

POLITICAL RELATION BETWEEN TAIWAN AND CHINA AFTER THE SELECTED OF THE NEW PRESIDENT

Ong, Russell, O. Argo Victoria

rsslong@gmail.com

(National Taiwan Normal University)

argovictoriaupin@gmail.com

(Internasional Islamic University Malaysia)

Abstract

Tsai Ing-Wen (Tsai) was elected Taiwan's first female president after succeeding won the general election with 56.1% of votes. His victory is expected to push a new round of independence efforts Taiwan from China, and can lead to China's instability. Transition the politics that the two regions will pass into global political developments relating to economic and trade cooperation that has been carried out. Time ahead of China and Taiwan will be tested by peaceful means or hostility completely dependent on Tsai's own choice. Even though Indonesia is not intertwined diplomatic relations with Taiwan, relations between the two countries are expected to continue increasing given the ongoing economic and trade cooperation enhancement.

Keywords and phrases: *China and Taiwan Relations, Kuomintang, Tsai Ing-wen, and Democratic Progressive Party*

A. INTRODUCTION

Taiwan exists today as a country that does not dare to mention its name. Claimed to be a "rebel province" by the People's Republic of China, he survived with a de facto state, until a solution is found that can resolve the status of the island, there will be no peace. This note will check can Taiwan have legitimate sovereignty to declare independence based on international law.

Taiwan's history shows that ethnically and culturally Taiwan can be said to be Chinese, the history of events has established the island and the land

on a different path, providing a rationale for separation that are continue up to nowadays¹.

The problem that occurred was the conflict between China and Taiwan which were represented by a splitting ideology between the Communist Party of the CCP and the KMT which promoted Nationalism, which took place disjointed until the end of 1937. The Chinese Civil War was on a scale full resumed in 1946, a year after the end battle with Japan. Four years later there was a ceasefire large military, with the establishment of the People's Republic of China controlling

mainland China (including Hainan) and jurisdiction republic of China is limited to Taiwan².

Judging from history backwards, in fact the formation of Taiwan began with the victory achieved by Mao Zedong with his communist party on mainland China in 1949. On the other hand, the Republic of China which is the former US alliance must swallow the bitter defeat. That is what then caused a nationalist named Chiang Kai-shek to invite Republic of China colleagues to evacuate to Taiwan Island, precisely at south of mainland China. In other words, China's geographical location and Taiwan is quite close because it is only separated by the Taiwan Strait⁴. More continued, in October 1, 1949 Mao Zedong proclaimed China's independence in Beijing. While Chiang Kai-shek was busy run his government based in Taipei. Need to be underlined that these two governments have two different ideologies. More China leaning towards communism, while Taiwan is more inclined to understand democratically in line with US ideology. Not surprisingly, thirty years since the incident China and Taiwan claimed their respective sovereignty each as the only decent and legal government for the Chinese community⁵.

Taiwan has not been recognized as a country by most other countries in the world are a big obstacle for Taiwan to establish diplomatic relations and broader cooperative relations. In fact, the United Nations as an international organization that oversees all countries not recognize Taiwan as a member. This makes many countries in various parts of the world only engage in cooperative relationships trade, economy and employment with Taiwan included Indonesia. Indonesia itself has a cooperative relationship with Taiwan since 1960⁶.

Taiwan's country entered a new phase with the leadership of the female president newly elected. Tsai, opposition leader from The Democratic Progressive Party (DPP) won election on January 16, 2016. Tsai also became Taiwan's first female president since secede from China after civil war China in 1949. But Tsai will also face the heavy duty of leading with hundreds of Chinese missiles point to their country. Tsai said he would create a relationship consistent and lasting with China and will not be provocative for the sake of guarding the current state of being (status quo). Both parties have responsibility for find a way that is equally acceptable in order to

continue to interact with respect and reciprocal relationships to ensure will no provocation. Whoever becomes Taiwan's president will certainly determine the path of relations between the two countries. Landslide victory which made Tsai a female president the first in Taiwan proved that the voters turn their support towards previous rulers and opposing parties establish closer relations with China⁷.

B. TAIWAN POLITICAL SYSTEM

1. Constitution

The ROC Constitution is based on Dr. Sun Yat-sen's three Principles of the People: Nationalism, Democracy and Socialism. Principle of Nationalism not only includes the same treatment and international status sovereign for the country, but also equality among all ethnic groups in this country. The principle of democracy guarantees each individual the right to freedom political and civil⁸. The socialism principle states that power what is given to the government must ultimately serve welfare people by building a strong and prosperous economy along with the fair society⁹.

The ROC Constitution describes the rights, duties and freedoms of the people; direction overall for political,

economic and social policies; and organization and government structure. Modeled after the US constitutional concept, it guarantees various rights such as equality, employment, livelihoods and property, as well as political power of elections, withdrawals, initiatives and referendums. As in return, people must pay taxes and carry out military service as determined by law. Receiving education is considered a right and people's obligations.

The ROC Constitution specifically guarantees freedom of speech, stay, traveling, gathering, secret communication, religion and association. Rights and other freedoms, even if they are not mentioned in the Constitution, are still protected, provided that it does not violate the social order or the public interest. All actions taken by the state against citizens - such as arrest, trial and punishment - must be carried out strictly in accordance with procedures law. If the government violates a person's human rights when processing a case, the victim is entitled to compensation by the State¹⁰.

The ROC Constitution, which was announced on January 1, 1947, did not begin to serve the purpose intended as a basis for government democratic and

rule of law until after 1987, during martial law revoked in Taiwan. Since then, it has experienced seven revised rounds - in 1991, 1992, 1994, 1997, 1999, 2000 and 2005 - to make it more relevant to the current state of the country¹¹.

One important consequence of this amendment is that since 1991, the ROC government has recognized that its jurisdiction only reaches the territory under its control. Therefore, the ROC president and legislator were elected by and responsible to people in these areas only.

In accordance with the constitutional amendments announced on the month June 2005, the number of seats in the Legislative Yuan was halved from 225 to 113 and the requirements of legislators are increased from three to four years. Under a new legislative electoral system, each electoral district only chooses one seat. Each voter gives two ballots - one for the district and one others for large seats. Strength to ratify amendments the constitution is now carried out by ROC citizens through referendum¹².

2. Government Level

The national government consists of the president and five main branches,

or yuan. The current regional government includes six special municipalities, 13 districts and three autonomous municipalities with the same hierarchical status district. Starting in 2014, all heads and representatives of local government are popularly chosen simultaneously in cities and counties in Taiwan every four year.

Special cities are top-level administrative entities located in under the direct jurisdiction of the central government. Status brings with it access to greater funding and the opportunity to establish an additional agency and employ more civil servants. The six municipalities specifically, in population order, are New Taipei, Kaohsiung, Taichung, Taipei, Taoyuan, and Tainan cities¹¹.

3. Presidential Election System

The president and vice president are elected directly, served for four years and can be re-elected for an additional period. President is the head of state and commander of the armed forces, representing the inner state foreign relations, and empowered to appoint the head of the four branches the government, including the prime minister, who heads the Executive Yuan (Cabinet) and must report regularly to

the Legislative Yuan (Legislature). Every Heads Ministry, commissions and agents under the Executive Yuan are appointed by the prime minister and form the Executive Yuan Council. To increase effectiveness administration, the Yuan Executive is restructuring to reduce the number of cabinet level organizations from 37 to 29.

After reorganization, which began in early 2012, the Executive Yuan will consist of 14 ministries, eight councils, three independent institutions and four other organizations. Under the ROC Constitution, both the appointment of the first president the minister and the appointment of the prime minister are subject to legislative confirmation. Appointment of the President from members of the Yuan Authority and Yuan Examination, as well as judge from Judicial Yuan, must be confirmed by the Legislature. Members Parliament elects a Legislative president, or speaker, from among their ranks⁹.

4. Central Government

The ROC government structure has horizontal checks and balances where the five highest branches of the central government manage country. These five branches are Executive Yuan,

Yuan Legislative, Judicial Yuan, Yuan Check and Yuan Control¹⁰.

The President of the Republic of China is the highest representative of the nation. In the past, national assembly elects president; however, since March 1996, the people of Taiwan have elected directly the president and vice president. President Tsai Ing Wen and Vice President Chen Chien-Jen is the current head of state for the Republic China.

The President of the Republic of China can hold his office for a maximum two periods of four consecutive years. As head of state, the president represents country in all foreign relations and state functions; even farther, all state actions are carried out in his name. Presidential duties include rule land, sea and air forces, enforce laws and decree; declare martial law, subject to confirmation by the Legislature Yuan; conclude the agreement; declare war and make peace; organizing the national assembly; giving amnesty and substitution, appoint and transfer civilian officials and military officers; and bestow awards and decorations. All authority is carried out by the president many are carried out in accordance with the provisions of the Constitution and other related laws.

After six constitutional amendments made between April 1991 and 2000, the National Assembly is now a non-standing body whose function most of it has been transferred to the Legislative Yuan. In accordance with the law legalized by the Yuan Legislature, 300 national assembly delegates are now elected by political parties on the basis of proportional representation. Some strength maintained by the body including voting on constitutional amendments, presidential impeachment or changes in national boundaries, such as those proposed by the Legislative Yuan. These was old power, liked hearing report on country states by the president every year and approve nominations president for Supreme Court justices and head of Yuan Examination and Control, all have been transferred to the Legislative Yuan⁹.

The ROC Cabinet was chaired by the prime minister and consisted of various ministers and commission chairmen under the Executive Yuan. Subordinate organizations below Executive Yuan including the Yuan Executive Board; eight ministries (interior, foreign affairs, national defense, finance, education, justice, affairs economics, and transportation and

communication; Mongolian and Tibetan Affairs Commission, Chinese Foreign Affairs Commission, Directorate General of Budget, Accounting and Statistics, and Government Information Offices, and other subordinate organizations, such as departments, commissions, councils, administrations, and ad hoc committees.

The Legislative Yuan is the country's highest legislative body, which consists from popularly elected representatives who served for three years qualify for re-election. 255 members of the Fifth Yuan Legislature elected in December 2001. Legislative Yuan Power, only carried out on behalf of the people, including confirming emergency orders made by the president of the ROC; hear reports about administration, revisions government policies, and reports on country states by each president year; check budget bills and audit reports; practice the right to approval of the appointment of the president of Control, Examination and Judicial Yuan; propose amendments to the ROC Constitution; resolve disputes about self-government; start the impeachment process against ROC president and vice president; and oversee the operation of the Executive Yuan¹³.

Yuan checks are responsible for inspection, work, and management of all civil service employees in the Republic of China. This consists of a president and 19 members, all of whom are appointed to a six-term term year by the ROC president and confirmed by Legislative Yuan. Addition to supervise the exam, Yuan Check regulate the qualification screening, guarantee ownership, money assistance in case of death, retirement of civil servants; and all legal issues related to work, return, evaluation performance, salary scale, promotion, transfer, praise, and employee awards country. The inspection system used in Taiwan applies to all appointed and selected civil servants, as well as for professionals and technicians specifically rented by local and foreign governments.

Control Yuan is responsible for correcting government officials at all levels and monitoring the government through the power of impeachment, censure, and audit. 24 Yuan Control members, including the president and vice president, are appointed for a six-year term by the ROC president and confirmed by the Legislative Yuan. Not allowed to hold public office others, involved in other professions, or have political party affiliations. Control Yuan

carried out the audit power through the Ministry of Audit, which responsible for auditing all government expenditures at the level central, provincial, municipal, district and city⁹.

C. Political Direction of New Leadership President of Taiwan¹⁴

Taiwan's Democratic Party (DPP) has given new enlightenment to political development. At least this has been predicted by the rise of Tsai as presidential candidates who then get rid of candidates from the Kuomintang ruling party's representatives (KMT) who is friendly with China, Taiwan, support for the DPP itself increases much since 2014, when hundreds of students occupied the Taiwan parliament for weeks to protest against Chinese trade law. Support for Tsai was increased because voters become anxious due to the strong relation with China by the previous president (Ma Ying-Jeou). Ma must step down after leading for two periods (eight years). As a result of the stagnant economy, Taiwanese people are disappointed with the signing trade agreements with China that can reduce profits for the community common in Taiwan. The DPP is more careful approaching China, although Tsai

repeated time to express his desire to maintain the status quo.

Tsai brought the opposition group which led to win and this became excellence for pro-independence groups Taiwan. The number of Tsai supporters was caused the Kuomintang is considered too close with China so that resulted increased relations with China. Voters feel uncomfortable with the relationship is too close along with the weak economy and disappointment with trade pacts signed with China, but failed to provide benefits for citizens Taiwan. In his victory speech, Tsai warned China that the persecution will harm Taiwan and China relations (cross-strait relations). She also wants if a democratic system, national identity distance and internationally must be respected. This matter because of oppression in any form will harm the stability of the second cross-link country. Previously in Tsai's speech promised to work to maintain peace and stability in relations with China. But she stressed if the relationship to the front must still reflect the will the community. By ensuring that it's not there were provocations or accidents between them. Beyond Chinese relations and Taiwan, Tsai also called for freedom navigation in the present South China

Sea being disputed as well as desire to strengthen international relations with Japan. In addition, Tsai hopes to continue communication with America States (US) which has been carried out by his party. The US does not have a relationship diplomatically official with Taiwan, but very useful for Taiwan as a supporter and weapons supplier.

Taiwan country entered a new phase with the leadership of the newly elected female president. Tsai, leader of the opposition Democratic Progressive Party (DPP) won the election on January 16, 2016. Tsai also become the first female president since secede Taiwan from China after the Chinese civil war in 1949. However, Tsai will also face a tough task with hundreds of missiles led China leads to his country. Tsai said he would create a consistent and lasting relationship with China and will not be provocative in order to maintain the present situation that is still (status quo). Both parties have a responsibility to find a way that is equally unacceptable to continue to interact with respect and interrelationship to convince them not to provocation. Whoever becomes president of Taiwan would also determine the relations between the two countries. The landslide victory that makes Tsai as the

first female president in Taiwan prove that voters turned its support to the ruling party contender earlier and forge closer ties with China.

Directions New President of Taiwan Political Leadership Party democracy of Taiwan has provided new insights for political development. At least it has been predicted to rise as a presidential candidate Tsai then get rid of candidate of the ruling Kuomintang party representatives (KMT) which are friendly to China, Eric Chu by a vote of 32.5%. In Taiwan, the DPP's own support for increased much since 2014, when hundreds of students occupied the Taiwan parliament for weeks to protest against Chinese trade laws. Support for Tsai surged as voters increasingly uneasy over the rapprochement with China by former KMT Taiwan President Ma Ying-jeou recently. Ma must step down after leading for two terms (eight years). As a result of the stagnant economy, the people of Taiwan were disappointed over the signing of trade agreements with China that could reduce the benefits for the general public in Taiwan. DPP over China's cautious approach, even though Tsai repeatedly expressed his desire to maintain the status quo.

Tsai bring opposition groups win and this leads to an advantage for the pro-independence Taiwan. The number of supporters of the Kuomintang party Tsai because considered too close to China, resulting in increased contact with China. The voters are not comfortable with the relationship that is too close along with the weak economy and disillusionment with trade treaties signed with China, but failed to provide benefits for the people of Taiwan. In his victory speech, Tsai warned China that the persecution will harm Taiwan and China relations (cross-strait relations). He also wants if the democratic system, national identity and international distance should be respected. This is due to the suppression of any sort would be detrimental to the stability of the cross-ties. Earlier in his speech, Tsai pledged to work to maintain peace and stability in relations with China. But he stressed if the future relationship should still reflect the will of the people. By ensuring that no provocation or accident scenes between the two. Beyond the relationship of China and Taiwan, Tsai also called for freedom of navigation in the South China Sea are now being disputed as well as the desire to strengthen international relations with

Japan. In addition, Tsai hopes to continue communications with the United States (US) has been done by Earlier in his speech, Tsai pledged to work to maintain peace and stability in relations with China. But he stressed if the future relationship should still reflect the will of the people. By ensuring that no provocation or accident scenes between the two. Beyond the relationship of China and Taiwan, Tsai also called for freedom of navigation in the South China Sea are now being disputed as well as the desire to strengthen international relations with Japan. In addition, Tsai hopes to continue communications with the United States (US) has been done by Earlier in his speech, Tsai pledged to work to maintain peace and stability in relations with China. But he stressed if the future relationship should still reflect the will of the people. By ensuring that no provocation or accident scenes between the two. Beyond the relationship of China and Taiwan, Tsai also called for freedom of navigation in the South China Sea are now being disputed as well as the desire to strengthen international relations with Japan. In addition, Tsai hopes to continue communications with the United States (US) has been done by Beyond the relationship of China and Taiwan,

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Taiwan elections monitored by the Chinese government and Chinese citizens. The monitoring result in the rejection of China on Taiwan presidential election results. China says Taiwan affairs are internal affairs for the country. There is only one China in the world and the presidential election in Taiwan does not change this fact included in international recognition of the election results. Taiwan's Tsai election victory by the Chinese responded by giving a confirmation of the 1992 consensus is One China Policy. This assertion is a

picture that the Chinese Government does not overreact to political changes in Taiwan and still want the status quo. Not surprisingly, the response Tsai softened by stating that he would guarantee the status quo of Taiwan's relationship with China.

China and Taiwan relations have improved since the previous president, Ma Ying-jeou, was president of Taiwan in 2008. This marked the improved economic relations, improvement of tourism relations, trade and cooperation pact. In 2012, China welcomed the re-election of Ma's happy. Even Ma's victory was a choice made for the citizens of Taiwan closer to China. The election results boost profitable relationship for both parties and is a common desire of all the people in Taiwan. However, over the people actually seemed disappointed with the leadership of Ma which tend to be close to and dependent on China.

Ahead of elections yesterday, the Chinese government has repeatedly opposed the will of Taiwan's independence. Furthermore, after the victory Tsai, Taiwan Affairs Office of China warned it would oppose any move towards Taiwanese independence. Weak economic growth in Taiwan, reaching only 1 percent in 2015, and an increase

in unemployment as well as the stagnation of income, can ignite the pro-independence movement in Taiwan faster next four years. Not to mention the Taiwanese public is not satisfied with Taiwan's close relationship with China in the era of the previous president are considered to cause dependency and eliminate the independence of Taiwan. His victory is expected to encourage a new chapter in the effort to Taiwan's independence from China, and could lead to instability in China. In addition, the Chinese Government is also determined to maintain national sovereignty and territorial integrity. Chinese Foreign Ministry expressed indifference to the changes that may occur in Taiwan. However, the results of the presidential election in Taiwan does not change the facts and the consensus of the international community. The Chinese Government sincerely hope the international community take concrete steps to support the peaceful development of relations across the Taiwan Strait. In addition, China needs to respect democracy in Taiwan. It is as an assertion in order to ensure that both parties have a responsibility to find ways that are acceptable to the stability of regional security. Tsai victory indeed has

managed to write a new history for Taiwan, but on the victory that China actually see may trigger an escalation in the relations between the two countries.

If you look back in history, China and Taiwan have been in conflict for a long time. By the time the two warring parties, namely the Chinese Communist Party with Chinese Nationalist Party during the civil war, the dispute ended in 1949 with the proclamation of the People's Republic of China by the Chinese Communist Party. While the Chinese Nationalist Party does not accept it so that China and Taiwan both claim to all parts of China as its territory. Relations between the two regions become very complicated. Taiwan and China are both identify themselves as "Chinese". Until 1971, Taiwan held the chair of Chinese representation in the United Nations before losing the influence of the Communist Party Beijing. US has long opposed the Communist government of China over the years only to open representative offices in Taiwan. But in 1979 when normalized relations with Beijing, Washington move the embassy to China and close diplomatic representative in Taiwan. Technically, China and Taiwan still considered the country by the Kuomintang and the

Communist Party. The same thing applied through diplomatic relations, otherwise known as "One China." This policy makes many countries have to choose diplomatic relations with Taiwan or China. But this has not lessened despite diplomatic cooperation with other beings. Typically, Taiwan had a trade and economic office in other countries, which functions like an embassy.

With the increasing political and security relations, the relationship of China and Taiwan have also entered a new phase. For the first time within the past 60 years, the President of China Xi Jinping and Ma Ying-jeou held a meeting on 7 November 2015 in Singapore. Lion country was chosen because at that time in Taiwan is facing anti-Chinese sentiment being strengthened ahead of the election.

China and Taiwan did should never be separated, because the two countries are brothers. If seen during 66 years of development of cross-strait relations showed that the distance of time and power struggles can allow making two separate countries. At present, the development of cross-strait relations is faced with a choice of directions and roads. The meeting between the two can be said to be a

historic meeting and may not be repeated so that the achievements of peaceful development of cross-strait relations are expected not to be lost. Both countries should have great determination to promote peace and lasting relationship should be based on sincerity, wisdom and patience. The meeting their growing sense of anxiety will attenuate the explosion of conflict or war between China versus Taiwan.

Community expressed mixed reactions Taiwan will be the future of the island. People found Tsai may not do anything to provoke Beijing if he wins the election. Their relationship would be complicated and unpredictable. They will exacerbate some achievements, but at the same time the interests of Beijing maintains Taiwan economically dependent and efforts of each side to keep the peace. Taiwan needs political and economic changes. For Tsai, the future of Taiwan is not China, but the world. By becoming president, Tsai will be thrust into one of the most difficult and dangerous jobs in Asia. Tsai also must be able to balance the interests between the superpowers of China, which is also Taiwan's largest trading partner, with the US as a reference to freedom and democratic place.

KMT stronghold must admit their defeat of the opposition parties. If the DPP chose independence or separate Taiwan from China, tensions will arise. Not only the people of Taiwan are concerned, but also the international community, including the US-bound laws allowing effort for Taiwan defend itself. President Tsai became the new symbol of the rise of Asia will face a problem that does away with the predecessor. The desire to strengthen the status of Taiwan abroad indicate if a leader is already should prioritize people's wishes so that what the objectives can be achieved.

Tsai victory does not mean only election victory. Election results showed that the people wanted government more and listening to the people and government more open and accountable. President Tsai emergence as a political force in the government and opposition groups will uphold Taiwan's democratic transition. Technically, China and Taiwan are still considered to be one country. Taiwan and China is still expected to partner on equal footing so that the dignity of Taiwan will be lifted automatically by itself in the international community. The second meeting of the president in 2015 demonstrated to the

world that the two countries establish cooperation although conflicting. Diplomatic relations policies by selecting the Chinese, who also made Indonesia, will not discourage cooperation in another form. The increasing number of women leaders in the world with a victory Tsai showed that the presence of women in politics in Asia is not something new and become an important requirement in managing and organizing international relations.

Ongoing democratic Taiwan has become a role model in Asia is no exception for Indonesia. Indonesia and Taiwan have long relationships of economic bilateral trade and investment, political exception. Until now Indonesia retain the principle of one country, namely China. The Taiwan issue is a sensitive issue for the Chinese government to Indonesia confirms not want and come to interfere in its internal affairs. Indonesia hopes that the Chinese government can fully understand the position of Indonesia's relationship with Taiwan and also vice versa. With the election of a new president in Taiwan, Indonesia and Taiwan increased cooperation is expected to be increased in view of the great potential that is owned by the two countries.

D. Conclusion^[14]

Tsai's victory does not mean only election victory. This election result showed that people want a government more listen to the aspirations of its people and open and can be accounted for. President's appearance Tsai as a political force in government and opposition groups will uphold democratic transition in Taiwan. Technically, China and Taiwan are still considered one country. Taiwan and China are estimated can still partner in parallel so automatically the dignity of Taiwan will be lifted by itself in the eyes of the international community. Second presidential meeting in 2015 show the international community that the two countries establish cooperation even though they are in conflict. Relationship policy diplomatic by choosing China, which is also done by Indonesia, will not dampen cooperation in another form. Getting more increasing number of female leaders in the world with Tsai's victory shows that the presence of women in politics Asia is nothing new and becomes important needs in managing as well organize international relations.

Taiwanese democracy has become an example in Asia no exception for Indonesia. Indonesia and Taiwan have long fostering bilateral economic relations trade and investment, except politics. Until now Indonesia still holds the principle of one country namely China. Problem Taiwan is a sensitive issue for Chinese government so Indonesia confirms not to want and

participate meddling in his internal affairs. Indonesia hope that the Chinese Government can really understand the relationship position Indonesia and Taiwan and vice versa. With the election of a new president of Taiwan, the cooperation between Indonesia and Taiwan is hoped that it can continue to be improved considering great potential of both countries.

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