

Chapter 12: Tongzhi Diplomacy and The Queer Case of Taiwan

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Abstract:

In spite of facing intense pressure and international isolation from China, Taiwan has developed a reputation as one of the most democratic and liberal states in Asia. The legalisation of same-sex marriage in May 2019 signals the progress of human rights in Taiwan and resulted in unprecedented positive international attention towards the country's marriage equality movement. Since then, LGBT rights have played an increasingly central role in Taiwan's international public diplomacy. This chapter makes the case that through 'queer' or 'Tongzhi diplomacy', Taiwan is focusing on increasing its international visibility as a liberal and sovereign democracy and reinforcing its image as 'the beacon of human rights in Asia'. This in turn has contributed to the country's efforts to broaden its international space. The chapter also explores how Taiwan's Tongzhi diplomacy differs from Western models of LGBT rights diplomacy, as well as examining its development over the past two decades. Using 'Hotline' as a case study, the chapter examines how Taiwan's Tongzhi diplomacy is the product of the dynamic relationship between civil society and the state.

Introduction

For decades China has been seeking to squeeze Taiwan's international space. This had led Taiwan to lose most of its formal diplomatic allies and to be excluded from most international government organizations. Since Tsai Ing-wen was elected president in 2016, China has adopted new policies and strategies to accelerate

Taiwan's international isolation. Therefore Taiwan struggles to maintain its visibility in international politics under the threat of being swallowed up by a rising China. Despite this challenging international environment, Taiwan is known for its economic and political miracles. After the lifting of martial law in 1987 Taiwan went through a gradual democratization process that culminated in the first direct presidential election in 1996. It has since gained the reputation as one of the most democratic and liberal states in Asia. For instance, it is now widely viewed as a beacon of LGBT rights. Taiwan has hosted the largest annual LGBT Pride in East Asia for almost two decades. Furthermore, in May 2019, Taiwan's parliament, the Legislative Yuan, legalized same-sex marriage. This historical moment not only signals the progress of human rights in this contested island state, Taiwan's marriage equality movement was widely praised all over the world. However, the politics of LGBT rights in East Asia, including the case of Taiwan, has often not received the academic attention it deserves.

In May 2018, Ma Ying-jeou, the former President of Taiwan, told the press that when he was the Mayor of Taipei in 2004, he visited Berlin and successfully met the City Mayor Klaus Wowereit, who is openly gay. Ma recalled how he introduced the first Pride in Taipei to Wowereit and claimed that it was a successful example of 'Tongzhi Diplomacy' (Liu, 2018). Although Ma did not elaborate on what he meant by Tongzhi Diplomacy, based on his remarks, we can surmise it to be diplomacy related to 'gay people' and 'gay rights.' Ma's claim raises the questions which will be further discussed in this chapter: What is 'Tongzhi Diplomacy'? What are the differences

between Tongzhi Diplomacy and traditional foreign policies? Could 'Tongzhi Diplomacy' become a new approach for Taiwan to expand its international space?

We argue that, compared to the existing LGBT rights foreign policy in the West, Taiwan does not have a sophisticated Tongzhi Diplomacy or LGBT rights foreign policy agenda. Instead of a top-down style of foreign policy, it should be understood as the product of both government and non-governmental forces. More precisely, as a 'queer state,' Taiwan is using a 'queer way' to do 'queer diplomacy.' We term it a 'queer state,' as Taiwan's statehood and status in international law are contested; by a 'queer way,' we mean that Taiwan's approaches are different from the formal diplomatic approaches; and 'queer diplomacy' refers to the very different goals of Taiwan's LGBT related diplomacy . In other words, Taiwan does not seek to influence other countries' LGBT related policies, but instead it tries to use the LGBT issue to enhance its reputation in the world as a liberal democracy with a sovereign status. By promoting LGBT rights, Taiwan has cultivated an image of being 'the beacon of human rights in Asia,' while its Tongzhi Diplomacy has allowed it to broaden its international space, an arena where Taiwan had long been excluded.

In the literature on LGBT rights diplomacy, the most well-known case concerns US foreign policy during the Obama era. In 2011, Secretary of State Hillary Clinton gave a speech at the UN in which she argued 'gay rights are human rights.' The US not only promoted LGBT rights on multilateral platforms but also introduced a series of LGBT rights-based foreign policies. The Obama administration initiated the Global Equality Fund to support LGBT rights activism overseas and the US also sought to influence fund-receiving countries through foreign development aid. For instance, the infamous case of Uganda's anti-gay bill caused the US to threaten to cut off aid. Obama also used bilateral engagements to promote 'homosexual-decriminalization'

when visiting Senegal and Kenya. However, some argued this was counterproductive (Encarnación, 2016).

This empirical study of foreign policies will start by defining the key terms, then the evolution of LGBT rights in Taiwan and Tongzhi diplomacy will be reviewed. Next a comparison will be made between two events to highlight the different level of attention received by Taiwan's traditional diplomacy and its LGBT rights diplomacy. These are the failed participation in the World Health Assembly (WHA) and the Ruling by the Constitutional Court that favoured same-sex marriage, both events took place in the same week of May 2017. The comparison shows that although Taiwan's government invested heavily in its public diplomacy campaign to join the WHA, when it comes to media exposure to make Taiwan visible, the Court Ruling proved to be far more effective. Then we will consider how Taiwan's civil society led LGBT diplomacy evolved by examining the case of Taiwan Tongzhi Hotline Association (Hotline). Hotline received funds from the government funded legal foundation, Taiwan Foundation for Democracy (TFD), and has established the connections to participate in international LGBT rights initiatives and institutions. By examining the case of Hotline, we show that Tongzhi Diplomacy is different from the existing patterns of the West, in that it is 'queer' as it does not seek to impose a human rights agenda on other countries. We treat Hotline as a case study of Taiwan's attempts to expand its international space. We conclude that there are two key factors that explain why Taiwan has taken a different path in its international LGBT rights politics. Firstly, Taiwan's ambiguous status as a 'queer state' seems to make Tongzhi Diplomacy possible in the international realm. Secondly, that non-state actors are taking the lead to expand this international space is the key to the

development of such diplomacy. If this LGBT diplomacy had been a largely state-led project, it would have struggled to have an impact. The queer case of Taiwan also challenges the discipline of international relations which often takes the 'state' for granted, and the assumption that 'states are states' and 'states are homogeneous.' Both assumptions fail to explain how Taiwan as a 'queer state' is using 'queer ways' to act in international politics. Apart from these implications, Tongzhi Diplomacy faces both domestic and international challenges. This again reveals the complexity of Tongzhi Diplomacy, which should not be simply reduced to transnational LGBT rights activism or LGBT rights diplomacy.

Terminology

The definition of tongzhi is contested. In this chapter, tongzhi is an umbrella term that stands for the gender and sexual minorities, including people who are not heterosexual or cisgender. 'Tongzhi' was said to be first used in Hong Kong for the first 'Lesbian and Gay Film Festival,' and it is usually understood as the translation for homosexual. Chou argues that tongzhi is an 'indigenous representation,' that 'connotes an entire range of alternative sexual practices and sensitivities in a way that "lesbian," "gay," or "bisexual" does not' (Chou, 2000).

'Queer' in this chapter has two meanings. First, it serves as an adjective that stands for 'unusual, unconventional, unorthodox and peculiar.' The other queer is a noun which refers to an identity that incorporates the whole LGBT community, 'queer' implies the idea of gender or sex nonconforming. We will term 'LGBT rights' to describe Taiwan's gender and sexual rights movement, since Hotline uses 'Taiwan Tongzhi (LGBT) Hotline Association' as its official English name, instead of using LGBTQ or LGBTQIA.

When discussing the peculiar case-- Taiwan is a 'queer state' using a 'queer way' to do 'queer diplomacy,' the term 'queer' plays with the dual meaning to portray the complexity of Tongzhi Diplomacy. It is important to note that in Taiwan's context, queer as an identity does not have exactly the same meaning as in the West. The connotation of 'queer' in Taiwan is not as radical as in the West, and queer is usually the synonym of LGBT due to the different historical background in the rights movement. To put it another way, 'tensions between queer and "lesbian and gay" in English speaking societies does not equate to the relationship between Taiwan's version of "ku'er" and "tongzhi"' (Lim, 2008).

What's more, terms such as queer, lesbian/ gay or LGBT, were all introduced to Taiwan at different occasions. As Chi Da-wei suggests, 'searching for the specific definition of tongzhi and ku 'er, falls into the myth of authenticity and genuineness' (Chi, 2015). This chapter is not going to investigate the discrepancy and tension between the terms, nor does it try to make tongzhi and Tongzhi Diplomacy an alternative for queer/ LGBT and LGBT rights diplomacy, but we would like to use the fluidity and flexibility of these phrases, to draw a picture of the possible Tongzhi Diplomacy narrative in Taiwan, instead of building a fixed structure of Tongzhi Diplomacy. Thus tongzhi, queer and LGBT are used interchangeably. We view the contested boundaries of what these terms represent as an advantage, because in the queer case of Taiwan, ambiguity is the fuel for diplomacy.

The History of Taiwanese LGBT Rights & Tongzhi Diplomacy

1987 to 1999: Struggles at the Beginning of Democratization

The birth of Taiwan's LGBT rights movements was only possible in the aftermath of the lifting of martial law in 1987 and the subsequent gradual political liberalization

and removal of freedom of expression restrictions. Initially there was not an organized LGBT rights movement but a noticeable sign of change was the growing representation of LGBT issues in the mainstream visual culture, particularly in Taiwan's cinema. Instead LGBT rights activism was initially under the umbrella of the feminist movement. It started to bloom in universities and was led by scholars and intellectuals (Chou, 2000; Chu, 2003; Damm, 2011; Lin, 2013). The first tongzhi organization, a lesbian group called 'Wo Men Zhi Jian,' was founded in 1990. Meanwhile, the leading women's organization the 'Awakening Foundation' had published articles about homosexualities in their magazine, and the two organizations cooperated on women's issue in the 1990s (Lin, 2013). The Awakening Foundation was involved in the HIV/AIDS movements as well. However, unlike in the West, Taiwan's HIV/AIDS-related self-help groups did not work well with other tongzhi groups. Damm argues that HIV/AIDS topics were usually marginalized from the tongzhi discourse in order to avoid undermining public support for the normalization of tongzhi issues (Damm, 2011).

Although the social order regulations had been loosened, tongzhi gathering places and related businesses were often raided by the police. The most infamous cases were the 'Chang-De Street Incident' in 1997, and the 'AG Gym Incident' in 1998. The police took obscene photos deliberately and then arrested the gays for 'conducting illegal transactional sex.' It was taken for granted the Tongzhi were criminal before the trial, and they were portrayed as perverts in the media (Ho, 2010; Gofyy, 2016a). In another notorious incident in 1998 a reporter used a hidden camera to film a lesbian bar and then exposed it on TV. The peeping clips not only violated the privacy of the LGBT community but also stigmatized tongzhi lifestyles

and tongzhi-oriented businesses (Ho, 2010). These incidents revealed not only the public curiosity about tongzhi but also a unique dilemma for tongzhi activism. In other words, many were reluctant to openly come out and so they were hesitant to do press conferences or march on the streets to make themselves visible (Chu, 2003).

2000's: A Strategically Positive Time for Tongzhi?

In 2000 Taiwan experienced its first change of ruling parties when the DPP's Chen Shui-bian won the presidential election. Some scholars claim that this marks the start of a new era for the LGBT rights movement, as the DPP itself was born out of the democratic movement and thus it has strong connections with many social movements (Fan & Wu, 2016). Chen's presidency (2000-2008) gave LGBT rights a political opportunity, and the focus of the movement shifted from making tongzhi visible to the 'sexual citizenship' of legal rights (Chu, 2003). The dynamics of party politics and civic activism meant there was both progress and setbacks in the area of LGBT rights, and this period has left a legacy on the subsequent development of LGBT rights in Taiwan.

When Chen established The Presidential Office Human Rights Consultative Committee in October 2000, he promised to turn Taiwan into 'a nation founded upon the principles of human rights' (Lin, 2000). With the commitment of complying with international norms, the committee was given the task of improving Taiwan's human rights policies and pushing for participation in international human rights initiatives (Office of The President Republic of China (Taiwan), 2007). The committee launched a project to draft a 'Human Rights Basic Law,' including legalizing the family rights of same-sex couples and their adoption rights. Furthermore, the draft stated that 'governments worldwide are now protecting rights of homosexuals, thus this clause

is dedicated to giving legal protection [to tongzhi]' (Ministry of Justice, 2001). But the drafting procedure was never completed, and Damm argues that this was due to the DPP's concern that it could damage its election prospects (Damm, 2011). Ho claims the government created this publicity stunt to gain international media attention but then let down the LGBT rights groups (Ho, 2010). In Liu's analysis, Chen was using same-sex marriage 'to solidify the pro-independence, anti-PRC stance and to rally American support, while carefully keeping it from realization to avoid alienating the conservative and religious electoral bases' (Liu, 2015).

This period featured a fascinating case of competition between Chen's central government and Ma's Taipei city government over who had the most 'tongzhi-friendly image'. This added another layer to the LGBT rights discourse. Taipei city government hosted the very first 'Taipei LGBT Civil Rights Movement Festival' on September 2nd 2000. American activists, Michael Bronski and Nan Hunter were invited to Taipei for the events. On September 4th, Chen received Bronski, Hunter and Taiwanese activists in the Presidential Office. Chen commented that homosexuality is neither a crime, nor a disease, then Chen had a photo with them and a rainbow flag. However, the Presidential Office did not issue any press release about the meeting until it had been criticized by the activists (Gofyy, 2016b). Damm believes that Chen and Ma's promises on LGBT rights 'tended to be directed towards the outside world' (Damm, 2011). Similarly, Liu argues that 'the rhetoric of tolerance, liberalism and progress' is designed to win American sympathy and support, and to alienate China in order to serve Chen's pro-independence agenda' (Liu, 2015, p.158). Although the tongzhi-friendly gestures did not result in substantive legal breakthroughs, the political competition between Chen and Ma did suggest an optimistic future for LGBT rights.

The environment for LGBT activism was still complex. According to the 'Taiwan Human Rights Report,' Hotline intended to register at the Ministry of the Interior in November 1999, but was refused because 'It is not proper to advocate gay relationships; the formation of a gay community centre and the provision of gay peer counselling and assistance could possibly have ill effect' (Taiwan Association for Human Rights, 2000). However, Hotline successfully registered in June 2000 and became the first nationwide tongzhi organization. It is difficult to say whether this was related to the DPP's Chen coming to power. Meanwhile in KMT run Taipei, the first Pride march took place in Taipei in 2003, and since then the scale of the rally has grown from less than 1,000 participants to almost than 200,000 in 2019.

However, the tongzhi movement faced a mixed picture on the legal front and at times, it was clear that the bureaucracy still discriminated against tongzhi. For instance there the lawsuit against Gin Gin Bookstore and the censorship against a lesbian radio programme (Chen and Wang, 2010).¹ From the legislative viewpoint, some important achievements were made that were consistent with Chen's manifesto: The 'Gender Equality Education Act' was passed in 2004 after the tragedy of 'rose boy Ye Yong-zhi who had died after being bullied in school due to gender nonconformity in 2000; and the 'Act of Gender Equality in Employment' was introduced in 2002 and amended in 2008 to cover different sexualities.

The 2010's: Globalized Tongzhi

¹ Gin Bookstore was the first gay book store in Taiwan. In 2003 Criminal Investigation Bureau confiscated much of its stock. The owner of Gin was charged with a Sex Offenses crime and was fined. Several gender related organizations then applied for a Constitutional Interpretation and Interpretation number 617 was made which further explained and narrow down the definition of 'obscene' when applying the Criminal Law in 2006. Sister Radio, a radio station focusing on women's issue, was fined by the Government Information Office of Executive Yuan in 2004 due to an imitation of a women's sexual moaning on its lesbian programme. Sister Radio refused to pay the fine as the imitation was in the context of promoting safe sex. When the case went to the Supreme Administrative Court, Sister Radio was acquitted in 2005.

In 2008 Chen was replaced by Ma as president and the competition between them came to an end. Although Ma had cultivated a tongzhi-friendly image in his mayoral term, Damm suggests that there was 'Nothing new under Ma Ying-jeou' during his presidency (Damm, 2011). The new trend of activism would be the globalization of the marriage equality campaign, especially after DPP was re-elected as the ruling party in 2016.

In 2006, a DPP legislator introduced a 'Same-sex Marriage Act' to parliament but it was blocked due to opposition from both major parties and was not reviewed. The Taiwan Alliance to Promote Civil Partnership Rights TAPCPR (伴侶盟), the major organization advocating for same-sex marriage, was established in 2012. It issued a draft amendment to the Civil Code for legalizing same-sex marriage, civil partnerships and multiple-person families. The bill was introduced to parliament by DPP legislators in 2013, and public hearings were held and provoked heated public debates. However, the bill did not make it to a vote in parliament in Ma's presidency.

The next campaign kicked off in October 2016. Besides TAPCPR, another major force was led by Hotline, in cooperation with the Awakening Foundation and other gender/ sexuality groups. Hotline was funded by the Open Society Foundation with US\$20,000 in 2017 to support its marriage equality campaign (Hotline, 2017; Open Society Foundations, 2017). Furthermore, members of Hotline participated in the Human Rights Campaign's Global Innovative Advocacy Summits in 2016 and 2017 to exchange experiences with activists worldwide (Human Rights Campaign, 2017). The way Hotline reached out for international resources symbolizes the globalization of domestic activism and it also implies that the marriage equality campaign possesses a layer of international dynamics.

The Great Potential Of Tongzhi Diplomacy- Case Study of WHA Incident And The Historical Ruling in May 2017

Although the campaign for same-sex marriage legislation faced much domestic resistance, it has unintentionally made Taiwan visible and celebrated throughout the world, suggesting the great potential of Tongzhi diplomacy. Fan Chi-fei, a Taiwanese journalist stationed in the U.S. for two decades, found that the amount of Google results about Taiwan's failed participation in the WHA in Geneva was far less than the historical ruling of the Constitutional Court on same-sex marriage, which happened in the same week. Fan argues that apparently, the world paid more attention to same-sex marriage than Taiwan's exclusion from WHA (Fan, 2017). Fan's insight inspired the first author to investigate the two incidents (Chen 2018).

Since President Tsai came into office, Taiwan has faced greater challenges in participating in world affairs due to the pressure from China. The government initiated a series of campaigns to advocate for Taiwan's participation in the WHA. Besides emphasizing the danger of isolating Taiwan, the government published videos on social media to introduce Taiwan's excellence in medicine. Several Taiwanese Representatives abroad wrote articles in newspapers to raise awareness of Taiwan's WHA bid. In addition to regular diplomatic channels to gain support from other countries, the government also sought to raise awareness through social media platforms such as Twitter to highlight the absence of Taiwan in the WHA. Subsequently, Taiwan failed to obtain observer status in the WHA due to China's opposition. The Minister of Health and Welfare hosted an international press conference in Geneva to express Taiwan's disappointment about the outcome. Two days later, the long-anticipated ruling by the Constitutional Court on same-sex marriage was released. Unusually, the Court released a bilingual notice to the press

and public explaining that it had ruled in favour of same-sex marriage. However, in contrast to the WHA incident, both MOFA and the Taiwan embassies remained silent on the Court's ruling.

An examination using Google Trends, during the week of May 21st to 27th of 2017, showed the hit count for searches using 'same-sex marriage'-related keywords was at least 50 times more than for those using 'WHA'-related phrases, with a strong correlation between 'Taiwan' and 'same-sex marriage' (Chen, 2018). It is surprising that although the ruling on same-sex marriage was simply a domestic issue, it attracted far more attention worldwide than the frustration of Taiwan's diplomatic setback. This comparison implies that, although the government of Taiwan invested heavily in the WHA bid through a wide variety of different channels, when it comes to the visibility of Taiwan, the ruling of same-sex marriage was more effective.

Furthermore, the articles about the ruling in English news outlets portrayed Taiwan as an independent polity that upholds human rights and liberal democracy. Unlike many news reports on Taiwan, these stories were not centred on Taiwan's relations with China, which implies that Taiwan is not yet overshadowed by China in the field of LGBT rights (Chen, 2018). This phenomenon is not suggesting that the WHA bid is less important than the ruling, or that traditional diplomatic channels are not effective, but through the comparison, the potential strength of LGBT rights issues in expanding Taiwan's international space should be taken more seriously from the perspective of international relations.

Critiques on the marriage equality campaign arose from scholars which were mainly based on cultural studies and queer theories. Hong contends that Hotline receiving support from American sources symbolizes that Taiwanese activism was echoing American imperialism (Hong, 2016). Ho states that gender equality has

become a branding material for Taiwan to distinguish itself from the 'rich but less civilised' China (Ho, 2017). In contrast Liu Wen claims that Hong's accusation overlooks the historical background of the local LGBT movement. Moreover, Liu asserts that the critiques constructed a 'queer China' as if 'China is not complicit with neoliberalism and Western neo-imperialism' (Liu, 2016). This chapter would like to focus on the practice of Tongzhi Diplomacy via empirical cases, thus we will leave these theoretical debate for future studies.

Case Study: Hotline's International Engagement And Tongzhi Diplomacy

Hotline & TFD

In Geldenhuys' 'Contested States In World Politics,' he argues that President Chen conducted 'democracy-based diplomacy' in order to 'persuade the community of democracies that Taiwan deserved to enter their ranks' (Geldenhuys, 2009). In the Foreign Policy Report of 2006, MOFA clearly stated that 'Democracy, human rights, humanitarianism, mutual interest and peace' were the core values of Taiwan's national policy, furthermore, 'through democracy and human rights, we can appeal for Taiwan's sovereignty to be strengthened' (Ministry of Foreign Affairs, Republic of China (Taiwan), 2006). Geldenhuys takes the establishment of the TFD as an example of how the Chen administration manoeuvred 'promoting democracy' to consolidate its legitimacy and the statehood of Taiwan. TFD was founded in 2003, initiated and funded by MOFA. The Chairperson of TFD is the Speaker of the parliament, and the Vice-Chairperson is the Foreign Minister. Geldenhuys indicates that although the TFD is a non-governmental organization, it plays a key role in expanding channels and links for Taiwan to participate in international affairs. Through its promotion of democracy, the TFD supports 'semi-official partnerships'

with other democracies and democratic activists in authoritarian states (Geldenhuys, 2009).

Besides strengthening ties with other democracies, TFD also supports three major categories of events: (1) funding political parties which have seats in parliament to conduct human rights and democracy-related events; (2) international grants for civil society organizations, think tanks and academic institutions overseas to promote democracy and human rights; (3) domestic grants for civil society organizations, think tanks and academic institutions to consolidate democracy and human rights through conferences, publications and other initiatives. This chapter will examine the 'queerness' of Tongzhi Diplomacy by looking at how Hotline used its TFD grants. Hotline has applied for TFD grants since 2014 and was awarded funding in 2014, 2017 and 2018, with NT\$80,000 for the project 'Participating in International Conference on LGBT Human Rights' in 2014, NT\$ 500,000 for the 'Look Beyond Taiwan, Go See the World International Exchange and Collaboration Programme of Gender and Human Rights' in 2017, and NT\$ 400,000 for the 'Attract Worldwide Attention on Taiwan' in 2018. The reasons why Hotline was not granted TFD funding in 2015 and 2016 could be: (1) Hotline hosted the ILGA-Asia's 2015 annual conference in Taipei ; (2) the key person of Hotline who's in charge of external affairs, Jennifer Lu, was running for the legislative election in January 2016, hence, as an NGO with about 10 staff, Hotline might not have been able to engage in international LGBT rights projects those two years.

As stated in the 2017 'Report of the Taiwan Foundation for Democracy Grant', the grant was used on three projects: The sixty-first session of the Commission on the Status of Women (CSW) at UN Headquarters in New York, an institutional visit to Hong Kong, and participating in the ILGA-Asia's biennial conference in Cambodia.

Hotline stated that, due to the progress of the marriage equality campaign in 2016, they started to evaluate how to make Taiwanese experiences visible and available to the world via more efficient international cooperation, and how Hotline could align with organizations from different regions to enhance tongzhi rights (Hotline, 2017).

A case worthy of attention is attending CSW. Since Taiwan is not a member of the UN, it is impossible for government officials to participate in any events hosted by UN organs, but Hotline was able to take part due to being an NGO. Hotline took the opportunity to meet with the activists from abroad to learn about their experiences in doing international lobby work. According to the report, Hotline states that Taiwan's 'different status' in the international realm forced Taiwan to proactively make itself seen. The report continued, 'Taiwan developed its own methods to do international engagements,' and Taiwanese activists were unfamiliar with transnational activism and ways to put pressure on Taiwan government through international mechanisms due to the long exclusion from international institutions (Hotline, 2017). Fan and Wu argue that Taiwan had limited knowledge of the UN's 'gender mainstreaming' policies, so in order to catch up with the 'global trend,' the government proactively adopted 'gender mainstreaming' during the Chen presidency. They believe that the gap gave feminist activists leverage (Fan & Wu, 2016), but in the case of LGBT rights, what Hotline describes is a different facet of human rights.

Hotline did participate in CSW in 2013 and 2015 but was not supported by TFD. According to MOFA's website, in the section of 'Participation in International Organizations,' it notes that Taiwan has sent NGOs to attend CSW annually and that these have been supported by MOFA (MOFA, 2015). Therefore it is highly likely that Hotline was supported by MOFA in previous years, and this indirect and discursive route, perfectly demonstrates Taiwan's queer nature.

The visit to Hong Kong symbolizes another form of international connection that Hotline built up. The report notes that Hong Kong is a society that is close to Taiwan, both geographically and culturally and on this occasion Hotline brought 15 team members to Hong Kong to work closely with their civil society organizations (Hotline, 2017). According to the report, Hotline visited Amnesty International's East Asia Regional Office (EARO), where one of the EARO team members suggested that 'the same-sex marriage movement in Taiwan is not only limited to Taiwan but is an Asian international movement, which shows that same-sex marriage is not a Western issue' (Hotline, 2017). This programme to Hong Kong echoes TFD's core goal of democracy promotion and Hotline's efforts to create connections between both civil societies corresponds with this TFD objective. In the case of Hotline's participation in the ILGA-Asia's biennial conference, it sent three representatives and each of them were panelists on different subjects. Interestingly, the Swedish Embassy was one of the sponsors of the 2017 ILGA-Asia regional conference; while when Hotline hosted ILGA-Asia regional conference in 2015, neither TFD nor Sweden sponsored, instead only the European Union supported both events.

Hotline's Diversified Connections

The TFD 2014 grant was used to participate in WorldPride 2014 Toronto, but compared to the 2017 programmes, this programme mainly served as resources for Hotline's services rather than for its international activities. However, Jennifer Lu was invited by IGLHRC, now known as OutRight Action International (OutRight), to join the '2014 Advocacy Week' to push the UN to adopt LGBT friendly policies. OutRight is the only LGBT organization that has a permanent presence to advocate at the UN Headquarters in New York and holds a special consultative status in the UN

(OutRight, 2017). Lu wrote 'Tongzhi Diplomacy- International Advocacy on Human Rights Day' for a newsletter published by the 'Foundation of Women's Rights Promotion and Development (FWRPD)' to share her experiences. FWRPD was established by the Executive Yuan in 1997 to advance women's rights in Taiwan, and it shares a similar character with TFD as a 'non-governmental' organization. In the article, Lu explained how her participation in CSW in 2013 had given her the connections that had enabled her to be invited by OutRight (Lu, 2015). Lu gives a thorough introduction about what she did during that week, including visiting UN WOMEN, United Nations Development Programme (UNDP) and diplomats from 25 countries. Another highlight of the article is the forum hosted by the EU during the Advocacy Week, in which Lu was invited to introduce Taiwan's LGBT movements. At first, the forum was due to take place in UN Headquarters, but due to Chinese pressure, Lu had to be switched to the EU office (Lu, 2015). Lu states that, Taiwan's 'special status' always makes participation in international affairs difficult, even when attending CSW events as NGO representatives could be an issue. Although Taiwan's non-governmental forces have built up some connections in international society, 'whenever it comes to entering the UN, holding a Taiwanese passport makes you feel helpless.' Moreover, she suggests that LGBT issues could be an entry point for Taiwan to seize more opportunities in participating in global affairs, but she kept wondering whether the government should take the lead (Lu, 2015). Since then Lu has continued to participate in the Advocacy Week event and she shared on her Facebook during the 2017 event this remark, 'I shared the intertwined situation of being a Taiwanese, I wish to be recognized by the world, and being a tongzhi, I wish to be recognized by the mainstream society' (Lu, 2017).

Another case is the workshop 'LGBTQ Movement And Conservative Power In East Asia,' hosted by Hotline and sponsored by the EU in July 2017, the workshop invited 50 LGBT activists from Japan, Korea and Taiwan to exchange their knowledge and experiences. According to the press release, the director of the EU office in Taiwan, Ms. Majorenko commented that the 'EU valued highly on human rights issues, it is our pleasure to support LGBT rights and contributing to regional cooperation' (Hotline, 2017). Therefore apart from the government and INGO, Hotline was supported by a foreign governmental organization to coordinate with other LGBT rights activists in the region. This not only demonstrates the EU's LGBT rights diplomacy but also implies the importance of Taiwan in LGBT rights politics in East Asia.

Taiwan as a 'queer state'

Taiwan, or the Republic of China, could be the 'queerest' country on earth. The Republic of China (Taiwan) was replaced by the People's Republic of China (China) in 1971 at the UN, from then on, the number of countries that hold diplomatic relationships with Taiwan dropped from 65 in 1971, to 15 in 2020. Taiwan has no representation in most of the UN-affiliated governmental organizations, but Taiwan is a member of WTO under the name of 'Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu.' Whether Taiwan is qualified as a state has been long debated among academics, as this is not the main issue in this chapter, Geldenhuys' argument will be the root of the following analysis. Geldenhuys indicates that Taiwan's statehood is a political issue 'rather than a legal dispute,' and no matter how qualified Taiwan's statehood is under international law, 'the vast majority of states have decided collectively that it was not entitled to separate statehood – for

reasons that have more to do with China's might than with Taiwan's rights' (Geldenhuys, 2009). To some extent it is similar to the situation of queer people in most of the societies, 'they are but they are not' qualified citizens, they exist but they do not enjoy all the normal rights as citizens.

Taiwan as a 'queer state' could be understood perfectly with reference to its semi-official diplomatic relationships with other countries. Due to the 'One China Principle', most of the countries operate non-governmental organizations in Taiwan to act as embassies. The EU's 'European Economic and Trade Office' (EETO) in Taiwan functions as the 'Delegation of the European Union.' In the Factfile 2017 published by EETO, it highlighted that 'Taiwan has one of the friendliest environments towards LGBTI people and has a lot to offer in terms of experience and best practices to others in the region'. Interestingly in its Chinese version, the EETO states 'Taiwan is one of the most LGBTI-friendly countries' (台灣是對 LGBTI 最友善的國家之一) (EETO, 2017). Is this just a 'miswriting,' or does it imply that Taiwan is a de facto independent state?

Furthermore, Taiwan is not represented in the UN due to the sovereignty disputes with China, thus in most of the UN documents, Taiwan does not exist, or if mentioned, it is 'a province of China.' We can see this in a UNDP document 'Leave no one behind: Advancing social, economic, cultural and political inclusion of LGBTI people in Asia and the Pacific - Summary,' which provides an overview of LGBT communities in the region. The project was sponsored by the UNDP, the Embassy of Sweden in Bangkok and the US Agency for International Development. Interestingly, Taiwan was mentioned once in the document in the section of 'Selected milestones towards LGBTI inclusion in Asia and the Pacific.' It stated that 'Taiwan (Province of China) enacts laws against discrimination based on sexual orientation in

employment (2002) and education (2004), and debates proposals for marriage equality for same-sex couples (2014),’ but in the next line, Hong Kong is simply ‘Hong Kong,’ not ‘Hong Kong, Special Administrative Region of China’ (UNDP, 2015: 6).

Taiwan using ‘queer way’

As described previously, Taiwan could not send official delegations to CSW, neither could Taiwanese officials contribute to UN-related conventions, but in the case of LGBT rights, there were some breakthroughs. Unlike the U.S. using government-to-government engagements or multilateral platforms, Taiwan is making indirect efforts which the government, Hotline, INGO and foreign governmental organizations are all involved in.

In the first case of Hotline and TFD grants, we saw how an NGO was using indirect government resources to achieve certain diplomatic goals. The TFD hoped to support the Chen administrations’ aim of promoting democracy and human rights in order to strengthen Taiwan’s statehood through more participation in global affairs. Therefore Hotline’s initiatives are aligned with these goals and thus it received grants to do international engagements. The way Hotline used the grants not only benefited the organization itself but their appearance in CSW was significant for Taiwan’s foreign relations. The case shows just how complicated it is for Taiwan to simply attend multinational platforms even as an NGO. What Taiwan’s government was unable to do, had been carried out by Hotline.

The case in which Lu was invited by OutRight to join an advocacy programme represents a different route of participation for Taiwan, which was made possible through the connections among non-governmental actors. Again, Lu as a Hotline

member, joined the global LGBT rights initiatives to influence the global human rights regime, while this could not have happened if Lu had been a Taiwanese government official. Moreover, Lu's experience of the venue-change issue perfectly illustrates the complexity and ambiguity of what Tongzhi Diplomacy stands for in Taiwan's context.

As Taiwan does not have the same mechanisms and tools as other countries, it could not promote LGBT rights abroad through official mechanisms; Taiwan could not participate in CSW and other UN multilateral conferences, but Hotline could attend with the support from the government; last but not least, Lu was invited by an INGO to take part in advocacy programmes to contribute to the global LGBT rights regime, and Lu as an LGBT rights activist represents Taiwan in global human rights initiatives where the Taiwanese government is not eligible to do so. These interesting and obscure dynamics are the 'queer approaches' which indicate that due, to the queer status of Taiwan, non-state actors took the role as representatives of Taiwan on various international occasions.

Taiwan's 'queer diplomacy'

The TFD grants and Lu's appearance at the UN were aimed at maintaining or expanding Taiwan's presence as a state rather than influencing other countries' policies on LGBT rights. The government of Taiwan did not seek to enhance LGBT rights in its diplomatic allies, in fact, among these countries, 6 of them had criminalised same-sex relationships. Instead of advocating the decriminalisation of LGBT people overseas, the existing approaches in Taiwan have not been sophisticated, they were neither initiated by MOFA, nor were they executed through official mechanisms. Since Taiwan is a 'queer state,' its foreign policy agenda is

shaped by its contested status. MOFA explains that it is dedicated to 'implementing policies that enhance Taiwan's prosperity and promoting foreign relations that strengthen the international status of the ROC' (MOFA, 2016). Therefore compared to maintaining the formal diplomatic ties with its remaining allies, decriminalizing same-sex relationships overseas is not a major concern for the Taiwan government.

Taiwan is sharing its LGBT rights experiences with others, especially East Asian neighbours such as Hong Kong, Japan and Korea, while also receiving support from the West. In an article about Hotline's participation in ILGA-Asia's regional conference in 2017, Lin indicates that 'Taiwan, a UN outcast, is unable to tap into important funding nor participate in or conduct studies through organizations like the UNDP,' but he suggests that Taiwan's isolation enabled the local LGBT movements to develop their own strategies with local knowledge and resources (Lin, 2017). This is why Taiwan's progress has really surprised the world, since it was not officially covered by global LGBT rights initiatives. This unique experience could provide an alternative for global LGBT rights politics, as Taiwan's development experience was not simply transplanted from, or supported by the West.

As discussed earlier, some scholars criticized Chen's regime for using tongzhi as a tool to sustain Taiwan's international status. However, when looking at the cases in this research, it is very difficult to conclude that the current government is intentionally 'using' LGBT rights to promote Taiwan for international inclusion. The Tsai government hesitated to amend the Civil Code for the same-sex marriage, taking three years to achieve its pledge. It has neither consistently supported the activists' in global platforms nor did the government support LGBT rights initiatives abroad. Clearly, the government does not have a sophisticated Tongzhi Diplomacy. The actual content of its Tongzhi Diplomacy is also questionable since so far there is

no similarity between Western LGBT rights diplomacy models and Taiwan's international LGBT rights engagements. Taiwan's version of Tongzhi Diplomacy relies heavily on activism and non-state actors instead of state-initiated policies. Even under the Tsai administration there is a degree of continuity from the Chen era, or what Geldenhuys called 'democracy-based diplomacy.' In other words, Taiwan still frames its adoption of LGBT rights as part of its international human rights diplomacy in order to seek the recognition and support from Western democracies.

Recent Challenges and Opportunities for Tongzhi diplomacy

In the aftermath of Tsai's election in 2016 Tongzhi Diplomacy has faced both challenges and opportunities. Gary Rawnsley has argued that Taiwan's public diplomacy frequently is undermined by what he terms a 'disabling environment' of both domestic and international constraints (Rawnsley 2017, 989). One of the reasons that Taiwan's governments have been cautious about open advocacy for LGBT rights in its public diplomacy has been the fear of a domestic criticism, particularly from the conservative counter movement. This movement though has been able to build a broad anti LGBT alliance well beyond its Christian Church base. It also has an international dimension. Cole has shown the close ties between American Evangelical groups and Taiwan's anti-LGBT movements (Cole, 2017). Their mobilisation was able to see anti-same-sex marriage and anti-gender-equality education national referendums pass in late 2018 and this temporarily undermined Taiwan's reputation as an Asian model of LGBT rights. However, Tsai's government did eventually pass same sex marriage legislation in May 2019 and this would provide a similar level of positive international media coverage to that seen in the 2017 Court Ruling. Opposition to legalisation in parliament mainly came from the

largest opposition party, the KMT, and some of its legislators promised they would repeal the law once they came back to power in 2020. Unsurprisingly the conservative counter movement strongly backed the KMT's presidential candidate Han Kuo-yu in 2020.

Tsai Ing-wen's re-election and the DPP's retained parliamentary majority in January 2020 means it is likely the government will continue to support tongzhi diplomacy. Since legalization, Tsai has made frequent statements on the issue to international audiences. For instance, in October 2019 at the 40th Congress of the International Federation for Human Rights, Tsai stated, 'this year, Taiwan became the first country in Asia to legalize same-sex marriage. I have to tell you that it was not an easy process to go through, but finally, we made it' (Office of the President 2019).-Similarly MOFA has been more active in incorporating LGBT rights into their agenda. One such case was the EU-Taiwan LGBTI Human Rights Conference in October 2019, which was co-organized by the Cabinet-level Gender Equality Committee, the Ministry of Foreign Affairs and the European Economic and Trade Office (MOFA 2019). This was held the same week as the 2019 Taipei Pride, and was a very big step forward for Tongzhi diplomacy. However, it remains to be seen whether this conference will become a regular collaborative event or just a one off. Taiwanese diplomats abroad are now also trumpeting Taiwan's LGBT rights to international audiences far more since May 2019. Each year MOFA representatives give a briefing to students at our university on the advantages of studying and working (youth mobility visa) in Taiwan. Alongside Taiwan's democratic system, convenient public transport, scenery and fine cuisine, being the first Asian country to legalize same sex marriage first appeared on their PowerPoint presentations in 2019. This represents a marked change from the very cautious approach that

Taiwanese diplomats had taken towards the issue under Ma and in the first two years of Tsai's presidency.

Externally, it is impossible to discuss Taiwan's foreign policy without reference to the China factor. This challenge could be seen during the 2018 Gay Games in Paris. At first, Taiwan's team was going to compete under the name of 'Taiwan,' but later it was changed to 'Chinese Taipei' in accordance with the Olympic protocol on the official website. It was reported that this change was the result of Chinese pressure. According to the news, the organizers of the Gay Games said they were reminded not to display the name 'Taiwan' and the ROC national flag. But after objections raised by Taiwan, Taiwan's athletes competed under the name of 'Taipei' and could freely demonstrate flags and signs during the opening ceremony. The organizers also separated the China and Taiwan team in different processions (Maxon, 2018). This incident signals the uncertainties of Taiwan's international participation in LGBT related events. No matter 'how progressive' Taiwan is on LGBT rights, the fundamental issue remains the 'queer state.' Another potential challenge, arises from China's tongzhi policy. Some scholars argue that, the success of marriage equality in Taiwan depends on the government's determination to gain recognition from the international society through human rights in contrast with China. However, it is possible that China will eventually improve its LGBT rights since China does not have strong opponents of same-sex marriage due to its political system. Perhaps the comparison on human rights between China and Taiwan would continue, but 'who' is doing the comparison and whether Tongzhi Diplomacy is utilized in this comparison remains to be seen.

Conclusion

Since Tongzhi Diplomacy as a term, has been used in different contexts without being critically examined, this chapter has contributed to developing an understanding of Tongzhi Diplomacy in the context of the unique status of Taiwan in international politics. Taiwan is incapable of conducting a multilateral approach, not simply because Taiwan is not powerful enough, but because Taiwan is not even entitled to participate in the international governmental institutions. Through the case of TFD funding and Hotline's participation in international and regional LGBT rights initiatives, Tongzhi Diplomacy seems to have been employed by non-government actors due to Taiwan being a 'queer state.' In the case of Taiwan, MOFA did not incorporate LGBT rights into their policy agenda, Taiwan did not seek to promote LGBT rights with its formal diplomatic allies. In fact, LGBT rights act as a channel for non-governmental actors to represent Taiwan in international institutions where the government has been blocked from attending. While the international engagements are supported by the government in indirect ways, the complexity and ambiguity of Hotline's actions did lead to breakthroughs in Taiwan's international space. On the other hand, Taiwanese activism was supported by the I(N)GOs, which reflects the two-way interaction that Tongzhi Diplomacy stands for. Unlike the West exporting LGBT rights to other countries, Taiwan not only inspires others but is also supported by the West.

The queer case of Tongzhi Diplomacy also challenges the fundamental assumption of the 'state' in the discipline of international politics. Taiwan's queer status does not fit neatly into the standard International Relations approaches. It is often positioned as a source of potential instability in Sino-US relations or in East Asia, and Taiwan's ambiguous status is sometimes seen as destabilizing the international order. However, Taiwan's foreign relations strategies have evolved over

time and due to the queerness of Taiwan's statehood, it has developed an unconventional diplomacy that is unlike that of other states. Tongzhi Diplomacy as explored in this chapter, is one of these approaches for Taiwan to resist marginalization in international politics.

The cases examined in this chapter reveal that since non-governmental actors play a huge part in this kind of diplomacy, trying to measure its success or failure is very challenging. Moreover, as Tongzhi Diplomacy is new and still evolving, there are no regular institutionalised grants from the government to support organizations such as Hotline to continue their international initiatives. Whether Hotline will continue its engagement in global LGBT rights really depends on its ability to raise enough funds and attention. Perhaps the fundamental issue for Tongzhi Diplomacy will be the future of Taiwan's LGBT rights movement and its ability to gain greater societal and political support. But it is clear that Tongzhi Diplomacy is not the transplanted version of the Western style of LGBT rights diplomacy. Due to Taiwan's queer status, Tongzhi Diplomacy has different approaches and goals. In other words, LGBT rights diplomacy is about 'making queer people in other countries normal,' but Tongzhi Diplomacy is about 'making Taiwan normal through its queer people.'

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