

OVERSEAS CHINESE AND ASEAN-CHINA DIPLOMATIC RELATIONS

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The "overseas Chinese problem" has become an urgent and critical issue requiring the attention of the governments of Southeast Asia, particularly those in the Association of Southeast Asian Nations (ASEAN). Its solution will have far-reaching implications for national and regional peace and stability, as it is the central issue in negotiations between the ASEAN governments and the People's Republic of China towards the normalization of their relations. Believing that the Malaysia-China agreement on the status of the Malaysian Chinese is a vital experience not only for Malaysia but also for the other ASEAN countries in seeking rapprochement with Peking, the author shows that the overseas Chinese problem touches on several issues on which agreement is possible. These seemingly inseparable and interlocking issues are: the question of nationality of the overseas Chinese, the status of the citizens of Chinese descent, the so-called "stateless" Chinese, the policy of integration towards the overseas Chinese, and the local insurgencies. The author concludes that ASEAN policies on Chinese communities affect peace and stability in Southeast Asia.

The term "overseas Chinese," a much abused phrase, has a variety of connotations in the international relations of Southeast Asia. To some, the sixteen million overseas Chinese have the potential of becoming a political bloc called "the third China" or an insidious economic movement aimed at dominating the region of Southeast Asia by means of a "silent invasion." There are others who observe the overseas Chinese in Southeast Asia as evolving communities in the different states, which will eventually manifest a sense of a common identity with the peoples of Southeast Asia. These different views of the overseas Chinese in Southeast Asia have provoked considerable academic discussions and research in the past and at present. More important, however, is that the "overseas Chinese problem" has become an urgent and immediate issue requiring the attention of the governments of Southeast Asia, particularly those in the Association of Southeast Asian Nations (ASEAN). It is the central issue in the negotiations between the ASEAN governments and the government of the People's Republic of China (China) towards the normalization of their relations.

In the context of the developing international environment in the Asian region, the overseas Chinese problem and the solution of it will have long-term implications for national and regional peace and stability. China's admission into the United Nations in 1971 and the declarations of the Shanghai communique signed between the United States and China have resulted in a major shift in the balance of power in Asia. China's diplomacy is aimed not only at achieving great power status for herself in the international community but also at neutralizing the influence of the Soviet Union in Southeast Asia. The leading role of China in the resolution of conflicts in the region and the re-shaping of the international order in Asia has been illustrated and its impact felt in many parts of Asia. The ceasefire accord in South Vietnam, the formation of the coalition government in Laos and the restraint in the actions and policies of the North Vietnamese vis-a-vis Indo-china are attributed partly to China's influence. Moreover, China's diplomatic presence in most of Southeast Asia is increasing as governments seek detente with Peking and the latter's role extends to the economic, political

and cultural fields. While this trend may have certain advantages for China, it could have an adverse effect on the nation building process of the states in Southeast Asia, in particular where there exist Chinese minorities. While it could lead to a greater urgency among the governments to implement policies aimed at integrating the Chinese, at the same time it could enhance the view among the latter that Southeast Asia as a sphere of influence of China will be the trend of the future.

Present research considerations, it seems to me, should look at the overseas Chinese problem as it is the central issue between states in Southeast Asia and China. This will be no mere academic exercise but one which will enlighten the public and policy-makers particularly those in ASEAN. Malaysia established diplomatic relations with China on the 31 of May, 1974 and this has opened a new era of international relations in Southeast Asia. Asked what he considered as the most satisfying single feature of his discussions with the Chinese leaders, the Malaysian Prime Minister Tun Razak stated, "Agreement on nationality." This was in reference to the agreement on the status of the Malaysian Chinese in Malaysia. The question of nationality of the overseas Chinese in the ASEAN countries is a complicated one because it involves not just the status of the citizens of Chinese descent, but also the status of the so-called stateless Chinese, the policy of integration towards the overseas Chinese, and the communist insurgencies in these states. They may seem to be inter-locking issues and inseparable from one another, but the Malaysian experience in their negotiations with the leaders of China may have proved otherwise that these are separate issues and that agreement is possible on each issue.

In this paper, I propose to indicate the Malaysian-Chinese agreements on these separate issues regarding the citizens of Chinese descent, the stateless Chinese, the integration question, and the communist insurgencies. This discussion which may provide the impetus to examine the situations in the other ASEAN states, will take into consideration the following facts: Malaysia and Singapore supported the admis-

sion of China into the United Nations and all the ASEAN states agree that China should be one of the guarantor states for the neutralization of Southeast Asia; all the ASEAN governments have been informed of the negotiations between Malaysia and China and they have all agreed that diplomatic relations with China will be established sooner or later; and, the other ASEAN governments may use the Tun Razak-Chou En-lai communique as the basis of their negotiations with Peking. Thailand regarded the establishment of diplomatic relations between Malaysia and China as an "added impetus" to other ASEAN members to establish detente with China, while it is Singapore's belief that 'if there are no untoward developments in the next few years the People's Republic of China will be represented in all the other countries in Southeast Asia'.

Citizens of Chinese Descent

It has always been contended that China adhered to the principle of *jus sanguinis* with regard to the overseas Chinese, namely, that all those of Chinese racial origin irrespective of birthplace or nationality in Southeast Asia would have the right to claim China as their "motherland" and that the government of Peking would accord to them their legitimate rights. From time to time, the leaders of China attempted to clarify the situation, as, for example, Premier Chou En-lai's statement in 1955:

As regards the overseas Chinese, we urged them to respect the laws and customs of the country of their residence, work for closer friendship with the people among whom they have come to live and strive for still more cordial relations between China and the country in which they reside.

But such a declaration did not allay the fears of the governments of Southeast Asia — perhaps due to the existence at that time of the Overseas Chinese Affairs Department in Peking, overseas Chinese representation in the National Assembly, and more obviously, the involvement of China in the anti-government activities among the Chinese in certain Southeast Asian

countries, including Burma, Cambodia, and Indonesia in the 60s. Thus, there may seem to be a discrepancy between declarations and actions on the part of the Chinese government vis-a-vis the citizens of Chinese descent in Southeast Asia.

In the Malaysia-China negotiations, which took place over a period of one year, this subject was raised. The final agreement was written into the Razak-Chou communique. Point Five of the communique stated *inter alia*:

Both the Government of the People's Republic of China and the Government of Malaysia declare that they do not recognize dual nationality. Proceeding from this principle, the Chinese Government considers anyone of Chinese origin who has taken up of his own will or acquired Malaysian nationality as automatically forfeiting Chinese nationality.

In the view of the Malaysian Prime Minister, this was the most significant agreement reached during his discussions with the Chinese leaders. He further elaborated on the agreement by emphasizing that the Chinese who have Malaysian nationality should understand that they have no more ties with China because "China considers that there are no more ties with China once they have become citizens of another country". It was reiterated that once local citizenship was taken up the person would have to forego Chinese nationality.

I think there can be no question that the Malaysian and Chinese leaders wanted to allay the fears of the governments in Southeast Asia that the idea of the overseas Chinese being potential "fifth columnists" had no validity as far as the officials were concerned. There can no longer be any link between the local citizens of Chinese descent and the Peking government: the latter would regard the former as aliens. Thus, overseas Chinese in Southeast Asian countries who have local citizenship should no longer expect any assistance or protection from Peking in the event of conflicts between them and their local governments. Nevertheless, there exists a question which can be a problem in the future: what would be the position of the

Peking government if citizens of Chinese descent want to acquire Chinese nationality? This seems to be a valid question because in another part of the communique it was implied that stateless Chinese or permanent residents of Chinese descent would be given the protection of the Chinese government.

Stateless Chinese

In many states of Southeast Asia, there are numerous Chinese who have become "stateless," neither possessing the nationality of the country in which they reside nor Chinese nationality. Many Southeast Asian governments have stringent and elaborate laws governing the granting of citizenship to these stateless persons. These laws range from simple residential qualifications to subjective assessments of character and loyalty to the nation. It should be noted that in some countries, there could be some stateless Chinese who were deprived of their rightful citizenships due to bureaucratic error or administrative design. Whatever the case, there do exist a considerable number of stateless Chinese in Southeast Asia and this problem has become an issue between the Southeast Asian governments and Peking.

Under Point Five of the Razak-Chou communique, it was also stated that:

As for those residents who retain Chinese nationality of their own will, the Chinese Government, acting in accordance with its consistent policy, will enjoin them to abide by the law of the Government of Malaysia, respect the customs and habits of the people there, and live in amity with them.

And their proper rights and interests will be protected by the Government of China and respected by the Government of Malaysia.

As has been declared publicly, there seem to be about 220,000 stateless Chinese in Malaysia and if they were to retain "of their own will" Chinese nationality, it would mean that China would have at least 220,000 nationals in Malaysia as of 1 June, 1974. However, it would seem that there could be complications in the implementation of this agreement.

There has been an interpretation of this part of the communique that it resolved the status of the stateless Chinese; that they are now Chinese citizens whom the Chinese government would protect and whose rights would be no different from foreign residents in Malaysia. However, the Malaysian Prime Minister was less certain about the matter. He indicated that the subject would be taken up once exchange of ambassadors occurred: this would be within the next six months. He further stated that "as far as China is concerned, if these people want to become Chinese nationals, China is prepared to issue them with Chinese passports. They [China's leaders] say that if these people want to become citizens of China they will accept them." It should be noted that the leaders of China did not elaborate on the subject in the manner that Tun Razak had stated nor was the joint communique explicit on the question of the grant of nationality to the stateless Chinese.

If China were to accept the stateless Chinese of Southeast Asia, it would involve them in considerable domestic conflicts in the states of Southeast Asia. This is because the issue of the stateless Chinese is tied up with the future of family units and the economic position of the overseas Chinese. For example, it is conceivable that within the same family in Malaysia, there would be members who are Malaysian citizens, Chinese nationals and stateless persons! It may be that the governments of Southeast Asia should consider relaxing the citizenship laws so as to allow for those who have made the country their home to become citizens even though they are not as efficient in the various tests as the administrators would like.

Integration of the Overseas Chinese

The issue of integration of minority groups in Southeast Asia is a difficult task facing all governments. It could be that the majority group with its political and economic dominance may evolve the national symbols and policies for national integration derived from their own particular values. This would be reflected in the policies relating to education,

language, and culture. In most states of Southeast Asia, with the exception of Singapore, the Chinese community constitutes a minority. However, in the state of Malaysia, they constitute a significant minority comprising about 37 percent of the population compared to the Malay community which comprises about 48 percent of the population. For this reason, the question of national integration becomes a very crucial development, and it becomes more so if it is an issue in the relations between the states of Southeast Asia and China.

Obviously, Chinese leaders showed considerable interest and concern during their talks with the Malaysian leaders. It could be that while they advocate that the citizens remain loyal to their governments in Southeast Asia, they realize that the policy of integration of these governments may make this difficult. In turn, difficulties between the overseas Chinese and the local governments could cause embarrassment to the Chinese government if appeals were made for their assistance and protection.

To show a degree of unity, the Malaysian delegation to Peking included ten Chinese who were members of the national Front and senior officials of the government. The concern on the part of the Chinese leaders regarding Malaysia's integration policy was emphasized by Tun Razak when he stated that during his discussions with Chou En-lai, the latter "kept on asking how we intended to integrate the races." He stated that the Chinese leaders knew a lot about the Malaysian situation and that they showed concern that there should be integration of races so that there should be unity. This was because the Chinese leaders genuinely wanted to have friendly relations and not interfere in the internal affairs of the country. In the view of Tun Razak, "if Malaysians of Chinese origin still look towards China, this will create problems for China and for us."

Thus, it would seem obvious that the integration of the Chinese in certain Southeast Asian states is of concern to the Peking leaders. Any potential for tension between the Chinese community and the local government could

lead to a difficult situation for the Peking officials resident in those countries. The question arises, of course, whether the policy of integration can ensure the minimum of conflict and remove the Chinese minority as a source of tension between Southeast Asian governments and China.

Communist Insurgency

It has been fashionable, particularly in the years of the Cold War, to attribute to China the leadership of the communist movements in all of Southeast Asia. The Chinese government's advocacy of revolutionary fervour and support for national liberation movements was partly to blame; moreover, Peking gave considerable inspirational support to the communists and provided some material aid to them. In the ASEAN states, there exist the communist movements such as the Malayan Communist Party (MCP) the Partai Kommunis Indonesia, (PKI) the New People's Army in the Philippines, and the Thai Patriotic Front. China had given support to their cause and allowed certain communist elements from the ASEAN region to stay in Peking, for example, the Malayan Liberation League and the PKI, and to use radio facilities stationed in China, for example, the Voice of the Malayan Revolution. The question being asked now is whether in the new international situation, Peking's diplomacy has emphasized state to state relations at the expense of party to party relations, or whether it merely signifies a change of strategy by Peking to pursue her objective of hegemony in Southeast Asia.

In the case of Malaysia, the issue does not seem to be a serious one during the negotiations. The declining number of the MCP, now estimated at between 1,000 and 2,000, and the surrender of the leaders of the Sarawak Clan-destine Organization in March 1974, together with the cooperation between Kuala Lumpur and her neighbors in efforts aimed at eliminating the communist remnants along the Malaysian-Thailand and Malaysian-Indonesian borders, would seem to point to the communist insurgency in Malaysia as a diminishing problem. Nevertheless, it was discussed during the

talks in Peking during Tun Razak's visit. Point Two on the communique implied the Malaysian fear of Chinese support for the communist insurgents and the objective of hegemony by China over Southeast Asia. The communique stated:

The two Governments consider all foreign aggression, interference, control and subversion to be impermissible. They hold that the social system of a country should only be chosen and decided by its own people. They are opposed to any attempt by any country or group of countries to establish hegemony or create spheres of influence in any part of the world.

Such an agreement seems to have resulted in two impressions on the part of the Malaysian government with regard to the problem of the communist insurgents. First, it was felt that by this agreement, China would not assist the communists and that it was an internal matter entirely up to the Malaysian government to resolve. Tun Razak stated that Malaysia would assume that, as the communique stated, China would not assist the terrorists. Second, it was felt that by virtue of the establishment of diplomatic relations between Malaysia and China, the MCP would no longer have any ideological basis for their struggle against the government. The view seems to be that communism is a colonial legacy and is an anachronism as Malaysia has achieved independence and recognition by China. Further, Tun Razak extended to the communists the amnesty that if those who were citizens were to return to civilian life, they could participate in the political process.

The question of China's support of the communist movements in the ASEAN region is a matter difficult to assess; it may be that China's support would vary depending on the strength of the communist movement in each country. It should be noted that despite the normalization of relations between Malaysia and China, the MCP and the Malayan National Liberation Front have not ceased their activities. On the contrary, they seem to have embarked on terrorism and sabotage; for example, the recent sabotage of the construction of

the East-West Highway across the northern part of Peninsular Malaysia and the bombings in some parts of Malaysia and Singapore. There were recent arrests of Malayan National Liberation Front members in Perak, Selangor, and Singapore.

Conclusion

There are other issues pertaining to the interests of the overseas Chinese in the ASEAN countries that would be included in any discussion between ASEAN governments and China. One of these is the relations between ASEAN governments and Taiwan. It would be necessary for the other ASEAN governments to follow Malaysia's example in this matter. Point Three of the Razak-Chou communique stated:

The Government of Malaysia recognizes the Government of the People's Republic of China as the sole legal Government of China, and acknowledges the position of the Chinese government that Taiwan is an inalienable part of the territory of the People's Republic of China. The Malaysian Government decides to close down its consulate in Taipeh.

Following the establishment of diplomatic relations, Malaysia terminated all existing consular relations with Taiwan and the Consulate-General and all other offices belonging to Taiwan were closed down as well. However, all trade relations, investments, and tourism would continue but they would be based on people-to-people relations and on a local basis. China's presence would replace that of Taiwan and beginning June, 1974, a Chinese Embassy would be present in Kuala Lumpur. Thus, it would mean that the other ASEAN governments

which have official and other relations with Taiwan would have to sever all such connections in the event they establish diplomatic relations with Peking. To what extent such a move would affect the overseas Chinese resident in the ASEAN countries would depend on the nature of Taiwan's presence in each of the ASEAN countries.

What I have attempted briefly here is to indicate that the problem of the overseas Chinese is a critical issue in the international relations of Southeast Asia particularly with regard to the relations between ASEAN governments and China. Such matters as the status of citizens of Chinese ancestry, the stateless Chinese, the policy of integration, the communist insurgencies, and the Taiwan question are subjects which would invariably be discussed between the other ASEAN governments and China. The Razak-Chou communique and the kind of agreements concerning China's attitudes to these issues may be reassuring to Southeast Asian governments and may provide some guidelines for the other ASEAN countries.

It seems obvious, therefore, that the policies of the ASEAN governments on these various issues are extremely important for our understanding of the implications of China's presence in Southeast Asia and for future peace and stability in this area. Aside from the question of a nation's survival, policies such as those aimed at the integration of the Chinese would make it difficult for her to remain uninvolved. It could be that the occurrences of possible conflicts arising from such policies will be the real test of China's guarantees of peaceful co-existence based on non-interference in internal affairs and respect for the sovereignty and independence of states in Southeast Asia.