

The Meaning of Same-Sex Marriage Rights for Lesbian Couples in Taiwan

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Abstract

The purpose of this research was to investigate the attitude of lesbian couples toward the rights of lesbian couples to marry. In Taiwan, Taiwan Alliance to Promote Civil Partnership Rights (TAPCPR) comes into force in entitling same-sex relationships to formal legal recognition. However, homosexual stigmatization still exists in a heteronormative society. A marriage right for lesbian couples relationships in later life is legal protections or detriment? This research was based on qualitative research. The subjects included lesbian aged from 28 to 40. Finally, according to the result, the author provides recommendations to marriage right of lesbian couples.

Keywords: marriage, lesbian couples, relationship, partnership rights

In 2007, I do gay study, a lesbian respondent told me her insight thought: "Until marrying age I will leave my partner, and then get married with a boy, you may want to know why, only because "lesbians' affection has no future". I am impressed with that paragraph and keep in mind. Furthermore, I found that the family is very important value in Taiwan, and families are often seen as women's end-result. Whenever my lesbian friends after coming out to their parent, they were always asked difficult question to answer like that: "Tell me if you can't get married and raising the next generation, how you have a future?" My friends often asked by their parent and feel speechless. Sometimes they worried and hesitate. In addition, it will challenge the feelings of stability, especially in the marriageable age stage. Thus, it makes me began to explore this problem to looking forward to be able to understand that where the lesbians' feelings of the future? Taiwan Alliance to Promote Civil Partnership Rights (TAPCPR) comes into force in Taiwan in entitling same-sex relationships to formal legal recognition in recent years. However, belongs to the heterosexual "marriage" is really the future of lesbian couples? What is the meaning of marriage in feelings for lesbian couples? How lesbians look at the impetus of the law? If the marriage law legitimate, lesbians would go to registration? Whether the princess and princess get married then live happily everyday? The above questions are exactly these issues what I want to explore in this article.

Based on interviews with 3 lesbians in couple relationship (two to seven years), I examine the attitude for marriage of lesbians. Two research questions guide my analysis:

1. Whether the legal right of marriage is significant for lesbian partner relationship? How do you view marriage in relation to your union?
2. If the law passes, will you go to register? What considerations will influence you to action in the deciding processes?

Method

Data Collection and Recruitment

I recruited and interviewed three lesbians who had been together with partner between two and seven years. The main purpose of these interviews was to obtain lesbians' thinking for the future of their relationships and their attitude for legal right for marriage. Interviews lasted an average of one hour each and were conducted in the researcher's home. Respondents were recruited through snowball sampling. The interviews were conducted in 2012 and were tape-recorded and transcribed verbatim.

The interviews were semi structured and consisted of questions on a variety of topics from the relationship began to legal right for marriage. We asked a series of open-ended questions about these topics. Each respondent was assigned a pseudonym in order to protect his or her identity.

Sample

The study includes three respondents who fell within an age range of 30 to 38 and involved in partnership range from two to seven years.

Analysis

Our goal in this study was to understand how lesbian individuals conceptualize their relationship and the legal right for marriage. I conducted a qualitative analysis using procedures developed by qualitative research. Qualitative coding allows for the emergence of categories and subcategories to come from the participants' interviews, rather than predetermined categories. Following multiple intensive readings of each interview's verbatim transcription, I conducted initial line-by-line, data-driven categorization in order to summarize each piece of data. Next, I used "focused" coding which spotlights the most significant initial codes that emerged related to our topic. This involved developing categories by connecting numerous initial codes together for conceptual purposes. During this stage, the following categories were identified.

Results

To investigate whether lesbians in Taiwan will enter a heterosexual marriage system, I analyzed my respondents' attitude about marriage. I first focus on the attitude of my respondents for marriage meaning. Then I presented their thinking and action if the marriage registration pass.

Significance of Marriage for Love

About the meaning of marriage and legal registration, what is the importance of marriage for lesbian's relationship? There respondent's mention that they are at the position of the marginalization corresponding to heterosexual married couples because of no marriage permitted. Therefore they could reflect on the meaning of marriage representation. Three respondents refer to five meanings in marriage on the meaning of love, including short-range goal in the journey of life, the symbol of blessing and settle down, the symbol of the psychological and physical positioning, relationship shackles, the significance of the safeguard.

Short-Phase Goal in the Journey of Life

Heterosexual love have fixed pattern, followed a short-range target forward. But lesbians' relationship is no such short-range goals. Cherishing each other is too abstract goal and not be able to survive in the society of heterosexual hegemony.

"So I think why a lot of couple can't continue in this relationship, it is because they do not have a short-phase target, unlike heterosexual intercourse is a short-range goal as marriage. If the couple don't married and they will go to broke up. Moreover the married couple eventually gives birth to children, because they need a short- phase target! "

"Yes, yes! Dismal part in this relationship is that there is no short-range goals can be achieved and we can account a few steps towards this goal forward. Human is very strange. We didn't rely on abstract things to live. A relationship needs goal, cherishing each other is too abstract goal, it is hard let you overcome difficulties and continue to move forward. But if we have been married, we would have to responsible for the other, or when we have children, we have to be responsible for the children, and so this time you will be tied. "

The Symbol of Blessing and Settle Down

Marriage through a wedding ceremony declares personal integrity. Blessing and recognition of others loaded in this ceremony, especially family members' entrusted rite. As Amber describes :

"I envy the two people can be accompanied, then they can get the blessing, this is so happy thing. "

"I saw in the wedding that newlywed express their gratitude to their parents, then their parents would take her to the other's hand at that time. That moment is very touched, very moved, but it seems hard for us, even though I want to give the other this kind of rite, and hope to be blessed, you know there is no way to expectation. "

Anne also mentioned:

"I envy very much only at that time to see the bride. But when I finish and go back after the wedding, I will no longer think of this thing. Because the happiness is created together at that moment, just like you see a movie very touched is the same, right! That symbolism is still pretty important to all, including the process that you walked the red carpet into the ceremony venue; you will tell yourself that you are someone's couple, and then you settle down. "

The Symbol of the Psychological and Physical Positioning

The significant symbol of marriage law for the couple through the legal recognition makes unrelated two into differential status. This legal paper is a perfectly justifiable position to identify the partner given a principal position and a personal internal position. Amber and Anne mentioned this point:

""So-called husband and wife!! Legitimacy husband with wife, in the civil law, you have no genetic relationship, but is affinity nominally! Relatively you're in-laws on the definition, but if you do not have that piece of paper, you're just friends, not the law position. Positioning into a location that really implies a lot of protection and security, it is not just a piece of paper, Couples change into legitimacy spouse after signing down! "

"At least the law is a justifiable way, I think that is the appellation problem, I think any relationship must be justifiable, if not it would like something missing"

"So why the majority of lesbian partners broke up in two or three years, you said that piece of paper is not important, in fact, the certification will let you settle down in one place, your own heart will be set somewhere ""

Relationship Shackles

Three respondents pointed out that the law does not promote partner relationship, but it may add to a burden of responsibility.

"The law has good and bad level! Thing is two sides originally, if you want the good side then you bound to have to bear the bad side. "

"I think your affection won't become better after going to registration. On the contrary, you will add more responsibility and feel irritated in this boring and stable marriage relationship. I feel so horrible. In accordance with my own personality, once I enter the marriage, I will want to sustain this marriage then I will be patient. Even if I do not feel OK, I will bear down. So I will think I am must tied down in marriage! "

The Significance of the Safeguard

Three respondents pointed out that the most important implication of marriage law is consequent safeguard.

"I think that is still an important part of safeguard in substantive level, I think that it won't increase in profits for the affection part. Like the kind of safeguard of heterosexual marriage, I think that is the real significance of marriage."

"Do you know a piece of paper, it represents a lot of rights, is not so simple!! It is not just a piece of paper, it is a lot of rights protection with the maintenance of love, and I value this one most!! So I'm part of the marriage, in fact, I stressed the protection with equity, minimum protection regarded as human rights! "

"When we accompany each other at the process, the life course ... we will encounter a lot of things, how to let the other have rights and obligations would be safeguarded, it is very important to me! ""

"I want the legalization of gay marriage protection very much, for the protection of this relationship, and the other's rights and obligations, I think this is very important, including insurance, surgical consent etc."

They refer to marriage safeguard including love deterioration, surgical consent, the right to inherit property, and the identification after the partner's death. First, love deterioration including having an extramarital relation and intimate relationship violence. Once these things occur, the protection of the law becomes important.

"Before the domestic violence law is not so affirmative for cohabiting relationship violence, only when you step into marriage, you can have application for protection in domestic violence, if you are in cohabiting relationship, you can't cry ..."

"Law permit monogamy. If the partner has an affair in marriage, they can accuse of hinder family. But there is no way in this kind of relationship, the partner having an affair, I can't do anything instead of breaking up, and said I bless you! "

Second, they mentioned the surgical consent:

“(Anne’s girlfriend was sent to the emergency room) when I fill in the information, I really feel whole body trembling. I need to fill the relationship column. In fact, we usually refer to each other for the cousin and cousin outside, it is the natural thing. But then I want to fill in cousin, as if not OK, because I do not understand related insurance law. I’m afraid that it becomes forged instrument and affect her insurance right, I do not know how to do ... At last I filled friend. When I fill in friends, I feel weak, this relationship is so weak, even the doctors ask me and my answer is friends, I feel weak not just write down but speak, friend is a very indifferent relationship, if you want to decide on the surgery thing, you can’t decide it!

"Including surgical consent, I consider that is so mournful thing when the other is no visitation rights in the hospital in the accidents moment. I think if I were that person, I will be very sad. Especially the visitation rights is no way to the legitimacy obtains! "

Third, after the death of the partner, important affairs are property inheritance subsequently.

“Actually I want my property left her after I death, because she is my closest partner, and I can’t take care of her in the future, of course, my property should left her and gave her a good life, but if there is no legal protection, in accordance with the present law to family, I even have no the opportunity to fight!”

The so-called property also contains the cohabitant’s house. Take Anne as an example, Anne always preparation psychologically will be expelled at any time even though her girlfriend efforts to protect their relationship by informing their families constantly.

"(Anne’s impression of watching the film" If These Walls Could Talk 2 ") She frame their home for more then 40 years painstakingly, finally she turned out to leave the house like a stranger, the moment I am very deep impression. I think that the future of our relationship is in this way. Though she said that it does not matter and she will talk to her family that the house gives me to live until death. But I said that is just your thinking, when your family want me to go, do I dare to stay here? I told her that I can’t spend too much effort to run her house, because this is not my house. She said this is our house! I say you will not deceive yourself, this is my house? She asked me why I figured so clear. I said I didn't figure clear, this is human nature. I thought her cogitation is too simple because her two younger sisters engage miserable economic conditions depriving their husbands. At last they still need to take their home instead of me. Not to mention this is not a normal relationship under the attention of people around the world, even boyfriend will be told to leave, not to mention this kind of relationship!"

At last, Amber mentions the identification after the partner's death:

" Think of the future farther, In any law, we have no way to legitimacy of participation, including the other go to heaven, and her partner attend the funeral, she can't be family members in spite of her true identity is the family. "

What’s the Point? Why couples reject become a partner through legal registration

Three respondents mentioned legal impetus is important for law promotion. It make lesbian partner having the right to have a choice.

"I feel that law promotion is no problem, after all through the legal impetus, then we can go to consider whether or not registered, it is our decision. If it does not pass, not mention to the choice behind. "

" I think the promotion of the legal system is very good! The law is very important. Because only the first push by law, all lesbian couple has the possibility. As the gender equality law for example, the promotion take the lead, other possibilities have the opportunity to achieve. So the law must to impetus!"

Three respondents affirmed the importance of the law promotion, but if the law is passed, the three were not registered, the main considerations and scruples forward practical action including coming out crisis, family feelings and partner’s family relationship.

Coming Out Crisis

Three respondents anxiety for coming out of the crisis caused by registration, also doubts about the identity of confidential security. They deemed that registration is a trials derived from the desire to obtain the rights.

"As long as my mother was alive, I would not consider this kind of thing. Because comprehensive confidentiality is impossible! I do not believe that because this world is really small, two people registered today, once appear together, could not have been suspected."

"T will not go to the registration because I very much fear of people know. How do I go to register? "

" I look forward to the follow-up of registration is security that my parents won't know, relatives and friends will not know, and then I am able to maintain a certain life balance. Then it will be possible"

"I think this is also a trial! If you want this step of advances registered, maybe you should go through this society barrier. If you want to get this right, you need to pay a price relatively. Everything could be obtained in vain!"

Family Feelings Especially Parents

Three respondents with family relations are very close, so they can't afford to consider the feelings of the family.

"I am not adventurous; I would considerate carefully because my family is the most important. Any impact on destruction of the family relationship, I do not try!"

"In fact, I would not care about what others think, but I'm afraid my family will be under pressure, because that society is a chain after all, I also can't be selfish to completely regardless of family relationship. "

"I consider that human can't separate from their families. For example, such as I am a snail, family would be is the stuff inside my shell! They are inside as a result of I can't abandon them. Even if they are dead or passed away I have other relatives. So I find it hard to break away from the whole family! "

"I think if I was no relatives I may go to registration.

Three respondents mentioned particularly that they care about the feelings of the parents. They do not want their parents bear the disapproving eye gaze because of their own out of the closet. Also they do not want parents to feel disappointed. They might even mention unless a death in the family, they may go to the registration possibility.

"If the registration is not required by parents, and we may be secure."

"I think I still do not have a sense of security, today's parents will be what kind of reaction, and there is no way to predict. So I decided to do not talk about now. At the future when you have these rights, you have to come out. It really is the first concern that comes out also depends on the tolerance of the parents, if the parents can't accept ..."

"I think there is no way to open like heterosexual, very comfortable to get married. Because I might need to consider the views of the family! I do not want to let my family know very much because I know they do not accept then they will be very disappointed with their well-behaved daughter. After you do the research questionnaire, I know my mom is so annoying for gay, her choice option is that if the daughter is lesbian, she will be separated from the mother-daughter relationship. "

"Today I have relatives, I have to concerns about my family's pressure from other people's thinking or bad behavior. I will considerate very carefully when I want to go to the registration. So far, my answer is that I will not go to registration. Because I care about most is my mother, unless the mother is gone, I just might go to registration. "

For the law registration, three respondents are anxiety for follow-up effects. They even think that only lesbians out of the closet to have registration rights.

"I do not know that the credential would cause what trouble for me, because I really do not want the family to know and the family of girlfriend too. But I do not know what I will need to show credential. For example, it is assumed that I was dying. Unless my mom, dad, sister and relatives are dead, these people will appear before my girlfriend come! "

"The law is important because many gay's family knows and also accepts! I think the law is to protect the rights of these people! The law only available to the very few openly gay people, only they can have this right. "

Partner's Family Relationship

Amber mentioned that in addition to consider her own family, but also need to consider the relationship between the partner and her family.

"I worry about my girlfriend's family, because her family is totally unacceptable! If going to register would to sabotage their relationship, I would prefer not to. Because she is also very concerned about the parents, If such a thing occurred, she will very unhappy. So if the destruction of the relationship and the pain is greater than the happiness of marriage, then why should we do?"

The Possible Time of the Marriage Registration Practices

Although three respondents Considering are not going to register, but they also mentioned some of the situation is likely to go to register, including partner consensus, shaping of the social atmosphere of affirmative, age, go abroad or immigration.

Partner Consensus

Amber and Peggy indicate partner consensus is important when going to register.

"I want to ask my girlfriend's opinion because I have to respect her. Since I go to register, she must follow. After all, this is not one of my own things; I must take her to be taken into account, because I do not want to cause her plagued. "

Shaping of the Social Atmosphere of Affirmative Depends on Education

Three respondents have a sensation of low social acceptance for gay love. If they go to registration hastily, they are likely to suffer the loss of their own right and incur a strange look of others. So the three respondents indicate equal rights education is very important in legal impetus process.

"Because this society is not yet equal rights and equality, so publicly may affect the right of education and work. This would allow me to worry about a lot. "

"If this society can be fairer to look at homosexuality love, without prejudice or discrimination, I may go to register. For example, whether I put these credentials I will sustain a very strange vision on me. That will let me feel like being a mental or physical disabilities to take a manual prove their identity. I felt myself as inferior compared to others. Besides, we will be perceived and very sensitive to some non-verbal message such as measure with the eye. So I think we should improve the attitude of the society as a whole fundamentally!

Age is an Influencing factor of Registration

Anne account age is an important factor to affect whether registered. She considers if older, our considerations about the vision of others will reduce.

"If I am the 60-year-old women, I do not care whether people know. I think it is a question of age ... just like we would feel it is nothing that the elderly do wrong thing, anyway, he has one foot fast forward coffin! "

Take into Account to go Abroad or Immigration to get Married

Amber and Peggy are referred to the possibility if go abroad or immigration to get married.

"She (girlfriend) cracks a joke that immigration is good, if we can be legally married, we immigrated to go there ... There is an idea, you can't say that joke but it reflection of our desire for such a relationship. "

"Suppose we both moved to New Zealand, w can go to register! There is open, they can accept no matter you are what kind of person. But in Taiwan it is much worse.

Discussion

I investigate how lesbians view relationship and marriage in relation to their unions. In response to the above findings, the author attempts to elaborate for three issues, including social homophobia atmosphere, the meaning of marriage, lesbian couple's future pattern.

Social Homophobia Atmosphere will Affect the Practice of Law

Many lesbians began to feel the heterosexual superiority when they are in romance love; the so-called framework of hegemony is that through marriage, core values are transmitted. Ahmed (2008) describes that marriage widely regarded as the primary 'happiness indicator' and as values that provide the foundations for a good life. Hence everyone's 'life courses' follow a certain sequence, which is also a matter of following a direction or of 'being directed' in a certain way (birth, childhood, adolescence, marriage, reproduction, death). Take marriage as a significant public symbol of commitment.

The act of marriage validates and legitimizes relationships through a series of rituals including engagements, weddings, exchanging of rings, name changes, and alterations in legal and financial status. This remains true even as norms shift around age of marriage and cohabitation before marriage (Reczek, Elliott and Umberson, 2009). In our result, Anne mentioned the desire of marriage because she aware of the differences from heterosexual couples. So she deeply feels particularly the importance of marriage and valuable because she dose not have right and find she inferior to others. This is the origin of social homophobia atmosphere. Because the lesbian partnership does not comply with such a course of happiness, lesbian's parents have anxiety response when their child come out. As Ahmed said that the parent will make an act of identification with an imagined future of necessary and inevitable unhappiness. Such an identification through grief about what the child will lose, reminds them that the queer life is already constructed as an unhappy life, as a life without the 'things' that make she happy (husband, children). The social atmosphere of homophobia is also the formation of social discrimination and prejudice for the gay population, further affecting lesbians' action want to register as a legal partner. My findings found three respondents affirm that the impetus of the law, but does not take action to the registration. So the social atmosphere of homophobia indeed becomes an important resistance when lesbian partner decide to enter the institution of marriage. This is consistent with other research citing gay couples also felt that being Civil Partners would challenge negative stereotypes in spite of increased social recognition of same-sex relationships and increased feelings of social support(Goodwin & Butler, 2009). Why between the good intentions of the law and the lives of lesbian partner forms a gap? I believe that the law does not really bring lesbians well-being, the main reason is that the law is abstract, but life is the actual. When law is implement to life, lesbians living in an unfriendly social environment full of homophobia atmosphere. If they entry into the legal system, they will encounter more obstacles and difficulties. Therefore, three respondents said not go to register to avoid facing so much anxiety feeling and adventurous life, their life can be more balanced.

Meaning of Marriage for Substantive and Symbolizes Significance

In Taiwan today, individuals in lesbian partnerships cannot legally marry. Thus, lesbian individuals in these couples are unable to participate in what is considered the most symbolically meaningful form of commitment two individuals can make to one another. According to my results, Amber and Anne both refer to reflection on the meaning of marriage for heterosexuals. Marriage may be taken for granted a life course for heterosexual, but for lesbian who lack of legal marriage rights the marriage meaning would be particularly touched. Anne refers the two meanings of marriage, including the substantive and the symbolic significance. On the one hand, marriage is an abstract symbolic concept, like a mental position, and shaping the identity of positioning specifications. This specification actually reflects social expectations, further through the involvement of the family and family, and to be consolidated by the marriage norms discourse. Anne mentioned the location of this concept is the reaction to this discussion, the past, why a lot of people get married, they will not divorce, officially because they were marked as "divorced woman" is a stigma, through the community to fortify this sets the discussion of marriage, so that position to become a responsible part. On the other hand, marriage is also a substantive significance. In my result, the three respondents all concern that the most important meaning of marriage is the protection of the law rather than symbolic significance particularly. Other articles also mentioned. As Reczek, Elliott, & Umberson(2009) referred that couples want legality more than they want a ceremony. Such events are seen as pointless unless accompanied by legal rights. These couples see symbolic ceremonies as unimportant for their union.

Lesbian Couples Future Pattern Different from Heterosexual Marriage

Ahmed (2008) mentions that lesbians try to tell an alternative story about happiness and unhappiness. In their response, they claim happiness, for sure. They are happy in this relationship and this life that it will commit them to. But most of the time, others judged them to be unhappy. But does heterosexual marriage really bring good future? The answer is no! Betty Friedan in *The Feminine Mystique* identifies a problem that has no name by evoking what lies behind the image of the happy American housewife in marriage. Friedan proceeds by exposing the limits of this public fantasy of happiness (Ahmed, 2008). So marriage has not meant the accumulation of happiness. Conversely, lesbians developed alternative and complex pattern of commitment without using the symbolism of marriage that are outside of normative conceptions of commitment making because they lack access to traditional modes of commitment making. In my study result, Peggy said hope for manufacture a marriage certificate, held a small wedding ceremony and take wedding photos by themselves.

Although similar to heterosexual procedure, but the emphasis do not focus on the blessing of a lot of people instead of witness and commemorate the partnership. Reczek, Elliott and Umberson (2009) find that couples who have had ceremonies do not envision them as *the* transitional moment of commitment but instead as a way of celebrating an already committed relationship. As a result, these couples attribute alternative meanings and significance to ceremonies. Furthermore, Hull interviewed same-sex couples who had been together for more than 2 years or who had a commitment ceremony. Her findings suggest that ceremonies are embraced by some same-sex couples as symbolic of legal marriage in that they are a way to bind the couple together in a profound marriage-like union. Hull further argues that those who have taken part in commitment ceremonies change their behaviors. They may work harder at the relationship and approach life decisions as a couple (Reczek, Elliott and Umberson, 2009).

Conclusion

My qualitative investigation suggests that lesbian do not go to register even they take the attitude of affirmation and support of the law promotion. The results of my research found that the respondents were most concerned about the family, legal registration may bring coming out crisis. The crisis of considerations seems to be across many aspects, even in the marriage! Although three respondents would not enter the institution of marriage and maintain the commitment relationship, the companion of cohabitation relationships in the current society is still not guaranteed. Through my research shows that besides the law promotion, the process of education is also very important. Perhaps the law legitimate is trendsetting and improves the community's perception of homosexuality. However, only legal recognition can't lead to the change of culture or ethos in the short time. That means homosexual into heterosexual marriage system still have to bear the social discrimination and prejudice which is also the reasons of the respondents feel most anxious and restless. As Wei Wei (2010) mentioned that legitimate cause different voices within the gay community for same-sex marriage and relationship legal recognition. The majority of respondents believe that the promotion of cultural changes can create more fundamental changes than legal promotion. He thought that it is symbolic fact more than practical significance in promotion of gay marriage legislation in China. He refer that the more effective way is to promote the development of gender diversity awareness, expand gay and lesbians survival of cultural space. I agree with this point of view very much. I believe that it is significant to eliminate discrimination and promote cultural change in the moment of fighting for the right to legal marriage. Both legal and educational carry forward at the same time will maximize the benefits. Moreover future research should further investigate attitude of lesbians among more diverse sample in addition to a stable partner relationship, as different lesbian relationship have unique social and cultural contexts that may influence their vision.

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