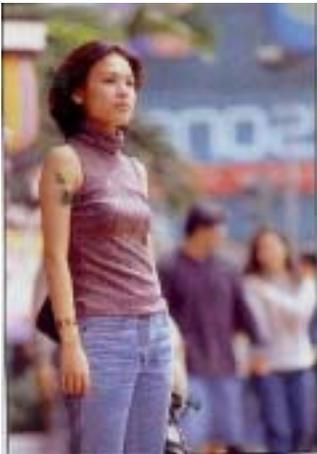


Liberating Women

By Oscar Chung
Photos by Chang Su-ching



Through the efforts of private organizations, women's rights in Taiwan have seen improvement, especially in terms of civil liberty. But many gender-equality issues remain unresolved. What is being done to change the situation?



Young women today can look forward to better education, job opportunities, and protection from violence than in generations past.

“Which of the following activities is more suitable for girls?” A: Singing and dancing. B: Baseball. C: Dodgeball. D: Travel and exploration.” This question figured in a test on health education taken earlier this year by fifth-graders at one of Taiwan’s elementary schools. The “correct” answer is A: Singing and dancing. “I’d be worried if my kids got top marks in an exam like that,” says You Mei-hui (游美惠), an associate professor at National Kaohsiung Normal University’s Graduate Institute of Gender Education. “It would mean they’re already susceptible to sexual stereotyping.”

Efforts are being made to break down the island’s rigid gender dichotomy. School textbooks used to feature stories where the father was shown reading the newspaper while the mother busied herself with housework. “Those scenarios have been edited out, because they’re too controversial these days,” You says. Traditionally, women were expected to stay home and care for their children and husbands. It was thus virtually impossible for them to develop their potential to the full by pursuing individual careers and interests. Gradually, however, as women have become better educated and informed, the island has begun to mull over the issue of gender inequality.



Activists working to improve laws concerning women know it is only the first step toward changes. Enforcement of the laws and education are also vital elements.

If Taiwan's women are learning to be more self-assertive and confident, that is largely thanks to the existence of several private organizations devoted to promoting their rights. One such pioneering group in this field is the Warm Life Association for Women, founded in 1988, which originally focused on offering legal and psychological advice to divorced females. "Our short-term goal is to cooperate with other women's organizations in drafting and revising relevant laws," says Shih Chi-ching (施寄青), the founder of Warm Life. Long-term goals include the promotion of gender equality through education.



*Women have traditionally been defined by their roles as mothers or wives.
But many now wonder whether sacrificing their careers or personal interests is worth it.*



You Mei-hui -

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The Gender Equality Labor Law is an important piece of legislation for all working women, but it has yet to receive a first reading.

Shih Chi-ching—

“Taiwan’s womenfolk can be so servile to men. They’re waking up to their rights little by little, but they’re still far from enlightened.”

Wu Mei-hui (吳美惠), a lawyer and chairwoman of the Taipei Association for the Promotion of Women's Rights (TARWR), also gives credit to private organizations for their efforts in pressuring the government to come up with laws to protect women. Some important milestones in recent years include the Sexual Assault Prevention Act and the Domestic Violence Prevention Act, which took effect in 1997 and 1999, respectively.

These two acts provide some solid protection for women. For example, the 1997 act obliged the central government to construct a database of the fingerprints and DNA of known sexual offenders. It also stipulates that trials of sexual offenses must be held in private unless the victim consents to a public hearing, and obliges all local governments to provide victims of sexual assault with psychological and legal counseling.

But much depends on where the offense is committed, because implementation of the act has been patchy. Taipei is exceptionally well off in this regard, having forty-seven social workers responsible for helping victims, whereas in some local governments there is only one full-time member of staff available. In theory, help is available from other agencies such as the local police and bureau of health, but they have plenty of other things to do. Critics see this as just another example of the many unfair discrepancies between Taipei and the rest of Taiwan.

In Taipei, the clean, modern MRT has special night waiting zones for unaccompanied women, which are constantly monitored by surveillance cameras. Moreover, policewomen in Taipei have greater experience in dealing with sexual assault cases, according to Chu Chien-fang(祝健芳) from the Ministry of the Interior’s (MOI) committee on the prevention of domestic violence. They are called in to accompany victims to the hospital for medical examinations and the collection of evidence. Victims

are also referred to the appropriate sexual assault and domestic violence prevention center where they may receive therapy and legal counseling.

The Domestic Violence Prevention Act for the first time allows courts to issue nonmolestation injunctions, with power to ban assailants from their own houses when they are dwelling under the same roof as the victim, and order them to pay for the victim's living and medical expenses. Between June 1999, when the act took effect, and January 2001, more than 16,000 cases came before the courts and more than 10,000 injunctions were issued. There are still drawbacks to overcome, however. In theory a woman can go to court directly, without any assistance from the police, but Wu Mei-hui of the TAPWR points out that in practice most are reluctant to do so without seeking police assistance first. She also notes that the police have many other duties, and there are only a handful of officers who have been trained to handle such cases. "Some requests for nonmolestation orders are discouraged by the police before they get to court," she says.

Another major reform concerns rape and sexual assault. In the past, prosecutions for such offenses could only be instituted after the victim had made a complaint, but as of January 1 this year, prosecutors are bound to initiate proceedings once they receive credible evidence of the crime from any quarter. This is a controversial provision, because it implies that a woman who has been raped can be forced to give evidence against her attacker whether she is willing to do so or not, and opinions differ as to its likely effectiveness.

The MOI set up two separate committees to address the prevention of sexual assault and domestic violence in 1997 and 1999, respectively. These two committees have twelve members in total, nine of them full-time. They are not responsible for handling individual cases, but they are expected to coordinate projects involving different agencies, keep legislation under review, and examine the problems faced by sexual assault and domestic violence prevention centers at the local level. All local governments have set up such centers, but again, their quality is patchy. "Their budgets aren't big enough to let them handle all the cases reported to them," notes Wu Mei-hui of the TAPWR.

The issues of Japanese "comfort women" from WWII is caught up in fierce political debate, but one activist wonders how many people are genuinely concerned about these women.



Although child custody is no longer automatically granted to fathers in cases of divorce, husbands have the upper hand when dealing with marital assets.

Statistics show just how urgent it is for women's groups to continue to push for improvements in the law. According to Taipei City's Domestic Violence and Sexual Abuse prevention Center, between June 1999 and April 2000 it received 6,150 reports of cases of marital violence. Putting it another way, every twenty-four hours, twenty women in Taipei City seek help as the result of a spouse's violent acts. According to the MOI, 1,056 cases of rape and lesser sexual assault had been reported to the police in 1997, and three years later the number had climbed to more than 2,200. Sexual harassment, both verbal and physical also becoming more rampant, possibly as a result of increasing willingness on the part of women to report instances, and women's rights activists are pushing for laws to deal with it.

The central government has reengineered some of the agencies and departments concerned with women's rights, according to Lin Wei-yen (林維言), chief of the women's welfare section at the MOI's Department of Social Affairs. An important catalyst was the shock rape and murder of Peng Wan-ru (彭婉如), director of the Department of Women's Development of the then opposition Democratic Progressive Party (DPP), at the end of 1996. That led directly to the establishment of a committee for the promotion of women's rights an interministerial organization that reports directly to the Cabinet. "These used to be lots of government agencies that dealt in one way or another with women's welfare and rights, but there were no real links between them, Lin says. At present, the committee has nineteen members, nine of them heads of government agencies and the rest experts and activists in this field. Eleven of them are women.

Lin's own five-member section is also comparatively new, having come into existence only in August of last year. Until then, just two employees on the department oversaw women's welfare issues. Things are also looking up from the financial point of view. Four years ago, the departmental budget for women's welfare was NT\$ 180 million (US\$5.6 million). Today, the money earmarked for this section exceeds NT\$500 million (US\$ 15.6 million).

There is widespread agreement that the key to future progress is education. Warm Life's Shih Chi-ching teaches at a senior high school and has held four Cabinet-sponsored gender equality workshops across the island. "Through education, we can reduce the incidence of domestic violence," she says. "If a male is taught from childhood to respect the feelings of females, he won't beat his wife." With the encouragement and financial support of the Cabinet she has produced a short textbook on gender equality which she hopes the island's high schools will use as a supplementary teaching aid. "It's harder to promote women's rights through education than through legal reform," she admits. "Taiwan's womenfolk can be so servile to men—it's become internalized with them. They're waking up to their rights little by little, but they're still far from enlightened, never mind the men." Shih is talking from experience: as well as being a teacher, she provides divorcees and women thinking about divorce with counseling and encouragement.

Another organization that is designed to challenge Taiwan's patriarchal attitudes is the committee on gender equality education, set up by the Ministry of Education (MOE) in 1997. This aims to enhance the awareness of gender equality by developing appropriate teaching materials and methods for schools at all levels. It also encourages colleges to open related courses and set up graduate schools focusing on this issue, such as the one where You Mei-hui is teaching. This, however, was only established in 2000, and to date is unique in Asia.

You, herself a member of the ministry's committee, says it is drafting a law that will require all schools to set up committees to monitor miscellaneous gender issues such as sexual harassment, and employ teachers who have taken courses relating to gender equality. According to her, most schools at

all levels already have such committees, but the central government will only succeed in making all educational establishments adopt a serious attitude to gender issues by giving its proposals the force of law. Whether that happens or not, the MOE will continue with a program of activities initiated in 1997. These include holding seminars on gender issues for principals of elementary and high schools, and commissioning various universities to host meetings attended by members of gender-equality education committees.



A “Say No to Violence” campaign aims to raise public awareness to spousal abuse. In Taipei, an average of twenty women a day seek help in such cases.

You Mei-hui’s personal contribution consists of delivering talks to schoolteachers. “You have to let them know about current gender issues, and how to approach them from a broad sociocultural point of view,” she maintains. “It’s not enough just to develop teaching materials. You can’t be a good teacher in this field until you yourself know how important gender issues are.” Experience has taught her that to this day female teachers, especially those in elementary and high schools, feel uncomfortable when she addresses them on feminist issues that they fear may lead to genderbased conflicts. “It’s impossible to make them embrace feminism in just one session. It takes a lot of patience.”

Matrimonial property is another area where Taiwan lags far behind most developed countries. In the absence of a formal agreement, Taiwanese husbands have the right to manage, use, and deal with their wives' property but not vice versa. In cases of divorce, many husbands are able to transfer the ownership of property acquired during a marriage to a third party, leaving wives with less than her rightful share of the assets after divorce.

A draft law that would plug many of the loopholes used by resourceful but faithless husbands currently awaits the pleasure of the male-dominated legislature. And although it has yet to go through a

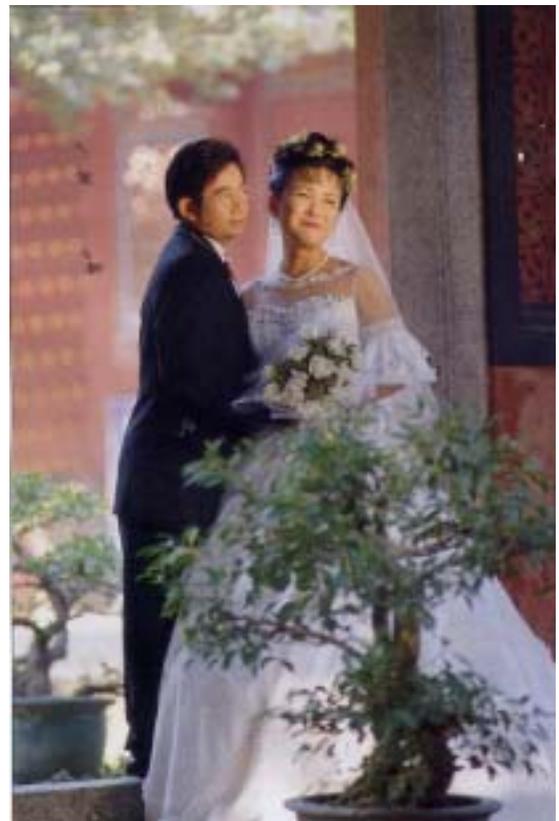
first reading, the sooner the law is passed the better, given the increasing number of people who seek to end their marriages in the courts. According to the MOI, in 1990 more than 27,000 couples were formally divorced. The number grew steadily year by year, eventually reaching 52,670 in 2000.

This problem is not going to solve itself. More and more Taiwanese businessmen are investing in mainland China, where many of them have affairs with local women, who become their “second wives.” They start to spend less and less time in Taiwan, and this naturally an increase in the number of divorces.



Laws concerning women's rights are taking a back seat to political ideologies in the male-dominated legislature.

As the number of marriages ending in divorce grows more women are learning to find strength in their independence.



Another piece of legislation languishing parliament is the Gender Equality Labor Law, which is meant to protect the rights of working women. Wu Mei-hui Says that this act was first sent to the legislature for review ten years ago, but it has yet to receive a first reading. “This is mainly because of the pressure from the Island’s business community,” she asserts. “Once the act is passed, they’ll have to spend a lot more money protecting the rights of their female workers.” If the law is passed in its present form, employers will not be able to implement discriminatory hiring policies unless the job offered is more suitable for males than females or vice versa. Moreover, they will not be able to treat employees differently for reasons of sender in the realms of pay and promotion, and they will have to allow women eight weeks of maternity leave.

The legislation is sorely needed, because Taiwan's industries are moving Abroad at an alarming pace, and this bears especially hard on female blue-collar Workers. ”These past two years it’s been an especially harsh environment for women in southern Taiwan, where a large part of the island’s manufacturing sector used to be based,” Wu says.

But certain recent events have caused many observers to wonder how serious Taiwan is about gender issues. You Mei-hui notes that “Taiwan is so wrapped up in political issues that those concerning gender are easily marginalized.” She points to an unseemly brawl earlier this year over the portrayal of “comfort women” in a Japanese comic book as just one example of the local obsession with political status.

A right-wing Japanese cartoonist published a book of drawings, Notes on Taiwan, that represented comfort women - sex slaves who had to provide Japanese soldiers with sexual favors during World War II - in an unflattering light. A prominent Taiwanese pro-independence businessman then weighed in by alleging that these women, far from being slaves, “comforted” Japanese soldiers of their own accord. Before long the issue had become a fight between the pro-unification and pro-independence camps, who traded punches without the slightest regard for the wounded sensibilities of the people at the heart of the dispute. “I wonder how many people in Taiwan are really concerned about these comfort women,” You asks wistfully.



Wu Mei-hui—
“No candidates run in major elections without publishing a white paper on women’s rights. No one dares ignore the female franchise.”

Women in the workforce are known to earn less than men and have fewer promotional opportunities. With profits at stake, businesses are reluctant to change this inequity.

Lin Wei-yen—
“What would happen if every disadvantaged group called for its own ministry? The government understands what private organizations want, but we have to take it step by step.”

Before and after his election. President Chen Shui-bian (陳水扁) announced that human rights would receive priority from the new DPP government. But is the new team any better than the old where women's rights are concerned? The question was given added urgency recently, when several female university students accused the head of the party's Department of Youth Development, where they were volunteer workers, of molesting them sexually. The accusations have been firmly denied, and the suspect has resigned his post, but until the results of the DPP's inquiry into that affair are made public observers are bound to question the sincerity of the party's commitment to women's rights.

Shih Chi-ching of Warm Life is one of the skeptics. "In the past, the Kuomintang wouldn't have responded to women's groups' demands if the DPP hadn't goaded them," she says. "But now the DPP's in power it isn't any better, because this government's so obsessed with political ideology."

Not everyone agrees with her, however. Wu Mei-hui, herself a member of the DPP, has more confidence in the present government, because her party had built up good relationships with numerous social-movement groups long before it came to power. "The administration has the sincerity to push for reform," she argues. "The question is, to what extent can it carry it out. Will it be paralyzed by budgetary constraints? Will it give the rights and welfare of the elderly, the handicapped, and children higher priority than those of women when allocating money? That's my major concern."

For some years now, feminist groups in Taiwan have been discussing the possibility of following the example of countries like New Zealand and South Korea by establishing a separate ministry with responsibility for women's affairs. "But the government has to consider the big picture," says the MOI's Lin Wet-yen. "What would happen if every disadvantaged group called for its own ministry? The government understands what private organizations want, but we have to take it step by step."

Electoral realities may force the pace a bit. Women's rights make for high-profile politics these days. "No candidates run in major elections without publishing a white paper on women's rights," Wu Mei-hui points out. "Whether they'll actually do anything is another matter, but at least no one dares ignore the female franchise." In 1999 the legislature passed the Law on Local Government Systems which took effect immediately. Henceforth, 25 percent of all local city, county, or township councilors must be women. "You can only change the environment after you've got power," Wu adds, noting that the performance of women in Taiwan's political arena has long been impressive, irrespective of party affiliation.

There is something of a paradox here. The very fact that women have to appeal to the law and legislators if they want to see improvements in their situation is a striking indicator of their role as the "weaker" half of society. Shih Chi-ching is not unduly concerned by that perception, however. In modern Taiwan, marriages are more fragile than in the past. "An increasing number of women will be forced to live on their own, confronting crude realities, after their breadwinners abandon them," she says. Women will be forced to become independent and focus much of their attention and energy on their careers. One consequence of that will be more spending power and a greater say in the way things are run—or so the theory goes.

Maybe Shih is right to be optimistic. In any event, the trend toward equal rights for both genders seems irreversible. In the not too distant future, when elementary schools test their pupils' social awareness, voyages of self-exploration are likely to be considered more "suitable" activities for girls than singing and dancing.

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