

United States Intervention in the China - Taiwan Conflict over Taiwan Territorial Sovereignty



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ABSTRACT: The China-Taiwan conflict has again caught the world's attention. This is marked by increased Chinese military activity in Taiwan's airspace, which is claimed as an effort to maintain stability. On the other hand, Taiwan vehemently rejects China's actions and considers such actions a violation of its sovereignty. The tensions between China and Taiwan, as well as the tendency of the United States (US) department towards the situation, are caused by Taiwan having an important role in the region. The US also has good interests with Taiwan as well as the Region and then paid attention to the conflict between China-Taiwan. The attitude shown by the US in the midst of the China-Taiwan tempest is of course within the framework of its rivalry with China in the region. The most important thing for countries in the region is that the China-Taiwan conflict does not develop into an open conflict, because this can have an impact on regional security.

KEYWORDS: China-Taiwan; United States; Conflict; Territorial Sovereignty.

INTRODUCTION

International conflict is essentially a dispute between two or more subjects of international law.¹ As it is known that the subject of international law is the holder of rights and obligations under international law. In the public sphere, there are 6 subjects of international law, namely states, international organizations, the international red cross, the Vatican, rebels and individuals.² Regarding international conflicts, in October 2021 the China-Taiwan conflict heated up again, after a number of Chinese warplanes entered Taiwan's airspace. On China's military aggressive move into its territory, Taiwanese President Tsai Ing-wen stated that his party will do whatever it takes to defend itself. The tension that characterizes the relationship between China and Taiwan, of course, cannot be separated from China's attitude which officially considers Taiwan a province that has separated itself from its territory, so that efforts need to be made to become part of China's territory.

The current tension between China and Taiwan is the worst in the last 40 (forty) years. This protracted conflict originally started with the collapse of the Republic of China government in mainland China (1912–1949) which began with the civil war between the nationalist-leaning Republic of China and the Chinese Communist Party, and ended with a major military truce, with the result that the Chinese Communist Party took control of the Chinese Communist Party. mainland China, while the jurisdiction of the Republic of China (Taiwan) ruled over several islands that are now known as Taiwan.

The recent conflict has become the worst tension in the midst of President Tsai Ingwen's continued efforts to seek support for international recognition for Taiwan's independence. This is the opposite because for China, Taiwan is part of a country that is trying to rebel and break away. So that in recent times China has tried to show its authority by giving verbal warnings or taking military provocations in Taiwan's airspace.

Chinese President Xi Jinping even emphasized that China would not hesitate to start a war to defend Taiwan. Through its military power, China is expected to easily control Taiwan. However, there are other things that China also needs to consider when it wants to carry out military aggression against Taiwan. The thing that needs to be considered is the presence of the United States in the midst of the feud between the two countries, in which it is certain that the United States will not remain silent if China's military aggression against Taiwan actually occurs.

The existence of the Taiwan Relations Act 1979 provided space for the United States to assist Taiwan in the event of an open conflict. In order to respond to intimidation from China, Taiwan asked the United States for assistance in increasing security and intelligence cooperation, considering that China's provocations and confrontations are increasingly intense and widespread.³

¹ Eka An Aqimuddin, 'Tanggung Jawab Negara Terhadap Tindak Pidana Internasional', *Negara Hukum*, 12.2 (2012), 12–29.

² Tom Ginsburg, 'Authoritarian International Law?', *The American Journal Of International Law*, 114.2 (2020), 221–60 <<https://doi.org/doi:10.1017/ajil.2020.3>>.

³ David Brown, 'Konflik China Dan Taiwan Kembali Panas, Seimbangkan Kekuatan Militer Keduanya?', *BBC News*, 2022 <<https://www.bbc.com/indonesia/dunia-59942403>> [accessed 8 June 2022].

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The conflict between China and Taiwan has been a concern of the United States. Through his statements in the media, US President Joe Biden said that the United States would assist and defend the interests of its allies, not only NATO member countries in Europe, but also its allies in Asia Pacific, such as South Korea, Japan and Taiwan. In addition, the White House through its spokesman emphasized that the United States' support for Taiwan has not changed.

If you look back a little to 2020, when the US was still led by President Donald Trump, the United States approved an arms sales project to Taiwan with a value of USD 5.1 billion, or around Rp. 76.5 trillion, and this policy will continue to be maintained by Joe Biden.

In the contestation of political power and influence in the East Asia region, the dynamics of interaction between the United States and China are often determined and associated with the development of the Taiwan issue and the attitude of these two major countries to the issue. Unlike most other countries in the international world, Taiwan is not a sovereign political entity.

In the global forum Taiwan is positioned as a non-state economic entity. Therefore, despite its advanced economic development, Taiwan does not have the same political power as other countries. So it is not surprising that Taiwan's role in the international world is largely determined by relations with the world's great powers, especially China and the United States, namely the two countries that have the greatest interests in the Taiwan Strait area.

DISCUSSION

1. China-Taiwan Political History

Historically, the relationship between Taiwan and Mainland China began when this region was first discovered in the Three Kingdoms period (220-280). Then after the Sui Dynasty (586-618) and Tang Dynasty (618-907) confirmed Chinese control in the area which was originally called Yizhou Island. During the Song Dynasty (960-1279) and the Yuan Dynasty (1271-1368), Han ethnic immigrants, the majority of whom came from the Fujian Province, began to arrive in Taiwan (Taiwan Affairs Office of the Chinese State Council 1998). During the Song Dynasty, China was active in trade relations with Japan and countries in Southeast Asia and the Middle East. However, that changed when the Ming Dynasty came to power (1366-1644). The Ming government withdrew its officials and evacuated Chinese immigrants from Taiwan. Until then maritime activities in the region were finally stopped.⁴

Then, issues related to Taiwan's rapid development both economically and politically have become a major obstacle to China's rise. During World War II, Taiwan was the base used by Japan to launch attacks on southeastern China. On the other hand, the United States in the Cold War era, used Taiwan as an instrument as an antidote to the spread of communist ideas from China. Therefore, China does not want Taiwan to be independent or fall into the hands of other countries because China thinks that if this happens, it will have a very fatal impact on the continuity of China's economic development and national security.

In addition, the issue of tension between China and Taiwan is not merely an internal issue, but the United States has always had its own interests. Since the civil war between the nationalist and communist camps in China in the 1940s, the United States has been openly involved in the Taiwan issue. The Korean War that occurred in 1950-1953 further encouraged the United States to launch various forms of intervention in cases or issues related to Taiwan. Until now, the United States has continued to carry out these interventions, one of which is by protecting Taiwan from China's threats. This is what makes Taiwan and China increasingly difficult to unite.⁵

The international political order in the Asia Pacific region is characterized by the dynamics of China's relationship with Taiwan. The conflict between China and Taiwan has occurred since 1927, when the nationalists led by Chiang Kai Shek founded the Nationalist China government in Nanking, while the communists led by Mao Zhe Dong established a communist government centered in Kiangshi.

Developments in the Asia Pacific Region are growing rapidly, causing the United States to pay serious attention to the region. Countries in the Asia-Pacific show very significant developments.

The economic and military sectors make the Asia-Pacific region a center of international activity. The presence of China as a new emerging power and having great economic power then pushed the United States to focus on the Asia Pacific region by rebuilding and strengthening various cooperative relationships with allied countries. In addition, the United States considers that the Asia Pacific region needs to be maintained for its regional stability, especially Taiwan.

Currently, Taiwan has been recognized de facto (temporarily) by as many as 23 countries, mostly small countries in Africa, South America and the Vatican Government in Rome. The recognition by these countries is inseparable from the existence of Taiwan, which is considered an important Asian economic power and is a gateway for investors to invest in this region apart from Hong Kong and Singapore. Another consideration is that Taiwan also continues to carry out trade and economic cooperation with several countries in the European Union and Asia Pacific, without demanding official diplomatic recognition from them, even

⁴ Barry Shlapak, David A. Orletsky, David T. Reid, Toy I. Tanner, Murray S. Wilson, 'A Question of Balance: Political Context and Military Aspects of the China-Taiwan Dispute', *RAND CORP ARLINGTON VA NATIONAL SECURITY RESEARCH DIV*, 186.1 (2009), 1-21.

⁵ Yong Deng, *China's Struggle for Status*. New York: (Cambridge, Britania Raya: Cambridge University Press, 2008).p.43.

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though China has made a policy not to enter into diplomatic relations with any country that recognizes Taiwan and forces they withdrew their support for Taiwan.

The development of political relations between China and Taiwan can be said to be very dynamic. It can be seen that from the early 1950s to the late 1970s, the relationship between China and Taiwan was often marked by tension. After that, the situation had changed for the better for twenty years. However, tensions flared again in the mid-1990s, as Taiwan's pro-independence movement grew stronger. The situation worsened after the pro-independence DPP took over all power from the KMT in 2000. However, this did not last long after the KMT regained power in 2008 until now.

2. Potential China-Taiwan Conflict

China and Taiwan are currently considered to be experiencing the worst tensions in the last 40 years. This protracted conflict began with the collapse of the Republic of China government in mainland China (1912–1949) which began with a civil war between the nationalist-leaning Republic of China and the Chinese Communist Party, and ended with a major military truce, with the result that the Chinese Communist Party took control of the mainland China, while the jurisdiction of the Republic of China (Taiwan) ruled over some of the islands now known as Taiwan.

The conflict between China and Taiwan is the worst tension in the last 40 years. In addition, in the midst of President Tsai Ingwen's efforts to continue to seek support for international recognition for Taiwan's independence, for China, Taiwan is only part of China which is trying to carry out an insurgency and trying to break away. This has triggered China several times to give warnings both verbally and in the form of military provocation efforts in Taiwan's airspace. Even emphatically, the President of China, Xi Jinping, stated that China would not hesitate to start a war to defend Taiwan.⁶

If finally China's military aggression against Taiwan occurs, and then involves the United States, it has the potential to endanger the stability of China's economy, which is currently on the rise. This also has the potential to have an impact on the global economy.⁷ Considering that China and the United States are part of the global economic power, various economic policies, both the United States and China, have so far been very decisive and have an influence on the sustainability of the international economy.

3. America's stance on the China-Taiwan conflict

In the contestation of political power and influence in the East Asia region, the dynamics of interaction between the United States and China are often determined and associated with the development of the Taiwan issue and the attitude of these two major countries to the issue. Unlike most other countries in the international world, Taiwan is not a sovereign political entity.⁸

In global forums, Taiwan is positioned as a non-state economic entity. Therefore, despite its advanced economic development, Taiwan does not have the same political power as other countries. So it is not surprising that Taiwan's role in the international world is largely determined by its relations with the world's great powers, especially China and the United States, the two countries that have the greatest interests in the Taiwan Strait area.

For the United States, Taiwan is a country that has a strategic position in the political, economic and military fields because Taiwan has a pro-Western tendency, thus this is beneficial for the United States, especially regarding the economic sector (trade) as well as the military sector.⁹

In general, the United States has a tendency to support Taiwan and this has caused a negative reaction from China. China's Ambassador to the United Nations Zhang Jun said that the mission to reunify Taiwan with China would be carried out peacefully. Zhang Jun also stated that China is not a troublemaker, ostensibly alluding to the West about the US-sponsored sending of military forces to the Middle East in recent years. Zhang Jun's statement was supported by Chinese Foreign Ministry spokesman Wang Wenbin, who emphasized that China's sovereignty over Taiwan is something that cannot be compromised. Taiwan's affairs are Chinese affairs, and have nothing to do with foreign parties, and there should be no intervention from any party, even if it is from the US and its allies.¹⁰

In order to support Taiwan, the United States government under the leadership of Joe Biden also secretly sent some of its military forces to Taiwan for joint training, which included United States Navy and Special Operations Forces personnel. This shows that the relationship between the United States and Taiwan has been well established. The United States' support for Taiwan is inseparable from the implementation of the Taiwan Relations Act policy by the United States, which includes defense

⁶ Nancy Bernkopf Tucker, *Strait Talk: United States-Taiwan Relations and the Crisis with China* (Massachusetts: Harvard University Press., 2009).p.32.

⁷ Ade Maman Suherman, *Aspek Hukum Dalam Ekonomi Global* (Bogor: Ghalia Indonesia, 2005).p.31.

⁸ Sri Endah Wahyuningsih Sarwanto, 'The Role of the Government and Regional Security Safeguard Team Supervision (TP4D) In Prevention Criminal Corruption', *Jurnal Daulat Hukum*, 3.1 (2020), 155–62.

⁹ A. Safril Mubah, 'Kajian Historis Atas Kompleksitas Isu Taiwan Dalam Hubungan China Dan Amerika Serikat', *Global & Strategis*, 8.2 (2014), 321–337.p.327.

¹⁰ Ahmad Jamaan Fajrian Eka Budi Darmawan, 'Dampak Kerjasama Militer Amerika Serikat-Taiwan Terhadap Hubungan Amerika Serikat-Cina', *Jom Fisip*, 2.2 (2015), 1–11.p.6.

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relations. Even the president of the United States, Joe Biden, stated that he was ready to come to Taiwan if the island was attacked at any time by China.

These facts show signs that there are very conflicting interests between China and the United States. These conflicting interests make Taiwan a battle arena for the two world giants, thus making the discussion of this issue even more complex.

As a form of its support for Taiwan, the United States is very active in conducting buying and selling defense equipment transactions with Taiwan, with the aim of increasing Taiwan's military independence. Of course this sparked protests from the Chinese side.

But on the other hand, the United States continues to maintain good relations with China in order to safeguard economic and political interests. This was based on the "Shanghai Communiqué" agreed between China and America on February 28, 1972, which stated that the United States acknowledged that both Taipei and Beijing had agreed that there was only one China. Because of this, the United States continues to build and maintain good diplomatic relations with China, but is also committed to supporting Taiwan's efforts in maintaining its national defense. In other words, the United States supports a "one China" policy with Beijing as the legitimate government, but on the other hand maintains trade relations and carries out military support with Taipei.

The involvement of the United States in the dispute between China and Taiwan was caused by the rapid development of China in both the economic and military sectors which caused concern, especially for the allies of the United States, especially Taiwan as an old ally.

The United States displays an ambiguous attitude towards its siding with China or Taiwan. The United States' attitude towards China agreed to the Joint Communiqué in 1979 while with Taiwan made the Taiwan Relations Act (TRA) agreement.

In the eyes of the United States, Taiwan has a very strategic position, not only in the economic field, but also in the political and military fields. In the economic sector, Taiwan is the country that imports the largest weapons from the United States, while in the political field, Taiwan shows a pro-Western attitude. This then prompted the United States to protect the Asia Pacific region including Taiwan so that its allies would not fall into the hands of the communists. Meanwhile, in terms of the military aspect, the United States has built its military base in Taiwan to "warn" China and Russia not to interfere with the United States' allies in the Asia Pacific.

CONCLUSION

The complexity of the Taiwan issue that characterizes the relationship between China and the United States if we look back, tracing the history of the Taiwan issue, it can be seen from the beginning of the development of this problem, since its emergence in the post-World War II period in order to better understand the history of the early formation of Taiwan as a political entity, which was officially named the Republic of China (ROC).

This article is limited to the relationship between the United States and China in terms of two things. First, the issue of Taiwan cannot be separated from China because historically Taiwan has been a part of China. Second, the United States' intervention that began in the 1950s made this country finally play a role in playing regional dynamics in the Taiwan Strait region so that political stability in East Asia, in some ways, depends on US foreign policy in this region.

Based on these things, it is very clear that both the US and China have an interest in addressing issues that occur in the region, and this can be understood within the framework of the national interests of each country. In this case, the US, as a rival to China and also a country with an interest in the Asia-Pacific, sees that the Taiwan case does not stand alone, that is, it is not merely an internal problem of China, but must also be seen in the context of US interests in the region, including concerning economic interest. So, from the US perspective, in order to secure its interests, like it or not, the US must be actively involved in issues between Taiwan and China. But on the other hand, China is still trying not to shift the Taiwan issue into an external issue and reiterates that the Taiwan issue is China's internal affair.

The China-Taiwan conflict is no longer an internal matter for China. However, it can develop into an open conflict because Taiwan as a country that is quite important and reckoned with in the Asia Pacific Region is then added with support from the United States, which also has interests with Taiwan in particular and general interests in the Asia-Pacific Region. The United States' interest is to keep the China-Taiwan conflict from affecting and disrupting the continuity of US interests in the Asia-Pacific region.

For China, this is very much different, because the problems that occur between China and Taiwan are internal issues that cannot be compromised and it is China's business to deal with them without any element of interference from outside parties including the United States. While the most important thing for countries in the Asia Pacific region, is that the situation between China and Taiwan which is now getting hotter will not develop into open conflict, especially until military aggression occurs because it will have an impact on the security of the Asia-Pacific region.

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