

Chen, Cheng-Wei

“Taiwan as a Transcultural Contact Zone between 1970s and 1990s: Legal and Feminist Discourses on Domestic Violence and Sexual Assault”

Abstract of Project

Women’s movements took place in 1970s in many countries, with which discourse on gender equality prospered and travelled around the globe. My project analyzes legal and feminist discourse on gender equality, domestic violence, and sexual assault in Taiwan through materials including newspapers, women’s magazines, legal documents, and literature works.

I use the concept of contact zone to describe the transcultural character of the discourse on gender equality in women’s magazines. As Mary Louise Pratt puts it, “The idea of the contact zone is intended in part to contrast with ideas of community that underlie much of the thinking about language, communication, and culture that gets done in the academy.” My materials consist of three women magazines: *The Woman* (婦女雜誌) mainly for intellectual women, *New Woman* (新女性雜誌) mainly for working class women and young girls, and *Awakening* (婦女新知雜誌) mainly for women activists and feminists. Those magazines were published in Taiwan, and circulated in the Chinese-speaking communities in Hong Kong, southeastern Asia, the United States, and the United Kingdom.

In my dissertation I further investigate domestic violence and sexual assault in Taiwan. Based on literature works and legal cases I explore how people view domestic violence and sexual assault under a historical context. The tasks are to understand Taiwanese women’s traumatic experiences of domestic violence and sexual assault, and moreover, analyze how Taiwanese women have fought against these two crimes.

In postwar Taiwan the phenomenon of domestic violence and sexual assault operated as mechanisms to sustain the structure of gender inequality, while women activists have been pursuing equality by challenging the mechanisms since 1970s. I investigate how battered women and violent husbands, and how sexually attacked victims and rapists were represented. I also examine how women writers and activists confronted or trapped in representations interwoven with common myths and cooperated with patriarchal operations. For instance, the media mostly described the abusive husbands or the rapists as deviant individuals, and thus domestic violence and sexual assault were attributed to individual wrongs, rather than a result of gender inequality.

Furthermore, women victims of domestic violence were often forced to be silent because “domestic shame must not spread abroad”. The coverage usually touched on their injuries lightly. Nevertheless, the media represented the battered women who murdered abusive husbands as wicked revengers or weak survivors. In the legal field debates on acknowledging the so-called “Battered Women Syndrome” or redefining “Self Defense” in the criminal laws became a dilemma for feminists who struggled for less stigmatization of battered women. Transcultural dynamics played a critical role in the debates. Feminists in

Taiwan adopted the term “Battered Women Syndrome” from the common law cases, while it is rather difficult to change the articles in civil law system which Taiwan succeeded since 1895.

By studying domestic violence and sexual assault phenomenon, I will expand the knowledge about Taiwanese women’s pursuit for gender equality, as well as offering lessons for feminists in Taiwan today.