

Taiwan must prepare for new era

Written by John Hsieh 謝

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Lift the veil of ambiguity and we will suddenly become bright and cheerful to notice the graceful and beautiful figure of Formosa. It turns out that Taiwan was permanently ceded to Japan by the Qing Emperor on April 17, 1895. There was no affiliation between the two.

On Sept. 5, 1951, John Dulles — then a former US senator who would later become US secretary of state — spoke at the San Francisco Peace Conference. He clearly informed the world that the Pacific War had been prolonged for six years because of the awkward environment in the international community.

There was no general agreement on a single Chinese voice with the right and the power to bind the Chinese nation to terms of peace. Who should be invited, Mao Zedong's (毛澤東) People's Republic of China (PRC) or Chiang Kai-shek's (蔣介石) Republic of China (ROC)? The final choice for the Allied Powers was to proceed to achieve peace without any Chinese signature, leaving China and Japan to make their own peace, on terms that would guarantee full protection of the rights and interests of China.

The San Francisco Peace Treaty was signed on Sept. 8, 1951, and entered into force on April 28, 1952. In Article 2b of the treaty, Japan renounced all right, title and claim to Taiwan and the Pescadores. In Article 10, Japan renounced all special rights and interests in China, including all benefits and privileges resulting from the provisions of the final protocol signed in then-Peking on Sept. 7, 1901, and all annexes, notes and documents. Article 23a designated the US Military Government as the principal occupying power. Article 26 authorized Japan to sign a bilateral peace treaty with China on the same terms as provided in the San Francisco Peace Treaty.

Japan signed the Treaty of Taipei with the ROC on April 28, 1952, which took effect on Aug. 5 of that year and was terminated on Sept. 29, 1972, due to a joint communique issued by China and Japan. The Treaty of Taipei aimed to end the war in the Chinese theater. There was no word on whether Taiwan's territorial sovereignty should be granted or transmitted to the ROC. However, there are idiots who always love to boast, saying that Japan surrendered to the ROC and transferred territorial sovereignty of Taiwan under the Treaty of Taipei; it is really an unbelievable fantasy.

What is even more ridiculous is the Ministry of Foreign Affairs saying at the time that "the ROC

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declared war against Japan, Germany and Italy on Dec. 9, 1941,” and announced that all treaties, agreements and contracts between China and Japan would be abolished, including the Treaty of Shimonoseki, of course.

However, that is not true at all. The so-called 1943 Cairo Declaration was only a discussion of intention about Japan’s territory after the war — the only agreement reached was to limit it to Honshu, Hokkaido, Kyushu, Shikoku and other islands determined by the Allies. It was reconfirmed in Article 8 of the Potsdam Proclamation, the Japanese Instrument of Surrender and the San Francisco Peace Treaty. Chiang did not attend the Potsdam meeting and did not participate in the document’s creation, nor did he discuss or fight for what he wanted, only signing afterward to show consent.

Looking back at history, there is no legal document to prove that the ROC controls Taiwan’s territorial sovereignty.

On Jan. 26, former American Institute in Taiwan director William Stanton was invited to speak at the Taiyuan Culture and Education Foundation. He said that as Taiwan is not part of China, it is recommended that the US should not quote the term “one China” when referring to Taiwanese issues and policies.

On Jan. 22, H.R. 353 was passed by the US Congress’ 116th session with bipartisan support and no objections. The bill asks the US secretary of state to discuss strategies to help Taiwan regain observer status in the WHO.

The US has now gradually rolled up the veil of ambiguity that has obscured Taiwan’s legal status since World War II. It will act as the principal occupying power of Taiwan, helping the nation enter the international community, but are we ready? Do Taiwanese still want to tightly hold on to the imaginary nation of the ROC’s government in exile?

If Taiwan wants to participate in the international arena, we must bravely walk out of the ROC, say no to the PRC’s bullying and, with strong will, bear the obligations and responsibilities. Only by first drafting a new constitution and securing territorial sovereignty will we walk into a new era in a dazzling world.

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