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We have to learn to co-exist with China

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None of the ASEAN countries wants a US-led conflict over Taiwan, which if it occurs, is likely to accelerate America's decline in East Asia and the Western Pacific.

Whether we like China's system and values or not, we all have to learn to co-exist with China.

This applies especially to Australia because of our geographic location in Southeast Asia. China is not democratic and never will be. Everyone knows the much-quoted Australian Treasury figures about China's economy. It currently represents a greater share of global GDP than the United States, and by 2035, Treasury predicts that China's share is likely to be 24 per cent while America's is likely to be 14 per cent and declining. These home truths demand an approach to China that is pragmatic, not another civilisational crusade against people who, to quote the frequent American refrain, 'do not share our values' – as if there were only one set of values. The need for pragmatism is especially important in relation to the Taiwan issue.

The assumption of most Americans and many in the West is that China is threatening a small sovereign country. I prefer to approach the problem from an historical and legal perspective. Here are a few highlights:

- Until the seventeenth century, the island was mostly inhabited by an indigenous population whose predilection for headhunting had dampened past Chinese enthusiasm for settlement.
- In the early 1600s, the Spanish and the Dutch established small settlements on the island but they didn't last long.
- In 1661, a Chinese force of Ming loyalists opposed to the newly established Qing dynasty, fled to Taiwan.
- Twenty-two years later, in 1683, the Qing emperor Kangxi expelled the rebels and formally incorporated the island into Fujian province as the Taiwan Prefecture.
- Two hundred years later in 1895, Taiwan was ceded to Japan following its victory in the first Sino-Japanese War.
- Fifty years later in 1945, when Japan was defeated in WW II, China resumed control of Taiwan and Japan renounced its sovereignty. So far so good.
- But in 1949, as Chiang Kai-shek lost his civil war against Mao's communists, he and his Nationalist forces retreated to Taiwan and made it an opposition bolt-hole – just as the Ming rebels did in the 1600s.
- American politics then became involved, which changed everything. A hugely influential anti-communist 'China lobby' developed in Washington, shocked and horrified by the founding of the People's Republic of China. The mantra of its wealthy constituents – mostly rabid expatriate Chinese and equally rabid American Christian evangelists – included claims that 'America lost China to the communists' and that 'the State Department was controlled by communist sympathisers'. It was effectively the birth of McCarthyism.
- At the time, the China lobby was the most powerful lobby that had ever operated for a foreign power in the United States, except that Taiwan was not a foreign power; it was simply the last redoubt of the defeated Nationalist forces.
- The lobby has been so successful that Taiwan now receives more military, financial and political support from the US Congress than ever before.
- Yet Taiwan is not a sovereign state recognised by the United Nations and is not part of the family of 193 nations that make up the United Nations.
- Washington has a one-China policy and recognises Beijing as the sole legal government of China (including the island of Taiwan). It does not support Taiwan independence.
- Almost all countries in the world recognise Beijing not Taiwan. Only 13 or possibly 15 countries recognise Taiwan and they are all political minnows like Swaziland and Haiti.
- Taiwan has never made a formal declaration of independence.
- And of the opposing blue and green political coalitions in Taiwan, the pan-blue faction seeks to gradually reunify with mainland China.
- Lastly, and this is the point that the men and women of the US Congress fail to appreciate, or wilfully ignore, there is a legal right to defend sovereignty. There is no legal right to defend democracy.

The facts tend to suggest that China has a valid claim, although you will not hear that in Canberra or Washington. Some speak privately of course including an ADF officer who volunteered to me recently that China's case is by far the stronger. And in the latest *Quarterly Essay*, Hugh White made this sober observation:

America and its allies already acknowledge, even if they do not formally accept, China's claim to sovereignty over Taiwan. That means that – unlike Russia's invasion of Ukraine – a Chinese attack on Taiwan could not be presented as aggression by one sovereign state against another. Not just in Beijing's eyes, but in international law...

That is a very good reason to explain why America's official policy is one of diplomatic ambiguity and also why the US Taiwan Relations Act requires the United States to provide 'arms of a defensive nature' to Taiwan, not to intervene militarily if China attacks or invades Taiwan.

We do not know what the future holds in a possible era of a resurgent Trump and an all-powerful Xi Jinping. But China holds all the cards on Taiwan. The strategic, geographic, technological and operational fundamentals all lean China's way. None of the ASEAN countries wants a US-led conflict over Taiwan, which if it occurs, is likely to accelerate America's decline in East Asia and the Western Pacific.

George Orwell once reminded us that seeing what is in front of one's nose requires a constant struggle.

If conflict is brewing over Taiwan, military intervention by the United States would be another misstep in a long history of missteps. Australia would be well-advised to stay out of it...for once. As a friend of the United States, we would better serve our national and regional interests by firmly advocating an abiding interest in a peaceful and structured process of international dispute resolution – and encouraging Washington to go along with it. If America does so, its decline will not necessarily be arrested. But if it does not, its decline will be accelerated.



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Michael Pembroke is a former Supreme Court judge and the author of several books. His next is provisionally entitled *SILK SILVER OPIUM – How China Shaped the World and the West Pushed Back*.

Michael Pembroke's latest book is *PLAY BY THE RULES - The Short Story of America's Leadership: From Hiroshima to COVID-19* (Hardie Grant, August 2020)