

Gender in Taiwan

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Gender culture in Taiwan is strongly influenced by Confucianism which tends to emphasize fixed gender roles in the society. However, due to the efforts of civil society organizations and feminist groups, many gender-related laws and regulations were enacted after 2000. Interestingly, some of them are considered a lot more advanced than those in the Western societies.

In terms of the improvement of women's rights in the workplace, women in Taiwan suffered from serious discrimination at work before 1990s. For instance, women in certain occupations (such as aviation industry and banking business) were usually asked to resign when they got married or became pregnant. In response to the prevalence of gender discrimination in employment, many protests took place during 1980s and 1990s. As a result, *the Act of Gender Equality in Employment* was enacted in 2002. At the same year, the revised *Civil Code* add Article 1018-1 states: 'With the exception of the living expenses of the household, the husband and the wife may contract a certain amount of money paid by one for the other's free disposition.' This shows the value of domestic work has been recognised by the nation.

Both the government and civil society groups play important roles in promoting gender equality in Taiwan. To strengthen the overall effectiveness of the government's enforcement of women's rights and interests, the government established the Committee of Women's Rights Promotion (CWRP) in 1997. In 2012, CWRP was restructured and renamed as the Gender Equality Committee (GEC) to strengthen policies directed at the promotion of gender equality in the workplace. The primary work of the GEC includes: 1. Implementation of CEDAW (initiated in 2012); 2. Enactment of Gender Equality Policy Guidelines (initiated in 2011); 3. Gender mainstreaming in public sector (initiated in 2005); and 4. Global participation and local training. As a result, gender progress in Taiwan has been detailed documented ever since.

To raise gender equity consciousness, *Gender Equity Education Act* and *Enforcement Rules for the Gender Equity Education Act* were promulgated in 2004. Article 13 of *the Enforcement Rules for the Gender Equity Education Act* indicates that school curriculum related to gender equity education 'shall cover courses on **affective**

education, sex education, and gay and lesbian education in order to enhance students' gender equity consciousness'. This Article was not paid much attention by the general public until the publications of three teachers' gender education handbooks by the Ministry of Education in 2011, which led to heated debates on teaching homosexuality education in schools.

Nevertheless, the rights of gay and lesbian people are increasingly recognized in Taiwan. Today, Taiwan LGBT Pride which held annually in Taipei is the biggest Pride events in East Asia. Gay/lesbian student societies can be found in most universities. On 24 May 2017, Justices of the Constitutional Court ruled that same-sex couples have the right to marry under the Constitution and that the Legislative Yuan has two years to amend the marriage laws to align with the Constitution. If this is not done, same-sex couples may have their unions registered as marriages and be treated as such by law. As a result, Taiwan is likely to become the first country in Asia to legalize same-sex marriage.

The reason why Taiwan seems to be leading the way for progressive values in Asia, may have something to do with the ambiguous status of Taiwan in the international society. Thus, this seems to be the way which ruling parties incline to do in order to distinguish Taiwan from China. Therefore, despite the progressive acts and regulations mentioned above, there is constant resistance from the society in the process of implementation. One of the examples is that in April 2018, the Central Election Commission announced that a referendum related to homosexuality pushed for by anti-gay groups has been approved although many civil society groups complain that allowing the referendum to pass was unconstitutional. The three questions included in the referendum are: 1. 'Do you agree with using means other than the marriage regulations in the Civil Code to protect the rights of two people of the same gender to build a permanent life together?'; 2. 'Do you agree that junior high schools and primary schools should not implement homosexuality education as stipulated in the *Enforcement Rules for the Gender Equity Education Act*', and 3. 'Do you agree that the marriage regulations in the *Civil Code* should define marriage as between a man and a woman?' Another example is that a primary school teacher in Kaohsiung City was suited by conservative groups for teaching the use of condom in his class and accused him for distributing obscene materials in schools in 2017. Fortunately, the teacher got the full support from the Bureau of Education of the City.

In addition to the issues of homosexuality, deeply entrenched traditional gender stereotypes within the family and society that continue to portray women and girls as inferior to men and as objects of male sexual desire, violence against women, gender segregation in the field of higher education and gendered career paths, problematic

naturalization policies for migrant women are all major areas of concerns. The above incidents indicate gender equality still has a long way to go in Taiwan.

Related Link: Gender Equality Committee of the Executive Yuan
<https://www.gec.ey.gov.tw/en/cp.aspx?n=11EFF33070D6DF4B>