

Nancy Pelosi's Diplomatic Visit Against US-Taiwan Military Agreement Provides China Threat

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ABSTRACT: This analysis examines the multifaceted legal and diplomatic considerations surrounding Nancy Pelosi's potential visit to Taiwan, and the complex implications within the context of US-China-Taiwan relations. Drawing upon principles of international law, including state sovereignty, non-interference, and regional stability, the discussion highlights the delicate balance between endorsing Taiwan's democratic governance and potential contravention of established diplomatic norms. The analysis underscores the necessity for meticulous deliberation and strategic navigation, to reconcile competing interests while effectively upholding international norms. Ultimately, in addressing the complexities of Pelosi's prospective visit to Taiwan, the paper emphasizes the importance of balancing democratic values constructive diplomatic relations.

KEYWORDS: Nancy Pelosi, Diplomatic, One China Policy, Agreement.



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I. INTRODUCTION

In August of 2022, Nancy Pelosi, the Speaker of the House of Representatives of the United States of America, paid a diplomatic visit to Taiwan. The trip aimed to create a new chapter in the ongoing disagreement between the United States and China.¹ China faces a new security risk as a result of her visit, due to Taiwan's close geographic proximity. In addition, Taiwan does not have a healthy relationship with China, and the same can be said about the United States and China.² Long before it was known that Nancy Pelosi will visit Taiwan on August 2, 2022, China issued many threats of "severe repercussions" in the event that the trip truly took place. The leaders of the United States disagree with the view.

From a historical perspective, the separation between China and Taiwan occurred in 1949, when the Communists on the mainland won a civil war. Both sides maintain that they are part of the same nation, but they argue over which government should hold the position of national leader. Despite the absence of any formal relations between the two nations, the amount of commerce and investment between them totals billions of dollars. Chinese leader Xi Jinping issued a warning to the United States in response to Pelosi's scheduled visit to the territory of Taiwan: "Those who experiment with fire are asking to be burned to death. We would want to remind the United States that we are completely ready for any contingency, and that the People's Liberation Army (PLA) will never stay idle."³

The White House issued a statement on August 1, 2022, condemning Beijing's rhetoric and assuring the public that the United States "will not take the bait or fall for the sword" and has no desire to escalate hostilities with China. The spokesperson for the National Security Council, John Kirby, responded from the White House. Here, he emphasized that the choice over whether or not to visit Taiwan ultimately rested with Pelosi, and that

¹ Hüseyin Korkmaz, İdris Turan, 2021, "Analysis of the Competition Between China and the US in the 21st Century from the Perspective of the Concept of Hybrid Cold War", *Anadolu Üniversitesi Sosyal Bilimler Dergisi*, Vol. 21, No. 2, p. 370.

² Rajendra K. Bera, "Nancy Pelosi's visit to Taiwan", accessed on January 7, 2023, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4190818

³ Klare, Michael T, 2022, "China Reacts Aggressively to Pelosi's Taiwan Visit", *Scholarly Journal*, Vol. 52, No. 7, p. 31.

members of Congress had often visited Taiwan over the last many years.⁴ The United States demonstrated concern that Beijing may use the visit as an excuse to take provocative retaliatory steps. Such steps include military actions such as firing missiles in the Taiwan Strait or in the vicinity of Taiwan, flying sorties into Taiwanese airspace, and conducting large-scale naval drills in the strait. The visit is scheduled to take place from April 30 to May 1. This paper argues that there is no justification for Beijing to create some sort of crisis out of a possible visit that would align with the long-standing policy of the United States. Additionally, Beijing cannot use the visit as an excuse to intensify aggressive military operations in or near the Taiwan Strait.⁵

China's level of anger continued to rise as it became public knowledge, according to unnamed sources, that Pelosi would arrive in Taipei after visiting and spending the night in Malaysia. United Nations Ambassador Zhang Jun repeated Beijing's threat to take action if Nancy Pelosi made what she called a "provocative" visit to Taiwan, reiterating that "principle one China" is a "red line," and "we allow no one to cross the red line." It here became evident that China received Pelosi's visit to Taiwan with extreme hostility. In point of fact, when China began its presidency on the United Nations Security Council in August 2022, Zhang made a reference to Taiwan's tendency to further develop its independence "with the support of some external powers."⁶ Because of this, legitimacy was justified for the Chinese government and military to take whatever necessary measures to prevent Taiwan from further heading in the wrong direction, specifically towards independence. Such justification occurred without specifying what the "many steps" are that may be done. Before this, Xi Jinping had cautioned Joe Biden not to interfere in Beijing's business dealings with the island (Taiwan).

During her trip to Taiwan, Pelosi also had the opportunity to meet with the top executives of the Taiwan Semiconductor Manufacturing Company

⁴ Ganlin Zhuang, Yaxin Li, 2022, "A Study of Xi Jinping's Speech Discourse in the Context of Metadiscourse", SHS Web of Conferences, Vol. 148, No. 2, p. 8.

⁵ Li Qi, 2021, "Research on the Innovation Strategy of Beijing Night Culture Tourist Area Based on Tourist Survey", E3S Web of Conferences, Vol. 253, No. 1. p. 8.

⁶ Mel Gurto, 2022, "Xi Jinping Under Pressure in Central Asia and Taiwan", The Asia-Pacific Journal, Vol. 20, No. 6, p. 2.

(TSMC).⁷ Founded by Mark Liu TSMC is a firm that operates as a leading provider of semiconductors in the globe for electrical goods, cellphones (smartphones), aircraft, and medical equipment. The manner in which China reacted to Representative Nancy Pelosi's trip to Taiwan presents the opportunity to evaluate the practicability of putting the legislative instrument into effect. Chinese authorities have said that they would take legal action against persons and businesses in the United States and Taiwan. This comes at a time when many observers from other states are concentrating on the scope of the military reaction on the mainland. In a number of instances, authorities took great effort to thoroughly outline the legal basis for such actions. In other places, they just remark that China, on the whole, behaves in accordance with the rules and regulations. China's legal response is part of the core elements of its domestic law capacity and strategy, which were previously discussed. These core elements include China's application of reciprocal legislation as a response to foreign provocation, assertion of jurisdiction over extraterritorial acts, and mobilization of the domestic justice apparatus to strike again as a show of determination.

One of the most important aspects of China's legal reaction was sending signals to punish individuals legally liable for acts related to secession. On August 3, authorities from mainland China said that China had a "clear legal basis" to punish "Taiwan independence fighters", and that China will pursue legal action against such individuals.⁸ The comprehensive statement made reference to a number of specific legal authorities, such as provisions from the 2005 Anti-Secession Act and the 2015 National Security Act. This stipulated that China's sovereignty and territorial integrity are inviolable; that all Chinese people are obligated to maintain national sovereignty, unity, and territorial integrity; and that those who endanger national security will be investigated. Following this, the statement makes reference to the provisions of the Penal Code. In particular, it addresses participation in or instigation of secession or undermining national unity (Article 103), as well as the more severe criminal penalties applicable to

⁷ Zejia Bi, Sitong Chen, Ninglu Yang, 2022, "SWOT Analysis of Taiwan Semiconductor Manufacturing Company's Development and Its Impact on Economic Development and Enlightenment", *Advances in Economics, Business and Management Research*, Vol. 656, No. 1, p. 1190.

⁸ Ryan Hass, "An American Perspective on the Role of Taiwan in US-China Relations", accessed on January 7, 2023, https://www.brookings.edu/wp-content/uploads/2022/07/FP_20220720_role_of_taiwan_hass.pdf.

offences including coordination with foreign actors (Article 106). The contemporary People's Daily Commentary notes that criminal jurisdiction may be extended to activities that have effects inside Chinese territory under Article 6 of the Penal Code. They also highlighted certain sections of the Penal Code (Articles 88 and 89) and the Criminal Procedure Code (Article 291), both of which provide time restrictions to be relaxed for the prosecution and conviction of national security crimes committed in absentia. The Chinese government is acting in a way that demonstrates that the legal discourse is more than just empty words by taking tangible measures. For instance, Taiwanese businessman Yang Zhiyuan was arrested by state security agents in Wenzhou on August 3, on the grounds of suspicion of engaging in separatist activities and threatening the state's national security. The long-running independence actions of Yang outside of mainland China are described as the legal grounds for criminal investigations inside domestic legal criticism. It was the first time that mainland authorities had legally prosecuted "Taiwan independence elements" for secession crimes, therefore officials from the Taiwan Affairs Office viewed Yang's case as setting a precedent. They claimed that this was the first time they had done so. On August 10, authorities from Wenzhou's state security are said to have moved him under residential control. As of the time of the writing, the investigation is still on going.⁹

II. METHODS

The article utilizes a multifaceted research approach to examine the implications of Nancy Pelosi's diplomatic visit to Taiwan against the backdrop of the US-Taiwan Military Agreement and its perceived threat to China. Drawing from reputable news sources such as BBC, CNN, Reuters, The New York Times, and The Washington Post, recent coverage of Pelosi's planned visit and China's response will be analyzed. Official statements from the US government, including the White House, State Department, and Congress, as well as corresponding statements from the Chinese government, will be scrutinized to understand the official positions and policy stances involved. Expert analysis from scholars, diplomats, and

⁹ Sainan Lin, Zhigang Li, 2019, "City profile: Wenzhou - A Model City of Transitional China", *Cities*, Vol. 95, No. 10, p. 2.

analysts specializing in East Asian geopolitics shall provide insights into the broader context and potential ramifications of Pelosi's visit. Historical context, including previous diplomatic visits to Taiwan by US officials and China's responses, will be examined to contextualize the current situation within the framework of US-Taiwan relations. Public opinion and editorials from various perspectives are considered to gauge the broader discourse surrounding Pelosi's visit and its implications.

Additionally, international relations theories and concepts are explored to shed light on the motivations and potential outcomes of Pelosi's visit in the context of US-China-Taiwan relations. Legal and policy analysis is conducted to evaluate the implications of Pelosi's visit in relation to existing agreements and commitments between the US and Taiwan, such as the Taiwan Relations Act and the US policy of strategic ambiguity. By synthesizing information from these diverse sources, the article aims to provide a comprehensive analysis of the complex dynamics at play in the wake of Pelosi's diplomatic engagement with Taiwan.

III. DISCUSSION

A. History of the Occurrence of Problems between China-Taiwan

The topic of discussion in the article is restricted to ties between China and the United States with regard to two items. First, issues of Taiwan cannot be isolated from those of China due to the fact that Taiwan was historically a part of China at one point. Second, since the 1950s, US interference has caused the nation to play a role in the regional dynamics of the Taiwan Strait. As a result, the political stability of East Asia is dependent, in a number of different ways, on the US government's foreign policy toward the area.

In terms of history, China has a significantly lengthier prior experience with Taiwan as compared to the United States. This is to be expected, given that the close geographical proximity of mainland China to Taiwan, with the Taiwan Strait serving as the sole physical barrier between the two. However, this alone does not clarify that their historical and geographical susceptibility are exactly proportionate to their political and economic closeness. Taiwan, in contrast to the communist China that it borders, has decided to align itself with the democratic United States. Since the state's inception, Taiwan has

used an economic structure that is similar to that of the US.¹⁰ As a result of this circumstance, Taiwan is caught between two competing global powers. Taiwan is therefore of significant strategic importance to both of the world's major powers, which are both large nations. China and the United States are competing against one another for influence in Taiwan for their own sets of interests. China considers Taiwan to be its long-lost island territory. Because of the many battles that have taken place throughout the island's history, Taiwan has gone through cycles of both integration and disintegration with China. Officials of China believe that reuniting Taiwan with the mainland would result in the nation being even larger and more powerful. As a result of it is, the unification of Taiwan and China is a significant goal that the presidents of the states behind the Bamboo Curtain, such as Hu Jintao and Xi Jinping, continue to work toward achieving. As part of the celebrations to mark the 100th anniversary of the Nationalist Revolution, which led to the overthrow of the monarchy, Hu delivered a speech in Beijing on October 10, 2011. Here, he stated that "China and Taiwan should end antagonisms, heal the wounds of the past, and work together to achieve the great rejuvenation of the Chinese nation." The basic interests of all Chinese, including those of our compatriots in Taiwan, are presented to be best served by reunification being accomplished through peaceful methods. Xi, who took over as president when Hu's term expired after two years, underscored the desire for unity by stating that "both sides of (Taiwan strait) are family."¹¹

On the other side, US interference often makes it more difficult for China to recognize Taiwan as part of its territory. The Taiwan Relations Act (TRA), which has been in effect in the United States since 1979, gives rise to a sense of obligation on the part of the United States government to assist and safeguard Taiwan. As a result, the United States has not ceased to provide Taiwan with economic and military assistance. As shown through the Arms Control Association of 2012, the United States has supplied weaponry to Taiwan in the amount of USD 25.39 billion over the course of three decades after the TRA was put into effect (1980-2010). On the same day that the United States paid its 35-year debt to the Taiwan Relations Act

¹⁰ Rizal Budi Santoso, Aelina Surya, Windy Dermawan, Taufik Hidayat, 2020, "China's Public Diplomacy in Taiwan", *Advances in Social Science, Education and Humanities Research*, Vol. 391, No. 1, p. 52.

¹¹ Taewan Kim, 2020, "The Challenges and Opportunities of ASEAN and Taiwan regarding the MSRS of China", *The Korean Journal of Security Affairs*, Vol. 25, No. 1, p. 140.

(TRA), on April 9, 2014, 52 senators from the United States sent a letter to President Barack Obama on the matter. These urged him to keep increasing the amount of aid given to Taiwan. The letter stated that "assisting Taiwan in making a more meaningful contribution to the region is in the interests of the United States and is in line with the spirit of TRA."

This supports the argument that the United States and China have competing interests in a variety of areas. Because of these competing interests, Taiwan has taken on the appearance of becoming the battleground between the two global powers; hence, the conversation over the matter has become even more complicated.¹² The intricacy of the Taiwan problem, which is a defining feature of ties between China and the United States, is investigated in this article historically via descriptive analysis. An examination of the history of the escalation of the problem, beginning with its emergence in the era after World War II and continuing up to the present day, is necessary to provide an explanation of the Taiwan issue. It is also vital to comprehend the history of Taiwan's emergence as a political entity officially designated the Republic of China (ROC), to properly understand Chinese positions.

The United States and China both have unique ways of looking at the Taiwan problem. From the very beginning, China has held the notion that Taiwan is an inseparable component of its territory, and that it is impossible to split Taiwan away from the mainland. The historical experiences of Taiwan, which are distinct from those of mainland China, render Taiwan incapable of managing a region on the mainland that is analogous to Taiwan. As a result, the Chinese government follows the policy of "one nation, two systems." Meanwhile, the United States of America has never regarded Taiwan to be a part of China. The United States does not consider Taiwan to be part of China; rather, Taiwan is its own nation, with its own unique economic, political, and social systems that cannot be compared to China's. Since the end of World War II, the perspective has been ingrained in the thought process of those responsible for formulating US policy. As a result, it is imperative that the United States put a stop to any and all types of meddling from China with Taiwan. Protecting Taiwan has become more

¹² David K. C. Huang, 2020, "US foreign policy regarding the defence of Taiwan: a critical analysis in accordance with US law", *Asian Journal of Political Science*, Vol. 28, No. 3, p. 257.

influenced by policies that are based on the strategic interests the United States has in East Asia. Because of these divergent points of view, ties between China and the United States are often strained. Despite this, the two nations were able to the peace and continue to cultivate cordial ties by avoiding an open battle.

China and the United States continue to work together to keep the situation with Taiwan at the status quo since doing so is highly advantageous for both nations. China has a significant amount of influence on Taiwan thanks to its "one state, two systems" strategy, which was particularly beneficial when the CSSTA (Cross-Strait Service Trade Agreement) was reached. The CSSTA (Cross-Strait Service Trade Agreement) is an economic agreement between Taiwan and China that aims to liberalize trade in services between the two territories. Negotiations for the CSSTA began in 2010 and were concluded in 2013,¹³ but its ratification and implementation sparked significant controversy and protests in Taiwan. The agreement covers various service sectors, including finance, telecommunications, tourism, and healthcare. The goal was ultimately to reduce barriers to trade and investment between Taiwan and China. Proponents of the CSSTA argue that it would lead to economic growth, job creation, and increased competitiveness for Taiwanese businesses in the global market.

An assurance that Taiwan would continue to maintain its strong ties with China is provided by the pro-China policy that is currently being pursued by the administration of the KMT party.¹⁴ The abbreviation "KMT" stands for the Kuomintang, which is a major political party in Taiwan. Also known as the Chinese Nationalist Party, the Kuomintang has played a significant role in Taiwanese politics since the ROC government retreated to Taiwan in 1949 following the Chinese Civil War. The KMT was originally founded in China in 1912 by Sun Yat-sen and later led by Chiang Kai-shek. It played a central role in governing China until it was defeated by the Chinese Communist Party (CCP) in the civil war. Following its relocation to Taiwan, the KMT continued to govern the island under martial law until the

¹³ Dominik Wolff, Peter I. De Costa, 2017, "Expanding the Language Teacher Identity Landscape: An Investigation of the Emotions and Strategies of a NNEST", *The Modern Language Journal*, Vol. 101, No. S1, p. 82, <https://doi.org/10.1111/modl.12370>.

¹⁴ Lukas Wick, Adrien Ayrinhac, 2022, "The Ukraine war and the consequences for Germany's regions: Challenges and opportunities using the example of small and medium-sized businesses", *European View*, Vol. 21, No. 2, p. 232.

1980s. In Taiwan's democratic era, which began in the late 1980s, the KMT remained one of the two major political parties, alongside the Democratic Progressive Party (DPP).

The party has undergone significant transformations over the years, adapting to Taiwan's democratization and evolving political landscape. The KMT traditionally espouses a platform of closer ties with mainland China and the maintenance of the "One China" principle, which asserts that Taiwan is part of China. However, its stance on cross-strait relations has evolved over time, reflecting changing attitudes within Taiwanese society and shifting dynamics in the region. The KMT has held the presidency and controlled the legislature for significant periods since Taiwan's democratization. However, it has faced challenges in recent years, particularly following the rise of the DPP and growing concerns among Taiwanese voters about relations with China. Therefore, it is not necessary for China to coerce Taiwan towards unification. This is because of the certainty that the United States would have a strong response in such a scenario, which may endanger the stability of the area. Even for the United States, the present arrangement is quite advantageous since it allows the US to maintain its influence over Taiwan via the provision of economic and military aid.

Under the current circumstances, China and the United States endeavor to prevent an open confrontation that escalates into war. Both nations place a high priority on maintaining peace and order in the area to protect their respective strategic interests. If the East Asian region can maintain its peace, the trade volume of each nation in the region is likely to rise. As a result, despite the fact that there was an arms crisis in the Taiwan Strait in 1996, ties between China and the United States remained amicable. As a result, there is a low probability of more conflicts. Even while they abstain from steps that may potentially lead to confrontation, both China and the United States continue to strive to push Taiwan into orbit so that they can exert control over it. These two nations perceive Taiwan as a territorial strategy, in the same way that the imperialist great powers of the past saw Taiwan. Taiwan's strategic position between East Asia and Southeast Asia makes it well suited to serve not just as a military stronghold, but also as an important economic hub for the whole Asian continent. For this reason, the

United States maintains its previous level of economic and military support for Taiwan. During this time, China continue to update its military capabilities while also opening up its trading links with Taiwan.¹⁵

B. Taiwan and us After the One China Policy System was Established

Regarding its position on the One China Policy, the US has, since its inception, maintained a shifting and ever-evolving policy. Throughout the periods of each of its presidents, the United States has consistently altered the declarations and policies it has issued. Essentially, the “One China” policy is a diplomatic principle that acknowledges the government of the People's Republic of China (PRC) as the sole legal government of China.¹⁶ It asserts that there is only one China and that Taiwan is an inseparable part of Chinese territory. This policy emerged in the aftermath of the Chinese Civil War when the CCP established the PRC on the mainland and the KMT retreated to Taiwan, maintaining the ROC government.¹⁷

The key principles of the One China policy confirm that this policy is a cornerstone of the Chinese foreign relations, rooted in the assertion of sovereignty over both the mainland and Taiwan as integral components of a unified Chinese state. Central to this policy is the non-recognition of Taiwan as an independent entity by countries that adhere to it. Instead, these nations formally recognize the People's Republic of China as the legitimate government representing the entirety of China, including Taiwan. This stance underscores China's commitment to maintaining its territorial integrity and preventing any challenge to its sovereignty.¹⁸

Despite the firm assertion of sovereignty, the One China policy also emphasizes the importance of peaceful reunification. It advocates for resolving the Taiwan issue through dialogue and negotiation, rather than

¹⁵ Halda Nuriyya Azzara, Badrus Sholeh, 2022, “A conflict between China and Taiwan: An analysis from a realism perspective”, *Journal of Social Studies*, Vol. 18, No. 2, p. 232.

¹⁶ Simone van Nieuwenhuizen, 2019, "Australian and People's Republic of China government conceptions of the international order", *Australian Journal of International Affairs*, Vol. 71, No. 2, p. 185, <https://doi.org/10.1080/10357718.2019.1568386>.

¹⁷ Dean P. Chen, 2023, "China's Leninist State and strategic relations with the United States: Chiang's KMT in Nanjing Decade and implications for the Chinese Communist Party after 1949", *Asian Politics & Policy*, Vol. 15, No. 4, p. 679, <https://doi.org/10.1111/aspp.12714>.

¹⁸ Femi Rachma Pertiwi, 2021, "China's Defence Policy and The Establishment of China's First Overseas Naval Base In Djibouti", *Jurnal Maritim Indonesia (Indonesian Maritime Journal)*, Vol. 9, No. 1, p. 13, <https://doi.org/10.52307/jmi.v9i1.63>.

resorting to coercion or military force. This commitment to peaceful resolution reflects China's desire to achieve reunification with Taiwan while minimizing conflict and maintaining stability in the region. By promoting peaceful dialogue between the two sides of the Taiwan Strait, China aims to foster mutual understanding; ultimately, achieving a peaceful reunification that aligns with its vision of a unified Chinese state. Through the principles of sovereignty, non-recognition of Taiwan's independence, and peaceful reunification, the One China policy serves as a framework for managing the complex dynamics surrounding the Taiwan issue, while upholding China's territorial integrity and stability in the region.¹⁹

Implementation of the One China policy varies among countries. For the United States, it has been a cornerstone of its diplomatic relations with China since the 1970s. The US formally recognized the PRC as the legitimate government of China in 1979, severing diplomatic ties with Taiwan. However, the US also maintains unofficial relations with Taiwan through the Taiwan Relations Act, which provides for economic, cultural, and defense cooperation with Taiwan.

The One China policy exerts a profound influence on China's relations with the US and other states, driving complex dynamics and shaping diplomatic strategies. In the context of US-China relations, the policy serves as a fundamental pillar, with the US officially acknowledging the sovereignty of the PRC over Taiwan. This is while also prioritizing stability in the region and supporting Taiwan's security interests. The delicate balance reflects strategic considerations aimed at avoiding conflict while maintaining diplomatic engagement with both sides. Internally, the policy informs China's approach to cross-strait relations, regarding any perceived challenges to its sovereignty from Taiwanese independence movements as direct threats. Globally, adherence to the One China policy by numerous nations underscores China's diplomatic clout, as countries recognize the PRC and abstain from granting official recognition to Taiwan. This, in turn, influences Taiwan's international standing and its ability to participate fully in global organizations. Through these interconnected dynamics, the One China policy

¹⁹ Vera Zerlinda Alamsyah Sulaiman, 2020, "China's Policy in Refusing North Korea Nuclear Proliferation", *Global: Jurnal Politik Internasional*, Vol. 22, No. 1, p. 116, <https://doi.org/10.7454/global.v22i1.481>.

shapes not only bilateral relations but also broader geopolitical realities, highlighting the intricate interplay between sovereignty, diplomacy, and strategic interests on the international stage.²⁰

Overall, the One China policy is a complex and sensitive issue that continues to influence regional dynamics in East Asia and global diplomacy involving China and Taiwan. Every policy decision made by the president of the United States must take into account US interests in terms of democracy and safety.²¹ The Taiwan Relations Act (TRA), which was passed in 1979, eventually established the foundation for the United States' diplomatic relations with Taiwan as well as the formation of military agreements with the island. The TRA states that the United States would provide Taiwan with assistance in the form of military protection. In addition to the weapons industry, TRA also incorporates cooperation in other industries.

The United States of America recognized the Republic of China (ROC), often known as Taiwan, as a distinct component of China from 1913 until 1978. The pivoting of the United States toward China was something that had been anticipated since the early 1970s, searching for methods to keep up the relationship with Taiwan.²² To address the concerns raised by the One China Policy, the United States places a high focus on a number of different problems, the most important of which is sovereignty. In the context, the concept of sovereignty refers to Taiwan's legal standing, questions about unification or independence, referendums, a new constitution, and involvement from international bodies. The United States and China do not agree on an aligned interpretation of "One China".²³ Concerns emerge over whether the United States' position represents support for unity or independence, non-support for either, or resistance to either. At the same time, Taiwan remains steadfast in its defense of the nation's

²⁰ Budiana Muhammad, Djuyandi Yusa, 2023, "International Security Based On The United States Response Post To The South China Sea Claim By The People's Republic Of China", *Jurnal Wacana Politik*, Vol. 8, No.1, p. 89, <https://doi.org/10.24198/jwp.v8i1.44922>.

²¹ Sava Anisha Wahyudi, 2021, "The Impact of the One China Policy on Indonesia's Diplomatic Relations with Taiwan", *Journal of ASEAN Dynamics and Beyond*, Vol. 2, No. 2, p. 95.

²² Dian Pratiwi, 2021, "Implication One China Policy of On Taiwan Independence", *Warta Governare: Jurnal Ilmu Pemerintah*, Vol. 2, No. 2, p. 259.

²³ Adam P. Liff, Dalton Lin, 2022, "The "One China" Framework at 50 (1972–2022): The Myth of "Consensus" and Its Evolving Policy Significance", *Cambridge University Press*, Vol. 252, No. 50, p. 979.

constitutionally guaranteed right to self-government and in its pursuit of international recognition via the United Nations. Even though Taiwan and the United States do not have formal diplomatic ties, the United States continues to provide weaponry to Taiwan in order to support Taiwan's efforts toward self-defense. After tensions subsided in the Taiwan Strait in the 1995–1996 time period, the Department of Defense did so in the background. At the time, this was led by Bill Clinton and was responsible for maintaining an important military connection with Taiwan.

Because of the One China Policy, Taiwan is subject to the laws and regulations enacted by the Chinese government. On the other hand, it became clear that Taiwan's response to the approach was unfavorable. They are opposed to being part of China and being ruled by a single regime. Because the island nation Taiwan may already be regarded as a state in and of itself, it believes its own landmass to be that of a sovereign nation. On the other hand, China is not obligated to abandon the policies it has already established simply because of the response it received from Taiwan. Instead, China imposes stringent regulations on nations that desire to establish diplomatic ties with China.²⁴ If other nations wish to create better ties with China, it is inappropriate (or unacceptable) for such states to establish contacts with Taiwan. To put it another way, if a nation wants to work with China, it must adhere to the "One China Policy"²⁵.

The United States, which is China's primary partner in international collaboration, gave its initial blessing to the initiative. In order to show respect for the decisions made by the Chinese government, the United States has acknowledged and decided to terminate its working partnership with Taiwan. Jimmy Carter, who served as President of the United States at the time, signed a joint communiqué with China in 1979 indicating his agreement with the Chinese strategy. However, it was later discovered that the United States did not adhere to the terms of the agreement that had been made in its entirety. A month after the signing of the joint communiqué, the United States even consented to the Taiwan Relations Act, causing a significant amount of uncertainty for China at the time. In addition, the

²⁴ Yana V. Leksyutina, 2017, "The U.S. and Its "One China" Policy", *Outlines of global transformations: politics, economics, law*, Vol. 10, No. 5, p. 3.

²⁵ Rangga Aditya, 2018, "The (In)visibility of Taiwan – Indonesia Relations: Indonesian Student on the Side-line", *Journal of ASEAN Studies*, Vol. 6, No. 2, p. 193.

United States let down the government of China, resulting in less stable ties between the United States and China to the day.²⁶

C. Taiwan and us Movements Against One China Policy

The movement in Taiwan, which is seen as being too open in carrying out collaboration, has a variety of repercussions that can be dangerous for China. The strong connection that exists between the United States and Taiwan illustrates one of these potential dangers. The United States of America often portrays itself as a nation that defends Taiwan from China in the ongoing struggle. In addition, there is a legal tie that binds the United States and Taiwan, which contributes to the close cooperation that exists between the two states in the area of weaponry. The United States has committed to provide arms to Taiwan in accordance with the provisions of the legislation. As a result, the United States intends to sell weaponry to Taiwan for a total price of 1.4 billion USD. The deal is beneficial to Taiwan's efforts to modernize its armed forces.²⁷

The actions taken by Taiwan in an attempt to obtain recognition as an independent entity have an ever-increasing effect on China's very survival. According to Buzan et al.'s research on security in the political sector, one of the risks in the sector is the refusal to recognize another nation's sovereignty. As a result of Taiwan's adamant denial that it is an integral part of China, the island exerts significant effort in the hope that other nations would recognize it as an independent nation. During the time that Tsai Ing-wen was in charge of Taiwan, as well as during the time when Tsai's predecessor was in charge, the president of Taiwan has made similar efforts to ensure that Taiwan is allowed to participate in the United Nations (UN). This indicates that if Taiwan is granted international recognition as a state, it may pose a direct danger to both the sovereignty of China and the One China Policy.²⁸

Despite the existence of a democracy in Taiwan, bullying by Chinese nationals has a detrimental impact on Taiwanese society, particularly on the

²⁶ Nguyen Thi Thuy Hang, 2017, "The Rise of China: Challenges, Implications, and Options for the United States", *Manju Jain*, Vol. 30, No. 1, p. 69.

²⁷ Eryan Ramadhani, 2013, "The Arms Trade Treaty: U.S. Arms Sales to Taiwan and U.S.-China Relations", *Global and Policy*, Vol. 1, No. 2, p. 167.

²⁸ Samson Yuen, 2019, "Between high autonomy and sovereign control in a subnational island jurisdiction: The paradox of Hong Kong under 'One State, Two Systems'", *Island Journal Studies*, Vol. 15, No. 1, p. 140.

younger generation. Bullying by Chinese nationals against Taiwanese individuals (especially the youth) takes various forms. These include: online harassment such as derogatory comments; personal attacks; and spreading false information on social media; economic coercion through boycotts of Taiwanese products or businesses seen as pro-Taiwan independence; political pressure involving threats of legal action or surveillance for dissenting views on China's policies, social exclusion and discrimination in academi;, professional; or social settings due to Taiwanese identity; cultural denigration by appropriating Taiwanese culture while marginalizing Taiwanese identity; and threats to freedom by infringing on academic and expressive freedom. These actions undermine trust and unity in Taiwanese society, especially among the younger generation; reflecting broader tensions in cross-strait relations and identity politics.

People in Taiwan passionately support the implementation of democracy. Such support exist because, under the system, they are able to openly express their thoughts, and are unaffected by any pressure from the government. Because of this, it is difficult for the people of Taiwan to accept an authoritarian government similar to that of China, particularly with respect to measures that are frightening and repressive. Democracy, on the other hand, represents an open and free political system, contrasting with China's historically closed and authoritarian government system. Taiwan's adoption of democracy stands in stark opposition to China's political structure. This is a well-established distinction.

The United States is provides Taiwan with a supply of advanced weaponry, as well as military assistance. The fact that the United States is helping Taiwan improve and modernize its armed forces causes China anxiety, as the support result in Taiwan's increased safety and confidence.²⁹

In addition, there exist regulations that obligate the United States to assist Taiwan in its defense, making the US the primary source of arms supplies for Taiwan. Doing so has the potential to heighten the level of power struggle that exists between the two nations. If Taiwan is more powerful than China, China would have a much harder time defending its territory on Taiwan.

²⁹ Shuluh Shasa Nadita, 2021, "Bridging Towards Political Power: China and the New Institutionalised Strategies", *Journal of International Relations*, Vol. 7, No. 2, p. 74.

China does not want Taiwan to gain its independence, because it fears that the island will then come under the sway of other nations.³⁰ This illustrates of the significant impact that the United States' strength can have. The presence of US interests and interference often creates obstacles in China's attempts to continue treating Taiwan as an integral part of its territory. Throughout its history, Taiwan has often served as a staging ground for military operations directed at the Southeastern area of China. Because of Taiwan's placement between East and Southeast Asia, it is considered to be a crucial territory. With this understanding, it should not come as a surprise that the United States has taken interest in Taiwan. According to the information provided by Buzan et al., one danger posed by the political security sector is the infringement of sovereignty. Taiwan is a province that is included in Chinese sovereignty from China's point of view; thus, if China does not protect Taiwan, it will not be able to preserve the stability of its nation.

Taiwan has a significant amount of untapped economic potential.³¹ In the context of the Asian region, Taiwan is a nation that currently demonstrates robust economic development and resilience. This can be understood as a reason that the United States and China are working together to increase their respective levels of influence over Taiwan, particularly since the United States plays a part in Taiwan's economy. According to Buzan et al., one of the challenges to security in the economic sector will have an influence on domestic stability. As a result, China's loss of Taiwan might possibly have an effect on the state's level of internal stability. This is due to the fact that China maintains an economic cooperative relationship with Taiwan, which aims to raise the standard of living for the Chinese people. Taiwan is seen by China as a prosperous area that has a great deal of unexplored growth potential. Because it has sufficient human resources, Taiwan's economy is capable of experiencing fast expansion in the industrial and commercial sectors. The manufacturing sector is a significant contributor to Taiwan's economy, particularly in terms of exports, the equipment industry, and the petrochemical sector. Compared to previous

³⁰ Dario Kuntić, 2015, "The Ominous Triangle: China-Taiwanthe United States relationship1", CIRR XXI, Vol. 72, No. 1, p. 244.

³¹ Kharis Templeman, 2020, "How Taiwan Stands Up To China", Journal of Democracy, Vol. 31, No. 3, p. 87.

years, Taiwan's gross domestic product (GDP) has a history of demonstrating an upward trend. As a result, China is making a concerted effort to ensure that Taiwan continues to be a part of it, despite the fact that Taiwan's economy is showing signs of improvement. Having Taiwan as a part of China would make China's potential and economy stronger than it is now, as it is currently in second place behind the United States. It would allow China to overtake the United States as the world's most powerful nation.

D. The Impact of Nancy Pelosi's Arrival to Taiwan

Because Nancy Pelosi is the third-highest ranking official in the US government, any trip she takes to Taiwan, (no matter what the circumstances) would be fraught with political complications. In terms of international law, Nancy Pelosi's visit to Taiwan could raise notable considerations. Firstly, under the principle of state sovereignty, such a visit might challenge China's claims of sovereignty over Taiwan, potentially violating the One China policy. Secondly, it could be perceived as interference in China's internal affairs, and a violation of the principle of non-interference. Additionally, Pelosi's visit might imply *de facto* recognition of Taiwan's government, impacting diplomatic relations with both China and other countries. Moreover, the visit could escalate tensions in the region, affecting regional stability and security. Therefore, careful consideration of these legal and diplomatic implications would be necessary to navigate the complexities and uphold international norms. This amounts to "gross interference in China's internal affairs, seriously undermining China's sovereignty and territorial integrity."³² It also tramps on the principle of the One China Policy, seriously threatens peace and stability in the Taiwan Strait, damaging relations between China and the United States, and leading to problems with grave consequences.³³

The trip that Pelosi took to Taiwan was fraught with controversy. Why did she choose to visit Taiwan at such a delicate moment in ties between China and the United States, when Xi Jinping is inching closer to a third term as China's paramount leader and may be especially pushy on Taiwan? Was I missing anything in her trip? Was she trully doing anything significant to

³² Daniel Tantra Wiratama, 2017, "The Golden Age of China-Taiwan Relations: The Explanation and Its Future", *International Phenomenon*, Vol. 1, No. 1, p. 69.

³³ Russel Ong, Argo Victoria Ong, 2018, "Political Relation between Taiwan and China After the Selected of the New President", *Jurnal Pembaharuan Hukum*, Vol. 5, No. 3, p. 3.

further the cause of peace and safety in the Taiwan Strait, or was the purpose of the event purely for appearances? The trip might be seen as posturing by some, but there is a strategic sense to why it was taken. Pelosi cites the Taiwan Relations Act in an opinion piece that she wrote for The Washington Post to explain her trip to Taiwan. Here, she stated that "our congressional delegation's visit should be seen as an unequivocal statement that America stands with Taiwan." Pelosi's trip was organized by the Democratic Congressional Campaign Committee.

At the conclusion of her tour, she made a statement in which she described the stance of the United States on Taiwan's democracy as "ironclad." This was not just rhetoric for the sake of it. Congress plays a significant role in determining whether or not the United States' efforts to dissuade Beijing from employing military force against the island are successful. This is both in terms of the law and in terms of the actual operation of the government. Both the Taiwan Relations Act and the Constitution of the United States provide Congress the legal authority to play an essential part in determining how the United States can react in the event of an emergency in the Taiwan Strait. While presidents have traditionally claimed vast unilateral powers in determining the use military action, the executive branch's issuance deterrent threats issued is given significant credibility when such threats are backed up by Congress. In the discussion over strategic ambiguity and clarity, it is sometimes thought that the president has the right to determine whether or not the United States will protect Taiwan. This is because strategic ambiguity and clarity typically contrast with one another. When US President Joe Biden proposed a change in strategy by announcing that America would intervene, there was little argument about the fact that he had the ability to do so. However, the matter is not quite as easy as that. The Taiwan Relations Act, which has been a foundational component of the One China policy of the US for a very long time, provides Congress with a role the president in choosing the United State's presented reaction of the. The Taiwan Relations Act specifies that "the President and the Congress must consider, in line with constitutional procedures, appropriate action by the United States in response to any such risk" to Taiwan. The provision may be found in subsection 3(3) of the act

(emphasis added). After Biden's announcement of his preferences, the Congress is only actor that's is still lacking.³⁴

If China were to assault the island, how could anybody credibly predict how Congress would respond to the situation? During the First Taiwan Strait Crisis, the Eisenhower administration was confronted with the very same challenge. At the time, the president's answer was to make a formal appeal to the legislature, asking for permission to deploy military action. This resulted in the so-called "Formosa Resolution," the primary objective of which was, much like the current policy of the United States, to discourage communist aggression against Taiwan. The United States was left with two levels of strategic ambiguity for two branches of government. These branches are involved with deciding how to respond to a crisis in the Taiwan Strait, and have been so ever since the Formosa Resolution was repealed in 1974. These branches include the Department of Defense and the Department of State. The visit by Pelosi is therefore not an effort to reduce strategic uncertainty; rather, it is an effort to dissuade Beijing from unilaterally altering the status quo.

The possibility of matters becoming any worse is presents concerns. It is possible for the Chinese Communist Party to see Pelosi's visit as a degradation of the unofficial nature of Taiwan-U.S. ties, and it is probable that they do. As a result, the Chinese Communist Party may carry out its threats to use force against Taiwan.³⁵ However, prior to concluding that Pelosi's visit was an unnecessary act of provocation, it is important to acknowledge the political reason underpinning what she did. In the absence of congressional authorization for the United States to use military force in the Taiwan Strait — the passage of which is likely to be much more provocative than Pelosi's trip — the kind of visit signals that Congress would not tie the president's hands of the in a Taiwan contingency. Pelosi's trip is likely to be far more provocative than simply passaging of a congressional authorization for the United States to use military force in the Taiwan Strait. However, despite the strategic logic to Pelosi's travel, the logic itself indicates that the United States' stance toward Taiwan is not as strong as it

³⁴ Terry Flew, "Confucius Institutes and the Network Communication Approach to Public Diplomacy," *The IAFOR Journal of Asian Studies* 1, no. 1 (2014): 7.

³⁵ Zainab Raza, "China's 'Political Re-Educations' Camps of Xianjiang's Uyghur Muslims," *Asian Affairs* 50, no. 4 (2019): 493.

might be. Pelosi's visit is a sign of the uncertainty that has been brought about by the policy, which Bonnie Glaser and Zach Cooper have referred to as "strategic confusion." The president is argued to mislead the public by claiming that there is a commitment to Taiwan, when there is none in reality. Then, the White House promptly contradicts the president's claims. Even though the United States officially maintains a neutral stance on Taiwan's status in accordance with the One China policy, the US President refers to Taiwan as an independent nation, and the secretary of state has referred to Taiwan as a state on two separate occasions. Therefore, to demonstrate legislative support, the speaker of the House travels to Taiwan and intentionally provokes a conflict with Beijing. It appears that the United States is making up its policy towards Taiwan as it goes along: feeding Beijing's suspicions about the genuine intentions of the United States, and increasing the likelihood of a conflict occurring in the Taiwan Strait.

The purpose of Nancy Pelosi's trip to Taiwan as Speaker of the United States House of Representatives was to calm the situation and lessen tensions between Taiwan and China. However, the visit did not achieve either of those goals and instead further tensed the situation. Representative Nancy Pelosi flew to Taiwan on her accord, utilizing a military jet to make the trip. During her visit, Nancy Pelosi expressed the hope that Taiwan would be able to maintain its independence from China without facing any kind of pressure from the Chinese government.³⁶ She said that the United States of America is behind the status quo in Taiwan completely. "The status quo" can here be understood by its origin: "the situation as it was when there was no conflict".³⁷

The United States of America hold high expectations that there will be no prospect of China using military force against Taiwan in the future. They also maintain high hopes that the people of Taiwan would be able to live regular lives. Pelosi said that the United States is prepared to engage in more productive commercial interactions with Taiwan. Tsai Ing-wen, the President of Taiwan, has expressed her gratitude to Pelosi for coming to

³⁶ Namrata Hasija, 2022, "Pelosi's Intoxication of Taiwan and Democrat's Flopped Performance in the US' Midterm Election", *Sinergi: Journal of Strategic Studies & International Affairs*, Vol. 2, No. 2, p. 201.

³⁷ John Milligan, Whyte, "Does US still have a one-China 'policy'?", accessed on January 17, 2023, <http://global.chinadaily.com.cn/a/202208/12/WS62f5ffba310fd2b29e71e24.html>

Taiwan to provide a hand in global support.³⁸ She has high expectations that the United States would become a more important ally to Taiwan following the visit.³⁹ However, a number of high-ranking state officials and political experts from around the world have criticized the actions of the United States, which are considered to further aggravate the situation between China, Taiwan, and the United States of America itself. These critics are located in a variety of states.

It is indisputable that the USA intention to provide support by sending Nancy Pelosi to Taiwan does not actually ease the conflict; rather, it exacerbate a global conflict that might lead to wider problems. This could, in turn, involve other states, and is an undeniable fact. China was seen conducting military drills near the Taiwanese border on following Nancy Pelosi's visit, which took place earlier in the day. China fired a total of 11 missiles in the direction of Taiwan's seas: three to the north, three to the east, and three to the south. This is meant to serve as a warning to Taiwan not to interfere with the internal affairs of the PRC. If the United States becomes more engaged in the struggle occurring inside China, China may not keep quiet and decide to declare war, which the US fears to escalate to a global battle.

IV. CONCLUSION

The analysis highlights the intricate legal and diplomatic ramifications of Nancy Pelosi's potential visit to Taiwan within the framework of international law. It underscores the delicate balance between endorsing Taiwan's democratic governance and potential contravention of established diplomatic conventions, particularly regarding state sovereignty, non-interference, and regional stability. Any decision concerning Pelosi's visit necessitates meticulous consideration of these factors to uphold international norms effectively. The complexities surrounding Pelosi's prospective visit to Taiwan underscore the imperative for judicious deliberation and strategic

³⁸ E. Brooke Phipps, Fielding Montgomery, 2022, " "Only YOU Can Prevent This Nightmare, America": Nancy Pelosi as the Monstrous-Feminine in Donald Trump's YouTube Attacks", *Women's Studies in Communication*, Vol. 45, No. 3, p. 320.

³⁹ Gang Lin, Wenxing Zhou, Weixu Wu, 2021, "What Shapes Taiwan-related Legislation in U.S. Congress?", *Journal of Contemporary China*, Vol. 31, No. 136, p. 613.

navigation to reconcile competing interests while preserving the broader principles of international relations.

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