions is political, or is seen as political by the PRC and some of its allies.

When “meaningful participation” has become the principal approach for Taiwan to international institutions, the Chen administration was admitted to WTO in January 2002, based on the past effort made by the Lee administration, whereas it failed to either participate meaningfully in or apply for membership of the UN and the World Health Organization (WHO). Only Taiwan’s diplomatic allies, sometimes not all of them, officially proposed accepting Taiwan’s request for meaningful participation or full membership. The US, Canada, Japan, for example, spoke for Taiwan in their representatives’ speeches, but these non-diplomatic allies of Taiwan never joined Taiwan’s allies to make an official proposal for Taiwan. In the meantime, cases of Taiwan’s non-governmental organizations (NGOs) being pressurized by their mainland Chinese counterparts at international occasions were reported frequently.

When Ma Ying-jeou of KMT came to office in May 2008, his administration submitted a proposal to the UN in September 2008, calling for the ROC’s rights to participate in specialized agencies of the UN, but failed to gain a vote on it because of the opposition of the PRC (even though the US was supportive). What differed from previous experiences was that mainland China opposed Taiwan’s proposal in a less furious way. The next year, having received some positive acknowledgment from the international community, Ma stopped asking its allies to submit such a proposal. Instead, his objective shifted to meaningful participation in the UN specialized agencies for the sake of stabilizing cross-Taiwan Strait relations which were easily stirred up by sensitive political moves. Taiwan’s bid for UN membership was thus put on hold. For Ma, it was more realistic to work on Taiwan’s functional representation in major international arenas and to maintain good cross-

Strait relations needed, both for convincing foreign governments of Taiwan's efforts to be less problematic for these governments' relations with mainland China, as well as for smoothly concluding the negotiation of Economic Cooperation Framework Agreement (ECFA), signed eventually in the mid-2010, which was considered ground-breaking for future cross-Strait interactions.

Since 2009, in addition to its desire for participation in the WHO, Taiwan officially showed interest to join the International Civil Aviation Organization (ICAO), the United Nations Framework Convention on Climate Change (UNFCCC), and the International Criminal Police Organization (Interpol). US officials expressed that Washington would like to help Taiwan join international organizations whose membership was not based on statehood, and that "consistent with this longstanding policy", the UN, its agencies, and other international organizations were encouraged "to increase Taiwan's meaningful participation in technical and expert meetings" (Russel, 2014). It is not clear from US officials' statements what meaningful participation really stands for, purportedly leaving some ambiguity for different interpretations on both sides of the Taiwan Strait, but generally speaking, meaningful participation could be interpreted as Taiwan using an acceptable, though not necessarily satisfactory, official title to join international bodies. In reality, however, meaningful participation of Taiwan was always more likely if Washington backed it *and* Beijing did not oppose it. Mainland Chinese leaders Xi Jinping and his predecessor Hu Jintao expressed separately both sides of the Taiwan Strait could address the issue on Taiwan's international participation in talks (see, for example, *Taipei Times*, 30 April 2005, and *Taiwan Today*, 14 June 2013). The statement was made in the historic summit between Ma and Xi in Singapore on November 7, 2015. When Ma brought up the issues on Taiwan's international space and hoped that the mainland Chinese government would handle the issue

in a sensible way, Xi responded that he would seriously consider how to put these issues into practice (*South China Morning Post*, 10 November 2015).; ROC Mainland Affairs Council, 2015).

The Barack Obama administration of the US demonstrated obvious support for the Ma-Xi summit, although it was not informed by Taiwan until about four or five days before the meeting. For example, Josh Earnest, the White House Press Secretary, stated on November 3, 2015 that the US government had to see what came out of the meeting, but it “would certainly welcome steps that [were] taken on both sides of the Taiwan Strait to try to reduce tensions and improve cross-Strait relations.” (White House, 2015) After the meeting, the US Department of State’s spokesperson John Kirby also expressed a similar view by indicating that the US welcomed such a “historic improvement in cross-Strait relations” and encouraged the both sides to build up relations and reduce tension “on the basis of dignity and respect” (*Radio Free Asia*, 8 November 2015). Although in 2015 the Obama administration did not specifically point to its position on the way the two sides of the Taiwan Strait touched on Taiwan’s international space and meaningful participation in regional economic institutions, to argue by inference that the Obama administration is supportive for, or at least not opposed to, cross-Strait dialogues as to Taiwan’s meaningful participation is not far-fetched at all. In principal, the US “supports Taiwan’s membership in international organizations that do not require statehood as a condition of membership and encourages Taiwan’s meaningful participation in international organizations where its membership is not possible.” (US Department of State, 2019)

In order to get rid of the likely obstacles placed by mainland China and to garner greater support of the US, the Ma administration attempted to deal with diplomatic tensions between the two sides of the Taiwan Strait, hoping they could be eased as much as possible. Mainland China,

pushing national reunification to the top of its political agenda, consented implicitly and worked with Taiwan to reach greater cross-Strait mutual trust, leading to a relatively softer and more flexible approach to managing Taiwan's request for more space in international activities. With that, the obstacles to Taiwan's meaningful participation in a limited number of major IGOs somewhat diminished in a handful of cases such as the WHA and the ICAO.

The current Tsai Ing-wen administration has not deviated from the Ma administration, as it claims to work on meaningful participation in the specialized agencies of the United Nations, uses the title "Chinese Taipei" to attend the WHA as an observer in May 2016 only, tries to join more bilateral or regional economic cooperation mechanisms to preserve Taiwan's economic resilience, and so on. A major difference, however, is in its position toward mainland China that it has not accepted the "1992 Consensus" that according to Taiwan's KMT governments (Lee and Ma) refers to "one China, respective interpretations". Consequently, in September 2016, the Tsai administration was not invited to the ICAO Assembly, and in October 2016 the move of the Tsai administration to re-join the Interpol as an observer was unsuccessful due to opposition of mainland China. In November 2016, the DPP government suffered from one more diplomatic setback when its minister of environmental protection could not lead an NGO delegation to join some side events at the twenty-second session of the Conference of the Parties (COP 22) to the UNFCCC. In 2019, Taiwan simply joins thirty-eight IGOs as a full member, and eighteen IGOs as an observer (see Appendix). Of those IGOs, perhaps the World Trade Organization (WTO), the Asia-Pacific Economic Cooperation (APEC), and the Asian Development Bank (ADB) are heavy-weights for Taiwan.

It is obvious that Taiwan's meaningful participation in IGOs will hinge on the greatest common ground shared among the "1992

Consensus” (originally proposed by Taiwan in 2000), the “One-China Principle” (long endorsed by mainland China) and Washington’s policy supporting Taiwan to enter IGOs whose memberships are not based on statehood – a policy initiated by President Bill Clinton in 1998. A critical question at a higher level is: What has been the impact since Taiwan, a strong economy with lots of active civil society organizations, has been unable to participate in contemporary global governance? This missing link, i.e., Taiwan, has been there for more than 4 decades, but most of the state actors, even some non-state actors, in global governance institutions have pretended to see nothing about it. The possible impact may need more time and data to examine, but the defect of contemporary global governance that has been much reliant on power politics or material capabilities must be dealt with, in order to improve global governance in world affairs.

Specifically, the case of Taiwan in global governance just reflects the “actor problem”, the “speech act problem”, the “accountability fragmentation” issue, as well as the “universal application” issue.

With regard to the “actor problem”, the ROC, commonly known as Taiwan, enjoys the rights within the framework of international law, because it is still recognized as an independent sovereign country by 15 independent sovereign states in the world. The contemporary global governance often neglects the existence of Taiwan, pretending that the Chinese Communist Party government has taken care of the rights of the people in Taiwan. Besides, Taiwan has been able to participate in a very limited number of global and regional governance institutions, sometimes in an unofficial way. But it has failed to attend others, such as the UN, the International Labor Organization (ILO), and the Association of Southeast Asian Nations Regional Forum (ARF). Taiwan’s diplomatic allies view it as a qualified member for all global governance institutions, while mainland China’s allies either are in opposition of

Taiwan's participation and see Taiwan as province of China ruled by the PRC, or remain less proactive to Taiwan's attempts to join the mainstream international community. Hence, in many IGOs there are member states for or against Taiwan's participation, and both sides have a different view toward how these IGOs can be more accountable than others may have. At any rate, without Taiwan's participation, a great deal of global governance measures cannot be considered fair or justified to the human society. Accordingly, universal application of rules and principles in global governance has had a serious flaw.

As for the "speech act problem", as mentioned earlier, it has become a vital problem hindering the improvement in cross-Straits relations. In other words, the lack of basic mutual trust has caused such a "speech act problem" between Taiwan and mainland China. It is clear that the both sides of the Taiwan Strait have been adopting a policy that can be described like West Germany's "(Walter) Hallestein Doctrine" which rejected any official ties with the countries (other than the Soviet Union) that recognized East Germany diplomatically. For that reason, after 1971 when the ROC government withdrew from the UN, including the Security Council, the PRC began to win an advantage over the ROC in a number of global or regional governance institutions and successfully replaced the latter to be the only legal government representing "China". These developments have been further complicated with the democratization in the ROC on Taiwan, in particular after the 1990s, as the call for Taiwan independence gradually became a voice in Taiwan's politics that cannot be ignored. The DPP established in 1986 has become the leading political force of Taiwan that promotes Taiwan independence and sees the ROC as the "title" of the country only. As a consequence, the diplomatic struggles between the two sides of the Taiwan Strait have no more been aimed only at the issue of "who represents 'China'". Since the doubt of mainland Chinese authorities

about Lee's inclination of Taiwan independence has arose in the mid-1990s, the diplomatic struggles between Taiwan and mainland China can carry the notion of a communist China suppressing another country "(Republic of) Taiwan" on the international or diplomatic front.

For the leaders of mainland China, no political arrangement that represents "two Chinas" or "one China, one Taiwan" will be tolerated. To put it simply, no matter how Taiwan's leaders justify their intention to join or apply for full membership in IGOs, ranging from humanitarian purposes or the desire for contributing back to the international community to normalize Taiwan's "statehood", their move may be viewed by their mainland Chinese counterparts as being political in the sense that Taiwan's appearance in these institutions denotes "two Chinas" or "one China, one Taiwan". For the leaders of Taiwan, despite the frequently seen tough statements issued by the mainland Chinese authorities that insists on the provincial status of Taiwan, the window of opportunities was once open when the "1992 Consensus" became the cornerstone for cross-Strait dialogue between the Communist Party of China (CPC) and the KMT (no matter the latter was in power or in opposition) between the mid-2000s and 2016. It is evident that some in Taiwan think the reason why the mainland Chinese authorities is willing to give Taiwan a limited space in a handful of IGOs (such as an observer status or a guest of the chairperson) is because that can downgrade the ROC's (or Taiwan's) sovereign status, while others sense that the mainland Chinese authorities finally moves its position a little bit in order for a more constructive interaction between Taiwan and mainland China in certain international occasions aimed at functional cooperation. In Taiwan, this is the main difference in interpreting the "speech act" of the mainland Chinese authorities, which thus leads to another argument as to the link between the will of the mainland Chinese authorities to agree implicitly on Taiwan's meaningful participation and the intention

of the mainland Chinese authorities about national reunification. Some in Taiwan believe whatever the CPC says and does about Taiwan's international participation is simply for the goal of reunification, whereas others would rather take the CPC's words and deeds in this regard as either purposeful or genuine goodwill.

Concerning the “accountability fragmentation” issue, discrepancy exists obviously in the issue of the ROC's international participation, depending mostly on the state and non-state actors perceiving and interpreting the case of Taiwan. As analyzed before, accountability, in association with “universal values”, has been an idiom used by most of the participating actors in global governance. How it is defined, perceived, and practiced depends largely on who is asserting or asking, from what angle and on the basis of what kind of value, including a legal framework. Therefore, in the case of Taiwan's meaningful participation in global governance institutions, whether it would affect the accountability of a given institution has become a subject that is debated among participating members. Take for example Taiwan's request for meaningful participation in the WHO. Most of the countries having diplomatic ties with the ROC voiced their backing for Taiwan's meaningful participation. For instance, in the general debate of the WHO in late September 2019, the representative from Tuvalu viewed Taiwan as a “genuine and durable partnerships” vital for the UN to achieve its Agenda 2030 and Sustainable Development Goals (SDGs), but “the exclusion of a genuine and durable partner like Taiwan from the UN denies its 23 million people of their fundamental rights to participate, benefit and contribute to the UN SDGs.” (*Focus Taiwan*, 29 September 2019) On the contrary, the representative from mainland Chinese authorities, working with the representative from Pakistan, held the “one China principle” defined by the CPC government and alleged the promotion of “Taiwan independence” of the DPP government on

Taiwan, thus leading to a conclusion that Taiwan should not participate in the WHA as an observer. The chairperson of the general debate session then decided to get out of the inscription on the agenda.

An obvious “accountability fragmentation” has been connected to the “universal application” issue. For the ROC and its diplomatic allies that make the former’s meaningful participation an official proposal, the WHO will lack full accountability if Taiwan is excluded. The principle of “universal application” should be valid for all sovereign states in the world, including the ROC. Yet, for mainland China and its numerous allies, the insistence on the case of Taiwan’s participation in the WHO should be in line with the “one China principle”, and the way how the CPC officials perceive the WHO’s accountability through international cooperation is conditioned by respect of state sovereignty and territorial integrity which was explained by Wu Yi (2003), former Minister of Health of the PRC:

The WHO is a specialized agency of the United Nations whose membership is open only to sovereign states. There is no legal ground whatsoever for Taiwan’s participation in the WHA. Resolution 2758 adopted at the 26th UN General Assembly in 1971 and Resolution 25.1 adopted at the 25th WHA in 1972 settled once and for all the question of China’s representation in the United Nations and WHO politically, legally and in procedure... International cooperation in the field of health must be based on the important principle of the UN Charter – respect for state sovereignty and territorial integrity. China attaches importance to international health cooperation and practices the principle of respect for state sovereignty and territorial integrity in international cooperation.

In the same case, the issue of “universal application” then becomes a jargon that has a flexible standard when the ROC, assisted mainly by its diplomatic allies, demonstrates its attempt to participate either fully or meaningfully in the WHO/WHA. In part because of the good health condition in Taiwan, and in part because of the strong opposition of the mainland Chinese authorities, it seems that universal application that includes Taiwan has been ignored on purpose by most of the WHO member states, which makes this global institution on health governance less justified and less accountable (Chen, 2017).

4. A Possible Remedy(?)

I argue that Yale Ferguson and Richard Mansbach’s “remapping” global politics (governance) should serve as a conceptual way (remedy) that deals with the unique and difficult status of Taiwan having been unable to participate officially in most of the major IGOs for over four decades. Ferguson and Mansbach (2004) maintain that states have lost their key positions in world affairs when their legitimacy, authority, and capacity to act have all been swayed by non-state actors, so in such a “post-international universe”, international regimes should become more significant in the sense that the increased complexity in world affairs has made governments less capable of managing these affairs along or as a small group and that the growth in collective goods issues has demonstrated the inevitable need for multilateral governance mechanisms. Generally speaking, they call for the shift of attention from state-dominant and state-IGOs relations to an understanding that sees global and regional governance institutions both as research objects in their own term and as autonomous actors that share power and influence with IGOs and sovereign states, either member or non-member states in

such institutions, as well as interact with NGOs and epistemic communities.

If international relations' future is moving toward a "post-international universe", the influence of power politics will lessen and the reinforcement of global governance institutions will become crucial. At that time, ideally, Taiwan's official or meaningful participation will be gradually considered by more participants of global or regional governance from a relatively less political perspective, provided that the request made by Taiwan does not touch on the potential bottom line of the CPC government, i.e., no "one China, one Taiwan" and no "two Chinas". This scenario is not conceptually impossible.

Nonetheless, for now this remedy is apparently too "innovative" to better manage the condition where Taiwan has not been represented in and obligated and contributing to many contemporary global governance institutions. In practice, relevant major stakeholders have not moved from a *realpolitik* mindset to a "post-international universe". As Roland Paris (2015) points out, the pluralization of global governance actors and mechanisms has become a trend that is likely to continue in the coming years, whereas foremost contemporary international cooperation still depends largely on consensus of major powers on core norms as a basis for stability and development, thus leaving reasonable the argument that the perspectives of major power consensus and of the growing pluralization of governance arrangements should be combined in order for a better remedy for the unfortunate political interference in global governance nowadays. One should recognize that major powers leading or participating in multilateral institutions or international diplomacy have not abandoned material capabilities and geopolitics/geoeconomics. The issue of Taiwan's official or meaningful participation may be less challenging for many if power can be distributed "not only toward the emerging economies but also toward transnational and non-state actors",

and “as the number and variety of participants in global politics multiplies..., be they governmental or nongovernmental, will be those that comprehend that getting things done on a more crowded world stage requires mobilizing diverse coalitions of like-minded actors.” (Paris, 2015: 416)

It is unrealistic to anticipate a dramatic change in major stakeholders’ view about the political nature of cross-Strait relations and thus in the way how Taiwan should get involved in global governance. Perhaps a more possible way before the arrival of the “post-international universe”, if there will be, is a joint effort to advocate a slow transformation of the perception and nature of power relations that can take into account together the fundamental necessity of major powers and the ultimate goal of improving global governance mechanisms by enlarging the coalition of the willing, providing more resources from capable participants, and covering every individual in the world.

The ROC, or Taiwan, has been definitely an important missing piece of global governance. The rapid growth in and the noticeable need of workable global governance, no matter in terms of the number of actors or the mechanisms, indicate the necessity of an innovative method that can better deal with Taiwan as a missing piece of global governance. The conventional way of treating Taiwan’s international participation has hindered not only Taiwan’s participation and contribution but also downscaled the benefit that should have been garnered out of coordination and cooperation in global governance. The answer to the question of why such an insufficiency, or a missing link, in global governance needs a remedy has been clear enough. Yet, how should stakeholders of global governance correct such an insufficiency? Who should take the lead in response to a call for better management of such an insufficiency? Both of these questions have faced a fundamental issue that still needs wisdom and patience to deal with – i.e., the

sovereign struggle between the two sides of the Taiwan Strait. Things will become even more complicated if the issue of “fairness” or “justice” is taken into account, given the different political and sovereign claims made by Taiwan and mainland China, respectively. To envisage the reality, participants of specific global or regional governance mechanisms will have to endeavor to discuss and formulate a more sensible and feasible approach to a win-win-win situation which benefits Taiwan, mainland China, and the other state and non-state actors.

5. Concluding Remarks

As some relatively weaker states are calling for a bigger share of more decision-making rights and as more non-state actors are joining various global governance institutions to better achieve the objectives for the human society, the nature and arrangements of global governance may be affected by the practical need for greater human and financial resources from non-state actors and for all kinds of experience and know-how from an array of aspects. Despite the fact that major powers may be going to remain influential and central in terms of important decision-making and financial resource pooling, the study and (re-)examination of ethical matters in global governance has become indispensable as the difficulty in realizing the objectives of global governance has been more obvious due to the following problems or issues about ethics in global governance that have been touched on earlier: the “actor problem”, the “speech act problem”, the “accountability fragmentation” issue, and the “universal application” issue.

The ROC, established in 1912, is one of the founding member states of the UN, and it has been an evident case where a capable state actor has been deprived of most of its rights of participating in the related

institutions of global governance. Given the complex cross-Strait relations and the unyielding posture of mainland China that does not want to see Taiwan's such participation as a catalyst of future "two Chinas" or "one China, one Taiwan", how to attain morally resilient and appropriate arrangements in the practice of global governance in order to uncover Taiwan, a critical missing piece, and deal with this ethical dilemma is very difficult. Despite the fact that the majority of the sovereign governments in the world have either explicitly or implicitly agreed on the political demand of the Chinese Communist government, the strong request of the ROC government and people of Taiwan for greater participation in mainstream international activities should not be ignored. Having been based on Taiwan for more than 6 decades, the ROC is more than capable of contributing to the international community with its relatively abundant human and financial resources. In addition, putting political factors aside, it makes no sense that the 23 million people of Taiwan should be "forgotten" or "punished" by being kept away from collective effort and achievements of global governance. Taiwan needs some or full level of participation in global governance institutions, and global governance institutions need Taiwan's feedback too.

Both from a sovereign perspective and from an international legal perspective, the explanations as to why the majority of contemporary mainstream global governance institutions do not consider or discuss the appeal of the government and people of the ROC for meaningful or full participation are not impeccable. The rules or decisions made by the majority of the participants in these institutions appear very political and unethical in the sense that the rights of the people in Taiwan to join and contribute to the collective effort have been discriminated and deprived. In fact, owing to the tremendous pressure and long-standing insistence of the Chinese Communist government, it seems that there is no

effective remedy for such a dilemma faced by Taiwan. Nonetheless, a stronger emphasis on ethics in managing global governance and a compelling ethical argument against the exclusion of Taiwan from related institutions should be made by those concerned in order to, at least, prevent the case of Taiwan from being ignored on purpose. Such an emphasis may not be a direct approach to the better or ultimate resolution for the ROC’s status in the mainstream international society, but by doing so the case of the ROC on Taiwan can be attended to unceasingly, thus making possible a fair, just, and politically practical treatment toward the ROC in the future.

Appendix

As a Full Member:

	Organization	Acronym	Since
1	International Council for Harmonization of Technical Requirements for Pharmaceuticals for Human Use	ICH	2018
	North Pacific Fisheries Commission*	NPFC	2015
	Asset Recovery Inter-Agency Network of Asia/Pacific*	ARIN-AP	2014
	Association of World Election Bodies*	A-WEB	2013
5	South Pacific Regional Fisheries Management Organisation*	SPRFMO	2012
	International Council for Information Technology in Government Administration*	ICA	2010

	Inter-American Tropical Tuna Commission*	IATTC	2010
	Standards and Trade Development Facility*	STDF	2010
	International Forum of Independent Audit Regulators*	IFIAR	2008
10	Advisory Centre on WTO Law	ACWL	2004
	Western and Central Pacific Fisheries Commission	WCPFC	2004
	Extended Commission for the Conservation of Southern Bluefin Tuna	CCSBT	2002
	The International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean	ISC	2002
	World Customs Organization (Technical Committee on Customs Valuation)	WCO	2002
15	World Customs Organization (Technical committee on Rules of Origin)	WCO	2002
	World Trade Organization	WTO	2002
	The International Competition Network	ICN	2002
	Asia-Pacific Association of Agricultural Research Institutions	APAARI	1999
	Association of Asian Election Authorities	AAEA	1998

20	Egmont Group	EG	1999
	Asia/Pacific Group on Money Laundering	APG	1997
	Study Group on Asian Tax Administration and Research	SGATAR	1996
	Asia-Pacific Legal Metrology Forum	APLMF	1994
	Association for Science Cooperation in Asia	ASCA	1994
25	International Association of Insurance Supervisors	IAIS	1994
	Central American Bank for Economic Integration	CABEI	1992
	International Satellite System for Search and Rescue	Cospas-Sarsat	1992
	Conference of Governors of South East Asian Central Banks	SEACEN	1992
	Asia-Pacific Economic Cooperation	APEC	1991
30	International Organization of Securities Commissions	IOSCO	1987
	AVRDC-The World Vegetable Center	AVRDC	1971
	Food and Fertilizer Technology Center for the Asian and Pacific Region	FFTC/ASPAC	1970
	Afro-Asian Rural Development Organization	AARDO	1968

	Asian Development Bank	ADB	1966
35	International Cotton Advisory Committee	ICAC	1963
	International Seed Testing Association	ISTA	1962
	Asian Productivity Organization	APO	1961
38	World Organisation for Animal Health	OIE	1954

As an Observer:

	Organization	Acronym	Since
1	International Council for Harmonization of Technical Requirements for Pharmaceuticals for Human Use*	ICH	2015
	International Renewable Energy Agency*	IRENA	2011
	World Health Assembly of the World Health Organization*	WHA	2009
	Fisheries Committee of the Organization for Economic Cooperation and Development		2006
5	World Customs Organization (Revised Kyoto Convention Management Committee)	WCO	2006
	Conferencia de las Fuerzas Armadas Centroamericanas	CFAC	2005

	Organization for Economic Cooperation and Development (Steel Committee)	OECD	2005
	Kimberley Process	KP	2003
	Organization for Economic Cooperation and Development (Competition Committee)	OECD	2002
10	Global Biodiversity Information Facility	GBIF	2001
	Sistema de la Integración Centroamericana	SICA	2000
	Parlamento Centroamericano	PARLACEN	1999
	Food Aid Committee	FAC	1995
	International Grains Council	IGC	1995
15	Commission for the Conservation of Southern Bluefin Tuna	CCSBT	1994
	European Bank for Reconstruction and Development	EBRD	1991
	Foro de Presidentes de Poderes Legislativos de Centroamerica y la Cuenca del Caribe	FOPREL	1991
18	Inter-American Development Bank	IDB	1991

Note: “*” stands for those organizations in which Taiwan, regardless of the title and status, participated between May 2008 and May 2016.

Source: The ROC Ministry of Foreign Affairs, <<http://www.mofa.gov.tw/enigo/default.html>> and <<http://www.mofa.gov.tw/enigo/Link3enigo.aspx?n=58BD38F4400A7167&sms=A72EC821FB103DD9>>.

Notes

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