

An Excursion into the Relationships between Taiwan and China*

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Abstract

Keeping the Taiwan Strait in peace is the shared desire of the Taiwanese. However, the situation in the Taiwan Strait is a time bomb, to be detonated by the belligerent China, which plots to seize the island nation, Taiwan. Although most nations of the world do not recognize the PRC's territorial claim to Taiwan, many are not willing to challenge the claim. That Taiwan is not a part of the PRC is evidently true. Both of the *San Francisco Peace Treaty* and the *Peace Treaty between the ROC and Japan* only required Japan to surrender Taiwan without specifying to which country Taiwan's sovereignty was to be turned over. Unfortunately, people in Taiwan were forced to pay the price of the conflicts between KMT and the PRC. Under the UN's *Universal Declaration of Human Rights*, the UN should not allow the PRC to impose its nationality on the 23 million Taiwanese through coercion. If the world is apathetic to peace in the Taiwan Strait, the PRC will have a free hand to wage war against Taiwan. The consolidating liberal democracy in Taiwan and supports from the U.S. and Japan should help China to think twice before deciding to overrun Taiwan.

Keywords: One China policy, UN and Taiwan, PRC's military aggressiveness

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1. Foreword

Is it optimistic to posit that Taiwan and China may co-exist through peaceful settlement in the near future? Conversely, is it pessimistic to postulate that Taiwan may be forcefully merged by an aggressive China eventually? Would their inimical relationships escalate into armed conflict or even war in the long run? The answers are to be provided by China, given the obvious disparity in military power between the Goliath and its little island neighbor.

Ever since Lee Teng-hui took over the presidency in 1989, Taiwan has witnessed an amazing process of democratization. By embarking on naturalizing the Republic of China (ROC), including six amendments to the ROC Constitution imposed by the Chinese Nationalist Party (Kuomintang, or KMT), Lee has managed to shore up the legitimacy of the formerly tarnished authoritarian regime. Even though Taiwan is still dressed in the shell of the ROC, the idea of popular sovereignty has been solidly implanted among the common people in Taiwan. Of course, to keep the Taiwan Strait in peace is the shared desire of the Taiwanese.

Since taking the reign of the People's Republic of China (PRC), Deng Xiaoping has steered his course on economic reforms by implementing a revolutionary socialist form of market economy, which system the succeeding Jiang Zemin has largely kept, thus enabling the Chinese economy to develop by leaps and bounds. With the expansion of the economy and the increase in military spending, China's military capabilities have also steadily grown.

With the disintegration of the Soviet Union, the confrontation between the US and the USSR has largely come to an end. Nonetheless, it remains to be seen whether the cold war atmosphere would accordingly fade away or whether the emerging power, China, is to compete with the US for hegemony in the Pacific or globally. To be sure, the situation in the Taiwan Strait is a time bomb, to be detonated by the belligerent China, which plots to seize the island nation, Taiwan.

2. Attitudes Regarding Taiwan's Status

In the eyes of the PRC, Taiwan is its original territory to be recovered by any means. Because the PRC is a superpower with veto power in the UN Security Council, most nations of the world not only recognize it, but also pay full attention to its words and deeds. Although most of the countries do not recognize the PRC's territorial claim to Taiwan, many are not willing to challenge the claim.

What astonished the world most is the so-called "Three No's" spelled out by American president Bill Clinton when he visited China in 1998 that the US would not support Taiwan Independence, One China-One Taiwan, or Taiwan's membership in any international organizations requiring statehood. Even though Clinton chose to present the message at an informal gathering rather than during an official meeting with Chinese leaders, the statement did explicitly reveal the American concern with the Chinese territorial claim on Taiwan.

"Non-support" is not equal to "opposition". However, under the current international situation, it is tremendously difficult for Taiwan to accomplish any of the above three goals. Still, it is curious why the US would particularly specify the three aspects of non-support, especially in front of the Chinese in China. Clinton's remark may have created the misperception that the PRC does somehow possess Taiwan's sovereignty to a certain degree.

Influential politicians generally like to make speeches. When dealing with sensitive topics, however, they would select the bureaucratic or legalistic wording carefully selected by the staff. Yet, the impatient audience, which lacks political sophistication, tends to pick up the obvious and fail to appreciate any euphemistic connotation.

When entering into formal relations with the PRC, Western powers made all efforts to evade the Chinese claim that Taiwan is a part of China. While the United Kingdom (1954), France (1964), and West Germany (1972) ignored the request, Canada (1970) "took note" of it, and the US (1979) simply

“acknowledged” it. In the case of Japan (1972), it was carefully stated, “the Chinese position is fully understood and respected.” To sum up, these countries ingeniously managed to “understand” the Chinese position without formally recognizing that Taiwan is a part of China.

However, as the PRC has persistently propagated that all these countries recognize that Taiwan is a part of China, laymen to the issue, without doubt, are in no position to comprehend the equivocally hidden policy goal. Over the years, even supposedly prudent foreign service officers ceased to remember the original reservation and have come to accept the fabricated Chinese position.

3. Taiwan Is Not a Part of the PRC

When we ponder the security of the Taiwan Strait, we should not just consider the potential for war. If any war breaks out in this region, it will certainly be initiated by the PRC rather than by Taiwan. If Taiwan were a part of PRC’s territory, any military actions against Taiwan could be considered domestic matter. Even if it is deemed a domestic matter, whether the PRC may wantonly launch a large-scale unprovoked military action against Taiwan at will is still debatable. If Taiwan is not PRC territory, then such action cannot be anything other than a grave matter of naked aggression.

For millennia, the indigenous peoples have inhabited Taiwan. In the early 17th century, the Dutch became the first sovereign state that owned Taiwan. Meanwhile, Spain also occupied part of Taiwan. Later on, Koxinga expelled the Dutch and established a short-lived kingdom on Taiwan.

During the reign of Emperor Kangxi Taiwan fell into the hands of the Ch’ing Dynasty in 1683. When Emperor Yongchen inherited the throne, he glorified the accomplishment of his father by decreeing: “As Taiwan has never been a part of China, it was the wise and mighty Emperor who acquired the new territory.”¹

¹ Ertai et.al compiled, under the order of the Emperor, *Ta Ch’ing shih-chung Hien Hoang-ti*

If we accept that the Ch'ing Dynasty stood for China in the past, it was in 1683 when China took hold of Taiwan. In fact, however, both the Dutch and Spain had occupied Taiwan earlier. In other words, Taiwan has never been an inherent part of Chinese territory.

Furthermore, did the Ch'ing Dynasty represent China? There are different views on this. Dr. Sun Yat-sen, a Chinese Nationalist and founder of the Republic of China (ROC), maintained that the Ch'ing Dynasty was installed by alien Manchurians and hence was not a part of the Chinese lineage. Thus, the ROC was founded in 1912 in the fulfillment of his famous slogan "expel the barbarians and establish a Chinese state."²

When the ROC was established, Taiwan was not within its jurisdiction. According to the terms laid down in the Treaty of Shimonoseki, Taiwan was ceded in perpetuity to Japan by the Ch'ing Dynasty in 1895 and formally became a part of Japan. It was during the Japanese rule that Taiwan's cultural and economic infrastructures were built, which in turn paved the way for Taiwan's economic development after World War II.

Two years before the end of World War II, American President Roosevelt, British Prime Minister Churchill, and Chiang Kai-shek, Generalissimo of the ROC, held a meeting in Cairo in 1943. During the meeting, Churchill proposed that Japan ought to give up Taiwan after the war, but Roosevelt supported Chiang's claim that "all the territories Japan has stolen from the Chinese such as . . . Formosa [Taiwan] shall be restored to the Republic of China."³

After Japan surrendered in 1945, General Douglas MacArthur, Supreme Commander of the Allied Powers, ordered Chiang Kai-shek, Highest

Shih-lu (The Real Records of Emperor Shih-chung of the Great Ch'ing), Chang-chun: State Department of the Manchurian Empire, 1937, Vol. 10, p. 20.

² On the history of Taiwan and its legal status, please see Peng Ming-min, and Ng Yuzin Chiautong, *Taiwan no houteki chii (The Legal Status of Taiwan)*, Tokyo: University of Tokyo Press, 1976.

³ *Liang Ching-chun, Kailo huei (Cairo Conference)*, Taipei: Taiwan Shang-wu In-shu-kuan, 1973, pp. 111-14.

Commander of the China Theater, to occupy northern part of Vietnam and Taiwan. Chiang eventually withdrew his troops from Vietnam, but announced his intention to incorporate Taiwan into the ROC territory at an occupation ceremony on the island. Having been defeated by the Chinese Communist Party (CCP) in the civil war, Chiang was forced to move the ROC government to Taiwan in 1949.

Pursuant to Article 2 of the San Francisco Peace Treaty between the United Nations and Japan, which took effect in 1952, Japan renounced its title to Taiwan without specifying to which country Taiwan's sovereignty was to be turned over. In the same manner, the Peace Treaty between the ROC and Japan, also effective in the same year, only required Japan to surrender Taiwan.

While the ROC has continued to exist in Taiwan all these years, the PRC has never reigned over Taiwan even for a single day. Actually, the CCP initially demonstrated no ambition over the territory of Taiwan. In 1936, in fact, Mao Zedong declared openly that the CCP was prepared to support independence for Korea as well as Taiwan.⁴

The CCP's attitude toward the territory of Taiwan changed in 1943, when the Cairo Declaration was released. After the CCP founded the PRC, its position toward Taiwan turned hard. By threatening to blood-wash Taiwan, the CCP is now determined to liberate Taiwan with force. Apparently, this about-face must have resulted from the occupation of Taiwan by Chiang Kai-shek, who had pledged to retake the mainland.

4. Human Rights of the Taiwanese and International Law

Being a staunch, life-long anti-communist figure, Chiang Kai-shek claimed that the ROC regime under his rule was the only legitimate government of China. Accordingly, to fulfill his mission of reclaiming China, Chiang swore to recover the mainland by military means. Chiang Ching-kuo, the son who succeeded him, dropped the slogan "counterattack on the mainland" and

⁴ Edgar Snow, *The Red Star Over China* (New York: Random House, 1938), p. 88.

substituted in its stead a policy of “unifying China with the Three People’s Principles.” Since the Chiangs were originally from China, their desire to retake mainland and to wield power over China was understandable. However, this had nothing to do with the native Taiwanese.

Around the year 1949, roughly 1.4 million anti-communist Chinese followed Chiang Kai-shek’s footsteps and landed on Taiwan made the population expand to 8 millions. Over the span of fifty years, there is no census data available regarding the exact number of their descendents. The intermarriages between refugees/migrants and the 6.5 million so-called native Taiwanese as of 1945 must have given birth to many offspring. As they were born and raised in Taiwan, the new generations must have a stronger identity with and attachment to the island than their parents/grandparents. According to an April 2000 survey on the national identity of the Taiwanese, only 16.3% of the residents consider themselves as Chinese.⁵

Even those who think they are Chinese do not necessarily desire to become citizens of the PRC, or to be ruled by the PRC. Another recent survey shows that only 10.8% of the respondents want unification with the PRC, and 72.8% of them reject PRC citizenship, while the rest either have no opinion or refuse to answer.⁶ The reason why the majority of the Taiwanese lean towards the status quo is their belief that it is the surest way to ward off warfare. No doubt, they long for peace in the Taiwan Strait. Is it wrong to hope for peace?

The United Nations is now made up of almost all independent countries. Taiwan is the only country barred from it.⁷ The preamble to the UN Charter states that “we . . . determined to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, . . . and to unite our strength to maintain international peace and security, . . .”

⁵ *Lien-ho pao (United Daily)*, December 3rd, 2000.

⁶ A poll published on December 6th, 2000 by the Research Center of Public Opinion Poll, National Sun Yat-sen University, Kaohsiung.

⁷ After Tuvalu became a member in March 2000, the total number of the UN member states arrives at 189. While the Vatican refuses to join the UN, Switzerland is a permanently neutral state.

Accordingly, the UN has an obligation to assist the 23 million Taiwanese in guaranteeing their fundamental human rights and dignity, and to maintain the peace of the Taiwan Strait.

The UN General Assembly adopted the Universal Declaration of Human Rights in 1948. Initially the Declaration was merely deemed an international moral standard. After many years of application and acceptance, it is now recognized as a body of international law.⁸ In Article 15, Clause 2, the Declaration stipulates that “No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.” Would the UN allow the PRC to impose its nationality on the 23 million Taiwanese through coercion?

Article 1 of the International Covenants on Human Rights, enforced by the UN general Assembly in 1976, assures that “All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”

Can't the 23 million Taiwanese determine their own future? Are they not allowed to pursue their own economic, social, or cultural development? If we add up the populations of the 47 least populous member states of the UN, the total is less than 23 million, which is not a small population.

In recent years, when Taiwan's leaders protested against the PRC's verbal and military threats, some foreign politicians would criticize Taiwan, calling it a troublemaker. In actuality, it is the PRC who is the troublemaker, not Taiwan. If the Taiwanese remain silent, Taiwan would eventually fall into the PRC's grasp.

⁸ See Myres S. McDougal, Harold D. Lasswell, and Lung-chu Chen, *Human Rights and World Public Order* (Yale University Press, 1980), pp. 325-30; Lung-chi Chen, *An Introduction to Contemporary International Law: A Policy-Oriented Perspective*, Second Edition (Yale University press, 2000), pp. 200-201, 349.

5. Impediments to the PRC Invasion of Taiwan

Every nation has its own national interest, which is at times camouflaged in euphemism. From time to time, the principles of justice, equity, and peace are sacrificed in order to realize one's national interest.

Oftentimes, international law is the handy instrument of the powerful. Fukuzawa Yukichi (1834-1901), a renowned Japanese thinker and educator, once remarked, "One hundred international laws are less potent than one single gun shot," suggesting that the weak states are always at the mercy of the strong ones. His observation reflects the relation between Taiwan and the PRC.

As the history of the world evolves, the international society has turned into a global village. Any tragedy befalling one small locality may impact the whole village and disrupt the peace of the world.

As a matter of fact, Taiwan has made all efforts to make peace with the PRC since the latter half of the 1980s. Although there have been some reservations out of the concern of national security, Taiwan has never ceased showing its goodwill toward the PRC by revising relevant statutes, including recognizing the PRC's legitimacy in ruling Mainland China, and legalizing cross-strait travel for family homecoming. In addition to permitting indirect trade between Taiwan and the PRC through a third party, the government has also sanctioned direct investment in China, which used to be underground ventures.

On the part of the PRC, there have been some encouraging signs of good will, such as repatriating criminals, and a tacit agreement to restrain its naval vessels and fighter planes from crossing the middle line of the Taiwan Strait.

Nevertheless, the PRC has never given up its verbal and military threats toward Taiwan. In 1996, the PRC launched missiles close to Taiwan's ports in the midst of the presidential election in Taiwan.

It is futile to predict whether there would be any armed conflict, or even war in the Taiwan Strait. If the world is apathetic to peace in the Taiwan Strait,

the PRC will have a free hand to wage war against Taiwan. On the other hand, if the world keeps a close eye on the Taiwan Strait, there will be peace, unless the PRC acquires invincible military power.

Long-range forecast of the international situation is very difficult. The current situation is that no matter how eager the People's Liberation Army (PLA) is to make a move, the PRC finds it difficult to sacrifice the advantages of economic development. While coastal regions have flourished economically, with per capita income reaching US\$ 8,000 in some cities, that in inland regions are still as low as US\$ 400. Consequently, developing the inland ought to be the top priority of the PRC.

Once a war breaks out in the Taiwan Strait, foreign investments would certainly cease or even be withdrawn in no time. Economic development in coastal regions will stall right away, not to mention inland regions. Can the PRC manage the resultant losses from its state-owned enterprises? Wage earners of these enterprises will become unemployed, without any compensation, and swelling the ranks of millions of already unemployed and/or homeless people in the urban areas. Social unrest over large areas of the country will be inevitable.

Furthermore, will the world powers, which have thus far been respectful, fail to condemn the PRC and deprive it of the international reputation it has cultivated since its founding?

Even if the PRC decides to attack Taiwan fearlessly, will not foreign satellites detect the move beforehand? As the 80-mile Taiwan Strait is three times the width of the English Channel, which Adolf Hitler had failed to cross, and the naval transport capacities of the PRC are not sufficient to carry more than three army divisions at one time, a successful invasion of Taiwan by the PLA is extremely difficult at the present time.

Because of the speed of advanced fighter planes, the airspace over the Taiwan Strait is not wide enough to accommodate more than 100 ultrasonic fighters for engagement at one time.

The PRC may bombard Taiwan with missiles at will. Nonetheless, experiences from the Persian Gulf War have shown that devastation resulting from missiles tends to be limited. Even though intimidating, the PRC missile attack may not subdue Taiwan without coordinated invasion by the army. Cyber war is another option, but Taiwan probably enjoys superiority in this regard.

Embargo of Keelung and Kaohsiung, two of the largest ports, may cause hardship to Taiwan's economy. Nevertheless, the scope for embargo with mines in these two ports is limited. The Taiwan military could bolster its defenses and wait for opportunities to wage a counterattack.

America's reaction is particularly worthy of attention. The Taiwan Strait is the lifeline of Japan, an ally of the U.S. The Taiwan Strait and the Bashi Channel are the critical spots in Japan's southwest sea lanes. As a great trading nation, Japan relies heavily on free passage through these sea lanes, which are included in its defense radius. As Japan imports no less than 170 million barrels of petroleum each year through these sea lanes, it is beyond imagination how the PRC can keep Japan silent.

Taiwan, along with many developed countries, is consolidating its liberal democracy. The PRC needs to think twice about the reaction of the U.S. and Japan before it decides to overrun Taiwan.

台灣與中國關係的探索*

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摘要

維持台海和平是大多數台灣人民的願望，然而能否和平卻取決於中國是否真正放棄以武力威脅或對抗台灣。大多數的國家因為中國在聯合國安全理事會的常任理事國地位，加上崛起的軍事武力，雖然不願承認中國對台灣主張的「一個中國政策」，但也不願提出挑戰。台灣不屬於中華人民共和國的領土是簡單清楚的事實，不管是『舊金山合約』或是日本與國民黨所簽訂的合約，都只聲明日本放棄對台灣的主權，但都未提及歸屬於何國。蔣介石政權佔領台灣，才讓台灣捲入國共的鬥爭中，也因為蔣介石堅持反攻大陸，才使得中國不斷以武力威嚇台灣。在聯合國的『人權宣言』保障下，台灣本應該有免於受到中國軍事攻擊或佔領的恐懼，然而國際法在大國的權力競逐下經常遭到漠視。如果國際上對於中國對台灣的威脅都視若無睹，中國必定肆無忌憚。反之如果國際社會加強關切，中國必定不敢輕舉妄動。加上台灣的民主改革得到主要國家如日本和美國的支持，都將迫使中國對台灣三思而後行。

關鍵詞：一個中國政策、聯合國與台灣、中國對台威脅

* 本文由作者交施正鋒翻譯，並經李天福潤飾。