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# **Regulation and Citizenship for Foreign Spouses in Taiwan— From the Perspective of Cultural Legal Study**

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## **Keyword**

Foreign Spouses, Citizenship, International Marriage, Marriage Immigrant,  
Immigration Law, Cultural legal Study, Feminist Jurisprudence, Anthropology of Law,  
Taiwan

## **Abstract**

In this article, taking a “foreign spouse” as an issue that has made a great impact on the local marriage market, I will use the approach of Cultural Legal Study to explore how the state governs and regulates the marriage of immigrants through written law, in which I primarily focus on Immigration Law and Family Law, legal discourse and the rhetoric of legal reform regarding foreign spouses. In fact, there is one international marriage in every five newly married couples in recent years in Taiwan; most of the foreign spouses are female, and come from China, Indonesia, Vietnam, Thailand and other Southeastern Asian countries. Employing an ethnographic perspective as the research strategy for these empirical resources, including government documents, e.g., statistical data, reports, and released information, doctrinal rules, administrative orders, articles in the press and

comments in the media, my primary concern in this essay is to explore how marriage to immigrants/foreign spouses, as a socially constructed category, is being presented in the discourse of law; and vice versa, how the discourse of foreign spouses is “being translated into the language of law.”

# Regulation of Marriage Immigrants and Citizenship of Foreign Spouses in Taiwan— From the Perspective of Cultural Legal Study

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## I. INTRODUCTION

According to the statistical information provided by Department of Statistics, Ministry of Interior (hereinafter MOI-Taiwan), 99.2% of immigrants were married to Taiwanese and became naturalized in 2006. Among these naturalizations, most are female (99.40%) , and 99.69% of the female marriage immigrants came from Southeast Asia. The vast majority is from Vietnam, the second is from Indonesia and, then, Thailand.<sup>1</sup> Indeed, since the late 1990s, the phenomenon of marriage immigrants/foreign spouses has made a great impact on the local marriage market, family values, society and legal discourse in Taiwan.

Using the approach of Cultural Legal Study,<sup>2</sup> I will explore how the state governs and regulates marriage immigrants through the written law, by primarily focusing on regulations regarding marriage immigrants, especially on Entry/Exit and Immigration

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<sup>1</sup> Resource : Department of Statistics, Ministry of Interior, Taiwan, available at: <http://www.moi.gov.tw/stat/english/index.asp>, 8/20/2007 visited.

<sup>2</sup> See generally PAUL KAHN, THE CULTURAL STUDY OF LAW: RECONSTRUCTING LEGAL SCHOLARSHIP (1999).; Austin Sarat and Jonathan Simon, *Cultural Analysis, Cultural Studies, and the Situation of Legal Scholarship*, pp1-34, in Austin Sarat et al eds., CULTURAL ANALYSIS, CULTURAL STUDIES, AND THE LAW: MOVING BEYOND LEGAL REALISM, Duke University Press(2003); Naomi Mezey, *Law as Culture*, pp37-72, in Austin Sarat et al eds., CULTURAL ANALYSIS, CULTURAL STUDIES, AND THE LAW: MOVING

Law, the Nationality Act,<sup>3</sup> the Employment Service Act,<sup>4</sup> Family Law,<sup>5</sup> and the rhetoric of legal reform.

## Method and Theory

Professor of Law and of Anthropology Annelise Riles, in her earlier work on “building the relationship between law and anthropology,” mentioned the methodology of making ethnographic consideration in disciplinary research.<sup>6</sup> In the methodological aspect of this essay, I borrow Riles’s research strategy to employ an ethnographic perspective on these empirical resources, including government documents, e.g., statistical data, reports, released information, doctrinal rules, administrative orders, articles in the press and comments in the media. Relying on these materials, my primary concern is to explore how marriage immigrants/foreign spouses,<sup>7</sup> as a socially constructed category, are being presented in the discourse of law; and vice versa, how the discourse of foreign spouses is “being translated into the language of law.”<sup>8</sup>

On the theoretical level, I specifically refer to the related regulations of marriage immigrants and Family Law. I focus on marriage immigrant/foreign spouses as an object

BEYOND LEGAL REALISM, Duke University Press(2003).

<sup>3</sup> About the major acts and regulations (English version) about immigrants in Taiwan is also available at the website of National Immigration Agency, Taiwan,

[http://www.immigration.gov.tw/immig\\_eng/aspcode/e\\_new\\_search.asp](http://www.immigration.gov.tw/immig_eng/aspcode/e_new_search.asp), visited 8/20/2007.

<sup>4</sup> See Taiwan, Employment Service Act Chapter 5, which is regarding the foreign workers, also available at <http://wwwold.evta.gov.tw/english/lawevta.files/lawevta1.htm>, visited 8/20/2007.

<sup>5</sup> Family Law in Taiwan is included in Civil Code, which consists of five divisions based on the German system. Division I is “General Rules,” Division II is “Obligations,” Division III is “Property,” Division IV is “Relatives,” and Division V is “Succession.” See online Taiwan’s law in English edition, available at <http://law.moj.gov.tw/Eng/>. In this essay, for better fluency and better comprehension, I use “Family Law” referring to Civil Code Division IV and V.

<sup>6</sup> See Annelise Riles, *Representing in-between: Law, Anthropology, and the Rhetoric of Interdisciplinarity*, p600-601, 1994 U. ILL. L. REV. 597, 1994 , pp597-651.

<sup>7</sup> “Foreign spouses” was selected to be official terms appearing in Taiwan’s official and legal documents since 2003, yet I will demonstrate there is gender and racial bias hidden behind the term of “foreign spouses” in the next section “ “Foreign Spouse,” Citizenship, And Marriage Immigrant Regulation” of this paper.

<sup>8</sup> Annelise Riles, *Representing in-between: Law, Anthropology, and the Rhetoric of Interdisciplinarity*, p600-601, 1994 U. ILL. L. REV. 597, 1994 , pp597-651.

Annelise Riles, *Representing in-between: Law, Anthropology, and the Rhetoric of Interdisciplinarity*: 601, 1994.)

for Cultural Legal Study for the following reasons: first of all, while foreign spouses along with NGOs are calling on the government, legislators and legal practitioners to refine the immigration regulations, which directly construct foreign spouses' civic and family lives, the reform discourse of the immigration regulations should be more carefully examined, and the subtle bias therein should be disclosed.

Secondly, although Family Law is not usually a part of the scholarship of Immigration Law, I wish to demonstrate that the transnational phenomenon such as international marriage challenges the ideology, the practice and the litigation of Family Law in this global era. In fact, the discourse and its practice of Family Law can be considered a solid moral standard, which constructs kinship, marriage and family, and serves as the basis of the state.<sup>9</sup> Thus, I hope to rely on theories of Feminist Jurisprudence<sup>10</sup> and of legal anthropological perspective<sup>11</sup> to explore the ways in which the state governs "intimate citizenship"<sup>12</sup> for these marriage immigrants/foreign spouses and their families in Taiwan, especially their husbands.

## Framework

In Part II, I will begin by examining the content of the category "foreign spouse." The portrait of this specific group of women can be seen among the government

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<sup>9</sup> Li-Ju Lee, *Law and Social Norms in a Changing Society: A Case Study of Taiwanese Family Law*, 8 S. CAL. REV. L. & WOMEN'S STUD. 413 (1999).

<sup>10</sup> CATHARINE A. MACKINNON, *FEMINISM UNMODIFIED: DISCOURSES ON LIFE AND LAW*, Harvard University Press. (1988); CAROL SMART, *FEMINISM AND THE POWER OF LAW*, London: Routledge (1989); MARTHA FINEMAN, *THE NEUTERED MOTHER, THE SEXUAL FAMILY AND OTHER TWENTIETH CENTURY TRAGEDIES*, New York: Routledge (1995); JUDITH BAER, *OUR LIVES BEFORE THE LAW: CONSTRUCTING A FEMINIST JURISPRUDENCE*, Princeton: Princeton University Press(1999).

<sup>11</sup> See generally Annelise Riles, *Representing in-between: Law, Anthropology, and the Rhetoric of Interdisciplinarity*, 1994 U. ILL. L. REV. 597(1994) , pp597-651; Alain Pottage, *Introduction: the Fabrication of Persons and Things*, p1-39, in Alain Pottage and Martha Mundy et al. eds., *LAW, ANTHROPOLOGY, AND THE CONSTITUTION OF THE SOCIAL: MAKING PERSONS AND THINGS*. Cambridge: Cambridge University Press (2004); Tim Murphy, *Legal Fabrications and the Case of 'Cultural Property'*, p115-141, in Alain Pottage and Martha Mundy et al. eds., *LAW, ANTHROPOLOGY, AND THE CONSTITUTION OF THE SOCIAL: MAKING PERSONS AND THINGS*. Cambridge: Cambridge University Press (2004).

<sup>12</sup> KEN PLUMMER, *INTIMATE CITIZENSHIP: PRIVATE DECISIONS AND PUBLIC DIALOGUES*. Seattle: University of Washington Press (2003).

documents, reports and press materials as we analyze the problematic usages for “foreign spouse.” I will point out that the blindness of gender, race and class is probably hidden behind the official and legal discourse on foreign spouses and their families. Then, I will introduce the related acts and regulations that govern foreign spouses in Taiwan.

In Part III, using Plummer’s idea of “intimate citizenship,”<sup>13</sup> I will provide a theoretical analysis of how the act and regulations that govern marriage immigrants influence the public and private spheres for foreign spouses and their Taiwanese families. I will also contextualize Family Law in Taiwan with the theoretical perspectives of Law and Society, Cultural Legal Study and theories of Feminist Jurisprudence.

Finally, in Part IV, I will point out that the legal reform discourse regarding the equality of gender and race for foreign spouses, among the regulations for marriage immigrants, will probably cause a backlash, denigrating the multicultural aspects of “family,” contrary to its initial purpose. International marriage reminds us to further consider multicultural and alternative modes of families in this transnational era. Moreover, from a jurisprudential level, phenomena of the interracial marriage/family also demonstrate how the harshness of the law recognizes and constitutes (or does not) the family. This discussion may also foster a noteworthy topic, which leads to us legal scholars not only concentrate on the issues of state border’s control and regulations in a practical way, but also provides a forum to rethink the conflicts, happening among private and public law, international human right and local social-legal context.

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<sup>13</sup> KEN PLUMMER, *INTIMATE CITIZENSHIP: PRIVATE DECISIONS AND PUBLIC DIALOGUES*. Seattle: University of Washington Press (2003).

## II. “FOREIGN SPOUSE,” CITIZENSHIP AND MARRIAGE IMMIGRANT REGULATION

### Problematizing “Foreign Spouses” and Their Citizenship

Official reports and statistics demonstrate that international marriage is significantly increasing in contemporary Taiwanese society. According to a demographic report released by the Directorate General of Budget, Accounting and Statistics of Executive Yuan (hereinafter DGBAS), in 2003, 31.9% of newly married couples were international marriages. In 2004, the number was 23.8%; and in 2005, the number was 20.1%. That is, nowadays in Taiwan, for every five newly married couples, there is on average one international marriage. The “Life Situation Report of Foreign Spouses and Mainland Spouses” conducted by the MOI-Taiwan shows that, among non-Taiwanese spouses, 57.8% come from Mainland China (referred to as Mainland spouses), and 42.2% are from other countries (referred to as foreign spouses) such as Vietnam (57.5%), Thailand (32.7%) and Indonesia (23.2%) (see Figure 2). Another ratio made by DGBAS shows that in 2004, 11.91% of Taiwanese men married non-Taiwanese women who were not from Mainland China; in 2005, the number was 10.07%.<sup>14</sup>

Since international marriages substantially alter the demographic structures in Taiwan, I begin my analysis of the use of the term “foreign spouse,” which refers to a certain group of women who are non-Taiwanese and who leave their homelands to enter a new stage of their lives in Taiwan. I assert that the problematic usage of this term indicates the complex dilemma of international marriage issues in Taiwan.

The MOI-Taiwan decided to continue using “foreign spouses” in all official and

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<sup>14</sup> The data is from the Directorate General of Budget, Accounting and Statistics (DGBAS) of Executive Yuan, which was released on February 22, 2006, and is also available on <http://eng.dgbas.gov.tw/mp.asp?mp=2>, visited 8/20/2007.

legal documents<sup>15</sup> to refer to female interracial marriage immigrants who are originally from Vietnam, Indonesia, Thailand, the Philippines, Malaysia and other Southeast Asian countries.<sup>16</sup> Chinese women from Mainland China are called Mainland spouses, so that they not characterized in the same categories as foreign spouses from Southeast Asian countries.<sup>17</sup> The official reports reveal that the majority of international marriage immigrants obviously are women and that 36.6% of them are between 20 and 24 years old (Figure 3), 31.9% of them have resided in Taiwan for less than 2 years, and 30.8% of them have resided longer than 2 years but less than 4 years (figure 4). These ratios demonstrate that female marriage immigrants in Taiwan mostly come from the so-called less economically developed countries of Southeastern Asia. For this reason, the feminist sociologist Hsiao-chun Hsia uses the term “foreign brides” and explains her reason for this descriptor: “brides” indicates the distance to their husband’s families, and even to the new residential country. “Bride” is also directly exclusive to women, and can be parallel to “mail-order bride,” to imply the commercial character of their international marriage.<sup>18</sup>

Yet, does the MOI-Taiwan officially selected usage, “foreign spouse,” appear more neutral and less prejudicial than “foreign bride”? In my view, the term “foreign spouse” is as problematic as “foreign bride.” Literally, “foreign spouse” seeks to include males

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<sup>15</sup> According to media news releases, MOI-Taiwan had also considered the use of the term “new female immigrants,” “daughters-in-law of Taiwan,” and “international immigrants” (Taipei Times, April 23, 2006, page2).

<sup>16</sup> See TAIPEI TIMES, April 23, 2006, page 2.

<sup>17</sup> Due to the special tension between China and Taiwan, the conditions for female Mainland spouses are very different from foreign spouses; see Antonia Chao, *The Modern State, Citizenship, and the Intimate Life: A Case Study of Taiwan’s Glorious Citizens and their Mainland Wives*, pp1-41, TAIWANESE SOCIOLOGY, No. 8, December 2004. (in Chinese); also see Antonia Chao, *Politics of Sentiments and Alternative Social Justice: How Mainland Spouses Have Engaged in Social Movements in Taiwan.*, pp87-152, SOCIETAS: A JOURNAL FOR PHILOSOPHICAL STUDY OF PUBLIC AFFAIRS No.16, March 2006. (in Chinese).

<sup>18</sup> HSIAO-CHUAN HSIA, INTERNATIONALIZATION OF CAPITAL AND TRADE IN ASIAN WOMEN-“FOREIGN BRIDES” PHENOMENON [ Liu Li Xun An: Zi Ben Guo Ji Jua Xia De Wai Ji Xin Niang Xian Xiang] Taiwan: A radical Quarterly in Social Studies Research Series-09 (in Chinese) (2002); Hsiao-Chuan Hsia, *The Making of Immigrants Movement: Politics of Differences, Subjectivation and Societal Movement*, TAIWAN: A RADICAL QUARTERLY IN SOCIAL STUDIES, No. 61, March 2006. p1-71(in Chinese).2006.

and females. But the motivations behind the on-going plans and programs facilitated by the government to improve the welfare of foreign spouses appear to be focused solely on female foreign spouses, especially the women whose state is most similar to the mail-order bride in Hsia's work.<sup>19</sup> Here, in this article, I do not intend to criticize the usage of "foreign spouses" literally. I would rather point out that the usage of "foreign spouse" may contain the blindness of gender, race, class and the myth of the neutrality of law—especially referring to the neutralization process and the discourse of Family Law. Furthermore, the wholesale discourse regarding the foreign spouse, generated by official documents along with the media, may also produce and reinforce multiple traps for foreign marriages. These include the following: (1) taking marriage as a form of social mobility and (2) emphasizing the traditional gender role (as obedient wife and as fertile mother) in such a global hypergamy.<sup>20</sup> In other words, as for the term for "foreign spouse," it does not really matter what terms are being officially selected to rectify the stigma on "foreign brides," or "Vietnamese brides",<sup>21</sup> because these usages signify the same group of women who share the same stigmatization. More importantly, with regard to the problematic usage of "foreign spouse," if the multiple identities, e.g., race, gender, class, husband/wife, father/mother, daughter-in-law/son-in-law, etc. and the concept of "intimate citizenship"<sup>22</sup> are not taken into account seriously in the discourse on foreign spouses, then any exterior refinement would tend to be hypocritical.

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<sup>19</sup> Hsiao-Chuan Hsia, *Internationalization of Capital and Trade in Asian Women- "Foreign Brides" Phenomenon*, 2002.

<sup>20</sup> Nicole Constable, *Romance on a Global Stage: Pen Pals, Virtual Ethnography, and "Mail Order" Marriages*, 2003; A Tale of Two Marriages: International Matchmaking and Gendered Mobility, 2005; Hsiao-Chuan Hsia, *Internationalization of Capital and Trade in Asian Women- "Foreign Brides" Phenomenon*. 2002; *The Making of Immigrants Movement: Politics of Differences, Subjectivation and Societal Movement*. 2006.

<sup>21</sup> Ching-Ying Tian and Hong-Zen Wang, *Masculinity and Cross-Border Marriages: Why Taiwanese Men Seek Vietnamese Women to Marry?* pp3-36, TAIWAN JOURNAL OF SOUTHEAST ASIAN STUDIES, VOL.3 NO.1, April 2006 (in Chinese).

<sup>22</sup> KEN PLUMMER, *INTIMATE CITIZENSHIP: PRIVATE DECISIONS AND PUBLIC DIALOGUES*. Seattle: University of Washington Press (2003).

## Marriage Immigrant Regulation and Immigration Law in Taiwan

From a lawyer's perspective, *citizenship* can directly connect with the topic of the foreign spouse. The questions regarding marriage immigrants will be as follows: How do foreign spouses legally and efficiently obtain citizenship? Is there any discrimination, which is against the Constitution or Human Rights in any international conventions, in their naturalization procedure? To solve the above inquiries of foreign spouses and their citizenship, in the field of law, are areas of Law such as Constitution, International Human Rights, Conflicts of Law, Immigration Law, Law of Nationality, etc., which are mainly focused on specific regulations for international marriage immigrants. Indeed, the legal aspects weigh enormously on citizenship studies.<sup>23</sup> In this section, I will introduce the basic principles and procedures related to how foreign spouses become legal marriage immigrants and, finally, become naturalized in Taiwan.

At the first stage, a foreign spouse applying to stay and become a resident must have an Alien Residence Certificate or Residence Certificate. According to Entry/Exit and Immigration Law-Taiwan<sup>24</sup> and Regulations for Governing Stay, Residence and Permanent Residence of Foreigners-Taiwan,<sup>25</sup> the applicant should go to the local service center of the National Immigration Agency with the required documents, including passport, residence visa, photos, fee (US\$30) for the certificate (one-year validity), and, most important, a transcript of the spouse's domiciliary register (issued within the past 3 months with a record of marriage registration). The other important matter for a foreign spouse is that she/he must apply for an Alien Resident Certificate

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<sup>23</sup> T.H.Marshall, *Class, Citizenship and Social Development*, 1964; F. Engin Isin and Patricia K. Wood, *Citizenship & Identity*, 1999.; Michael Muetzelfeldt, *The Changing State and Changing Citizenship*:89-90, 2000.

<sup>24</sup> Also available at [http://www.immigration.gov.tw/immig\\_eng/aspcode/showactsregu.asp?id=1](http://www.immigration.gov.tw/immig_eng/aspcode/showactsregu.asp?id=1) (English version), visited 8/20/2007.

<sup>25</sup> Also available at [http://www.immigration.gov.tw/immig\\_eng/aspcode/showactsregu.asp?id=7](http://www.immigration.gov.tw/immig_eng/aspcode/showactsregu.asp?id=7) (English version), visited 8/20/2007.

within 15 days after the day following entry; when she/he needs continuous residence, the foreign spouse should go to the local service center of the National Immigration Agency to apply for an extension within 15 days before the expiration of her/his Alien Resident Certificate.

A foreign spouse applying for permanent residence, according to Entry/Exit and Immigration Law-Taiwan<sup>26</sup> and Regulations for Governing Stay, Residence and Permanent Residence of Foreigners-Taiwan<sup>27</sup> must provide a valid, passing health examination certificate, a certificate of payment of (or exemption from) taxes in the past 3 years, a certificate of property or special talents and skills, and certificates of police records of the applicant within the past 5 years, both of her/his country and in Taiwan.

During the period of marriage, if the foreign spouse continues to reside in Taiwan in the case of the death of the Taiwanese citizen spouse or divorce, according to Article 29 of Entry/Exit and Immigration Law and Article 11 of Regulations for Governing Stay, Residence and Permanent Residence of Foreigners, theoretically the foreign spouse can apply to continue to reside in Taiwan by law whether or not the surviving spouse has children. However, the residence certificate can be withdrawn by the local service center directed by the National Immigration Agency-Taiwan if the local officers or police find any danger to the public interest. In the case of a divorce, the foreign spouse will lose the reason for residence and then she/he may not reside any more in principle, but for the sake of taking care of a child (children), she/he may be allowed to continue to reside based on the reason of “other need for residence.” In general, the spouse’s residence may be extended depending on the need of the individual case in the case of divorce, and the decisions will be made by the National Immigration Agency-Taiwan.<sup>28</sup>

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<sup>26</sup> Also available at [http://www.immigration.gov.tw/immig\\_eng/aspcode/showactsregu.asp?id=1](http://www.immigration.gov.tw/immig_eng/aspcode/showactsregu.asp?id=1) (English version), visited 8/20/2007.

<sup>27</sup> Also available at [http://www.immigration.gov.tw/immig\\_eng/aspcode/showactsregu.asp?id=7](http://www.immigration.gov.tw/immig_eng/aspcode/showactsregu.asp?id=7) (English version), visited 8/20/2007.

<sup>28</sup> Usually in local foreign affair policeman is in charge with the individual case of foreign marriage divorce

When a marriage immigrant qualifies to become naturalized, according to the Enforcement Rules of the Nationality Act-Taiwan, Article 7, except that she/he must have sufficient property or with professional skills to enable her/him to be self-reliant, she/he must be the spouse of a Taiwan citizen, and conform to one of the following conditions:

- (1) her/his average monthly income earned within Taiwan in the past year is more than double the basic wage as promulgated by the Council of Labour Affairs-Taiwan;
- (2) her/his deposits in a domestic financial institution over the last year are more than 24 times the basic wage as promulgated by the Council of Labour Affairs-Taiwan;
- (3) or other requirements as recognized by the MOI-Taiwan.

If the foreign spouse does not conform any of the above conditions, she/he must:

- (1) have a total value of property, movable or immovable in Taiwan, greater than NT\$5 million (approximately US\$151,000); or
- (2) be a skilled employee in a high-tech industry required by Taiwan.

Except for the above rules of stay, residence and naturalization, foreign spouses are allowed to legally work in Taiwan if they conform the rules of the Employment Service Act-Taiwan, Chapter 5. According to the Employment Service Act-Taiwan Article 46, foreign workers are limited to the following occupations:

- (1) Specialized or technical work;
- (2) Director/Manager/Executive of a business invested in or set up by overseas Chinese or foreigner(s) with the authorization of the Taiwan government;
- (3) Teacher at the following schools, as indicated:
  - (a) teacher at a public or registered private college/university or school established especially for foreign residents;

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and their residence issue. The report and decision made by local foreign affair policeman weights greatly on the residence permission for foreign spouses.

(b) approved teacher teaching course(s) on foreign language(s) at a public or registered private high school or below;

(c) teacher teaching course(s) at a public or registered private experimental high school's bilingual department or at bilingual school;

(d) full-time teacher teaching course(s) on foreign language(s) at a short-term class registered for supplementary schooling in accordance with the Supplementary Education Act-Taiwan;

(4) sports coach and athlete;

(5) religious, artistic, and show business work;

(6) crew member of a merchant vessel, working vessel, and vessel ad hoc permitted by the Ministry of Transportation and Communication;

(7) marine fishing/netting work;

(8) household assistant;

(9) work designated by the Central Competent Authority in response to national major construction project(s) or economic/social development needs;

(10) other specialized work ad hoc approved by the Central Competent Authority-Taiwan due to the lack of such a specialist in the domestic employment market and the business necessity to retain the service of such a specialist.<sup>29</sup>

These are the primary regulations regarding foreign spouses as marriage immigrants in Taiwan. After reviewing these rules and regulations, I would go a step further to ask, will these regulations genuinely fulfill the needs for female foreign spouses and their families in Taiwan who are locating in the relatively lower financial class in Taiwanese society? Is there any bias hidden beyond these major marriage immigration regulations, even though these rules have been greatly discussed, modified and reformed in recent years in Taiwan? In the following section, I will employ the concept of “intimate

citizenship” through the approach of Cultural Legal Study to find out how the laws recognize our private sphere in this transnational era.

### III. CITIZENSHIP, MARRIAGE IMMIGRATION REGULATION AND CULTURAL LEGAL STUDY

“In these domains [persons, gender and family], legislative and adjudicative processes are involved in ‘recognition’ rather than constitutive exercises, in recognition or non-recognition of realities...”<sup>30</sup>

The law, which signifies these regulations, furthermore forms a vital “material condition” for constructing citizenship. When Ken Plummer challenges the public/private dichotomy by proposing “intimate citizenship,” he asserts that “[f]amily, for all their privacies, are structured through *laws* and politics ...” (emphasis added)<sup>31</sup> Plummer’s core concern is to propose the “plurality of multiple public voices and positions”<sup>32</sup> as a political as well as an academic agenda while proposing “intimate citizenship.”<sup>33</sup> In this section, I invoke Plummer’s contention of reconsidering cultural *citizenship* and focus on the law. Meanwhile, from the point of view of feminist legal scholars, the law has never been neutral.<sup>34</sup> For example, feminist legal scholar Carol Smart asserts that the law does not only exercise power but also disqualifies the

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<sup>29</sup> See Employment Service Act-Taiwan Article 46.

<sup>30</sup> Tim Murphy, *Legal Fabrications and the Case of ‘Cultural Property’*, p138, in Alain Pottage and Martha Mundy et al. eds., *LAW, ANTHROPOLOGY, AND THE CONSTITUTION OF THE SOCIAL: MAKING PERSONS AND THINGS*. Cambridge: Cambridge University Press (2004).

<sup>31</sup> KEN PLUMMER, *INTIMATE CITIZENSHIP: PRIVATE DECISIONS AND PUBLIC DIALOGUES*, 70. Seattle: University of Washington Press (2003).

<sup>32</sup> KEN PLUMMER, *INTIMATE CITIZENSHIP: PRIVATE DECISIONS AND PUBLIC DIALOGUES*, 71. Seattle: University of Washington Press (2003).

<sup>33</sup> KEN PLUMMER, *INTIMATE CITIZENSHIP: PRIVATE DECISIONS AND PUBLIC DIALOGUES*, 68-83. Seattle: University of Washington Press (2003).

<sup>34</sup> CATHARINE A. MACKINNON, *FEMINISM UNMODIFIED: DISCOURSES ON LIFE AND LAW*, Harvard University Press. (1988); CAROL SMART, *FEMINISM AND THE POWER OF LAW*, London: Routledge (1989); MARTHA FINEMAN, *THE NEUTERED MOTHER, THE SEXUAL FAMILY AND OTHER TWENTIETH CENTURY TRAGEDIES*, New York: Routledge (1995); JUDITH BAER, *OUR LIVES BEFORE THE LAW: CONSTRUCTING A FEMINIST JURISPRUDENCE*, Princeton: Princeton University Press(1999).

experience and knowledge of women and constructs a “masculine culture.”<sup>35</sup> A similar contestation arises in the field of citizenship studies. Vera Mackie asserts the idea of the “masculine model of citizenship,”<sup>36</sup> and offers a way to reconsider citizenship study scholarship. Mackie proposes that,

[a]nother way to consider citizenship is through a focus on the marginalized others, their marginality highlighting the limits of discourses of citizenship, and the exclusions built into the model of the citizen as a male, heterosexual, white-collar worker.<sup>37</sup>

Female foreign spouses coming from Southeastern Asian countries, who are embracing the hope for better lives, marrying Taiwanese husbands and settling in Taiwan, bear multiple inferiorities both in their hometowns<sup>38</sup> and their husbands’ country, such as the traps among gender, class, culture, education and economics. My questions are as follows: In Taiwan, as a “receiving country” of marriage immigrants, does the law, as regulations, rectify the various difficulties and inequalities for these foreign brides? When the phenomenon of foreign brides touches the national border issue and challenges the single-culture/ethnic family type, what does the law do for this social change? And further, what does socio-legal transition in the case of foreign spouse legal reform reflect the legal ideology responding to the transnational marriage market?

### **Intimate Citizenship and the Masculine Nature of Citizenship**

In order to find out the answers, relying on the “intimate citizenship” idea, I hope to re-examine an old question: the boundaries of the public and the private. Marriage is a personal choice; it belongs to the private sphere. Yet, the issue of marriage immigrants

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<sup>35</sup> CAROL SMART, *FEMINISM AND THE POWER OF LAW*, 2-3, London: Routledge (1989).

<sup>36</sup> Vera Mackie, *Japan: Gender, Class Ethnicity, Sexuality*, pp246-247, in Andrew Vandenberg ed., *CITIZENSHIP AND DEMOCRACY IN A GLOBAL ERA*, Macmillan Press (2000).

<sup>37</sup> Vera Mackie, *Japan: Gender, Class Ethnicity, Sexuality*, p254, in Andrew Vandenberg ed., *CITIZENSHIP AND DEMOCRACY IN A GLOBAL ERA*, Macmillan Press (2000).

<sup>38</sup> Mei-Hsien Lee, “The Cultural Boundary of Good Women in Vietnam and ‘Vietnamese Brides’, ” conference paper presented at “Cross-Border Marriages between Northeast and Southeast Asia., Taipei, Taiwan: Academia Sinica, Oct. 20 2006.

involves the state's power and its recognition, namely the nation's stability<sup>39</sup> and population quality, which all remain in the public sphere.<sup>40</sup> In order to present the limitations of public/private debate on citizenship, Plummer proposes a project of "intimate citizenship":

"[T]he notion of intimate citizenship [ ] hunts at worlds in the making, worlds in which a public language of 'intimate troubles' is emerging around issues of intimacy in the private life of individuals<sup>41</sup> ... Intimate citizenship refers to all those areas of life that appear to be personal but that are in effect connected to, structured by, or regulated through the public sphere."<sup>42</sup>

He adds:

"Intimate citizenship"— as a designation in public discourse on the personal life— makes for a certain tension: it appears to be an oxymoron ... [T]his very juxtapositioning sensitizes us to the important fact that the public and the private are no longer separate, autonomous spheres, if indeed they ever were. <sup>43</sup>

Grasping Plummer's core proposition, making "intimate citizenship" a forum to explore the alternatives to juxtapositioning private and public, I turn to the authoritative institute, the law. My ambition is to delineate the relationship between law and private intimacy by taking a step beyond Plummer's project to find a trajectory within the law, which can relate the private to the public.<sup>44</sup>

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<sup>39</sup> The nation's stability is the major concern for the national border's control and regulations, therefore the policy regarding the stability and security for nation centers the core discussion for citizenship scholarship; see generally ENGIN ISIN AND PATRICIA K. WOOD, *CITIZENSHIP & IDENTITY*. (1999) London: Sage Publications.

<sup>40</sup> However, it would be naïve to identify that marriage and family only involve the private sphere. In this manner, there are more analysis in the following Part III.

<sup>41</sup> KEN PLUMMER, *INTIMATE CITIZENSHIP: PRIVATE DECISIONS AND PUBLIC DIALOGUES*, 13. Seattle: University of Washington Press (2003).

<sup>42</sup> KEN PLUMMER, *INTIMATE CITIZENSHIP: PRIVATE DECISIONS AND PUBLIC DIALOGUES*, 70. Seattle: University of Washington Press (2003).

<sup>43</sup> KEN PLUMMER, *INTIMATE CITIZENSHIP: PRIVATE DECISIONS AND PUBLIC DIALOGUES*, 68. Seattle: University of Washington Press (2003).

<sup>44</sup> For doing the interdisciplinary study and integrating Family Law and other social sciences, I borrow the idea of Riles' strategies: "building relationship," on which she provides a theoretical analysis to connect Law and Anthropology; see Annelise Riles, *Representing in-between: Law, Anthropology, and the Rhetoric of Interdisciplinarity*, p600-601, 1994 U. ILL. L. REV. 597, 1994 , pp597-651.

### **“Glorious Citizens” and Their Mainlander Brides in Taiwan**

In fact, cultural anthropologist Antonia Chao employs Plummer’s concept of “intimate citizenship” to study the “old singles” in Taiwan, who were “snatched soldiers” but now are officially named “glorious citizens.”<sup>45</sup> In Chao’s study, the law overwhelmingly dominated the intimate lives of the “glorious citizens” over the past five decades in Taiwan; the laws then further controlled their Mainlander brides from China the “glorious citizens” married when in their elder years.<sup>46</sup> The “glorious citizens” were forbidden to get married under the prohibition in the “Army Marriage Rules” released in the early 1950s because the state needed to maintain the “strength and stability” of the army for the critical situation between China and Taiwan during the 1950s. However, after the “Army Marriage Rules” were repealed in the late 1950s, glorious citizens still had difficulties finding wives because the state had enforced distance between soldiers (glorious citizens) and the local common citizens.<sup>47</sup> In this way, the glorious citizens’ intimate lives were entirely determined through various laws, rules and administrative orders, which all symbolized the authority of the state during wartime or semi-wartime. More specifically, the laws also demonstrated the legitimacy of the state to impede the citizenship of a certain group of citizens. Finally, as the China-Taiwan critical situation eased, many glorious citizens, who had eventually become elders and suffered from a relatively lower economic status in contemporary Taiwanese society, turned to the marriage market in China to look for wives since it is difficult for them to find Taiwanese women to marry. Mainlander brides and these glorious citizens can easily communicate in Mandarin Chinese and share a similar culture, when compared to Southeast Asian

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<sup>45</sup> Antonia Chao, *The Modern State, Citizenship, and the Intimate Life: A Case Study of Taiwan’s Glorious Citizens and their Mainland Wives*, pp1-41, TAIWANESE SOCIOLOGY, No. 8, December 2004. (in Chinese).

<sup>46</sup> Antonia Chao, *The Modern State, Citizenship, and the Intimate Life: A Case Study of Taiwan’s Glorious Citizens and their Mainland Wives*, pp1-41, TAIWANESE SOCIOLOGY, No. 8, December 2004. (in Chinese).

<sup>47</sup> Antonia Chao, *The Modern State, Citizenship, and the Intimate Life: A Case Study of Taiwan’s Glorious*

brides, which are the most common reasons for forming such China-Taiwan marriages.

Holding the same concerns and research strategies as Plummer, Chao then seeks to discover what the rules mean to female Mainlander spouses and their glorious citizen husbands in their everyday lives.<sup>48</sup> In Chao's Mainland spouses' study, the rules are not only about immigration regulations; they also contain extensive rules, from the neutralization procedure laws to the regulations about and permission for political activities. These laws are authorized not only by the legislative branch but also by bureaucrats. For example, when Mainlander spouses and their families participated in a social movement striking for their right to be citizens, the laws, the procedures and the media were unfriendly toward the Mainlander spouses and their families. Chao even illustrates their situation as a "location at the borderland of civic society."<sup>49</sup> Afterward, in the case of Mainlander spouses which Chao's research demonstrated, the law establishes and regulates both legal and cultural citizenship.<sup>50</sup>

Since the dynamics between law and intimate citizenship have been discussed in the case of the glorious citizens and their Mainlanders spouses in Taiwan, then, what is the inspiration from this case to study the marriage immigrant regulations and Family Law for Southeast Asian brides and their intimate citizenship in Taiwan? What will be found through the Cultural Legal Study of the marriage immigrant regulations? In the next

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*Citizens and their Mainland Wives*, pp7-11, TAIWANESE SOCIOLOGY, No. 8, December 2004. (in Chinese).

<sup>48</sup> Antonia Chao, *Politics of Sentiments and Alternative Social Justice: How Mainland Spouses Have Engaged in Social Movements in Taiwan.*, pp87-152, SOCIETAS: A JOURNAL FOR PHILOSOPHICAL STUDY OF PUBLIC AFFAIRS No.16, March 2006. (in Chinese).

<sup>49</sup> Antonia Chao, *Politics of Sentiments and Alternative Social Justice: How Mainland Spouses Have Engaged in Social Movements in Taiwan.*, pp87-152, SOCIETAS: A JOURNAL FOR PHILOSOPHICAL STUDY OF PUBLIC AFFAIRS No.16, March 2006. (in Chinese).

<sup>50</sup> In Antonia Chao's works, she remarks that the topics of the glorious citizens and the Mainland spouses also intertwined with the intense political conditions between China and Taiwan and the complex among various ethnic groups in Taiwan. See Antonia Chao, *The Modern State, Citizenship, and the Intimate Life: A Case Study of Taiwan's Glorious Citizens and their Mainland Wives*, pp1-41, TAIWANESE SOCIOLOGY, No. 8, December 2004. (in Chinese); also see Antonia Chao, *Politics of Sentiments and Alternative Social Justice: How Mainland Spouses Have Engaged in Social Movements in Taiwan.*, pp87-152, SOCIETAS: A JOURNAL FOR PHILOSOPHICAL STUDY OF PUBLIC AFFAIRS No.16, March 2006. (in Chinese). Yet in this article, I mainly focus on the acts, regulations and citizenship but not extend my project to mainlander spouses in Taiwan. .

section, I will make two arguments; the first is *materiality* for marriage immigrants, which appeared in the immigration regulations. The other is that, involving with the multicultural concerns, which is generated by the a phenomenon of globalization, i.e., international marriage in this case, possibly re-affirms traditional gender role-playing in such an interracial marriage/family if we do not go further to discuss the ideology along with the local legal culture hidden beyond the legal discourse.

### **The Cultural Legal Analysis of Marriage Immigrant Regulations**

Chao's glorious citizens and their Mainlander spouses' private sphere are profoundly influenced, even prohibited, regulated and controlled by the outside macro public sphere, for instance, the critical wartime situation between China and Taiwan. The conditions fundamentally involved with the *materiality* of the private sphere for the glorious citizenship are, for example, their economic, gender and race status in their local lives in Taiwan. After ending the war-time circumstances, the state even tried to compensate the glorious citizens and support them when they married Mainlander brides, through various acts and rules, yet the existing material conditions could not be ameliorated simply by legal regulation reforms.

From my point of view, the Southeast Asian brides and their husbands in Taiwan have an issue similar to that of the glorious citizens and their Mainlander spouses, which is, the issue of materiality. In the marriage immigrant regulations in Taiwan, reviewed in Part II, on the surface, the image of the neutral foreigner/marriage immigrant/naturalized candidate has been made in the written law. As the MOI-Taiwan chose the neutral term "foreign spouse" to name the great number of Southeast Asian brides married to Taiwanese men, the *neutrality* on the surface cannot surely guarantee genuine equality/neutrality inward. For instance, the lawyers and policy-makers may give more consideration to the multiple traps of foreign brides and their husbands' families in the

local society (Taiwan), such as their relatively lower education and financial inferiority.

In other words, I point out that, if lawyers and policy-makers keep themselves from a distance of being neutral and object, but not take this specific group's materiality into consideration, for instances, the conditions that appear in the laws, the fees, the self-reliant occupational skill, the sufficient funding, etc., for foreign brides and their husbands, then it may become another trap or difficulty the regulations hardly solve.

### **Regulations of Private Sphere—Family, Law and International Marriage**

Marriage and family are not taken as personal choices for individuals pursuing relationships and satisfaction but are considered fundamental units of the state. As Teemu Ruskola notes, the characterization of the family should be as a “paradigmatic governance model,” and it implies “the notion of a metaphorical ‘political family’ on the level of the state” especially under the shadow of Confucian tradition.<sup>51</sup> However, in the pursuit of individual autonomy, gender equality and children's best interests, Family Law in Taiwan has made numerous reforms since 1985.<sup>52</sup> Yet marriage and family have still been taken as chains for securing the nation's stability and for serving the public interest in most Family Law reform discourse and Constitutional Interpretations.<sup>53</sup> Then, back to the focus of this essay, one may ask, how do we relate the foreign spouse to the forum of Family Law? How is the topic of the foreign spouse making an impact on the discourse of contemporary Family Law? In the earlier work of American legal theorist Mary Ann Glendon, who reviewed the transformation of American Family Law through a historical perspective, she notes, “[m]any traditional family law norms have been found

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<sup>51</sup> Teemu Ruskola, *Conceptualizing Corporations and Kinship: Comparative Law and Development Theory in a Chinese Perspective*, 52 STAN. L. REV. 1599 (2000).

<sup>52</sup> Shu-chin Grace Kuo, *A Cultural Legal Study on the Transformation of Family Law in Taiwan*, VOL 16, NO. 2, USC., ILJ., May 2007, University of Southern California School of Law.

<sup>53</sup> Shu-chin Grace Kuo, *A Cultural Legal Study on the Transformation of Family Law in Taiwan*, VOL 16, NO. 2, USC., ILJ., May 2007, University of Southern California School of Law.

inconsistent with the values contained in constitutions or international conventions.”<sup>54</sup>

Glendon takes the position that, on one hand, the constitution is the symbol of modern law, and international conventions are artifacts of globalization. In this way, gender equality, free will, personal choices and so on, are ensured within the modern legal norms. On the other hand, there are still “traditional family law norms,” which form inconsistencies with the modernization of Family Law.

Thus, given Glendon’s proposition, a binary condition—symbols of modernization of law and traditional social norms—can exist in the transformation of Family Law. Furthermore, I argue that the issue of the foreign spouse, as a phenomenon of globalization, which has created the multicultural legal and social welfare reform discourse nowadays in Taiwan, possibly re-affirms the idea of the sexual family. For more clarification, I invoke a sociological work on Vietnamese brides by Tian and Wang as an example.<sup>55</sup> In their work, Tian and Wang ask a core question about interracial marriage: why would Taiwanese men pay the price, which means tolerating the culture differences and possible stigmatization, to marry Vietnamese brides? The answer is that Taiwanese men view Vietnamese women as “ideal wives,” who can satisfy the masculinity of Taiwanese men.<sup>56</sup> In other words, due to the improving social status of Taiwanese women, Taiwanese men have been unable to easily feel masculine within their marriages if married to Taiwanese women<sup>57</sup>; but Taiwanese men can continue enjoying their superiority in the male-dominated sphere within their interracial marriages with

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<sup>54</sup> Mary Ann Glendon, *The Transformation of Family Law: State, Law, and Family in the United States and Western Europe*: 2, 1989.

<sup>55</sup> Ching-Ying Tian and Hong-Zen Wang, Masculinity and Cross-Border Marriages: Why Taiwanese Men Seek Vietnamese Women to Marry?, 2006. (in Chinese), pp3-36. *Taiwan Journal of Southeast Asian Studies*, Vol.3 No.1, April 2006.

<sup>56</sup> Ching-Ying Tian and Hong-Zen Wang, Masculinity and Cross-Border Marriages: Why Taiwanese Men Seek Vietnamese Women to Marry?, 2006. (in Chinese), pp3-36. *Taiwan Journal of Southeast Asian Studies*, Vol.3 No.1, April 2006.

<sup>57</sup> Ching-Ying Tian and Hong-Zen Wang, Masculinity and Cross-Border Marriages: Why Taiwanese Men Seek Vietnamese Women to Marry?, 2006. (in Chinese), pp3-36. *Taiwan Journal of Southeast Asian Studies*, Vol.3 No.1, April 2006.

Vietnamese women.<sup>58</sup> In this manner, the transnational phenomenon—in this case, a Vietnamese bride—caused by globalization, is generating and representing a 1950s nostalgia image of marriage, which certain interracial married couples are re-enacting in the twenty-first century.<sup>59</sup>

Thus, before investing resources into the battle of multi-value legal and social welfare reforms, which are meant to help foreign spouses and facilitate more liberal family models, we first need to stop to re-examine the ideology hidden by the enforcement of legal regulations for female foreign spouses.

#### **IV. RETHINKING THE MULTI-VALUE LEGAL REFORM DISCOURSE FOR INTERNATIONAL MARRIAGE—FROM THE PERSPECTIVE OF AN INTERDISCIPLINARY LEGAL PROJECT**

“[T]he legal system has at best to decide whether or not to ‘recognise’ it”<sup>60</sup>  
(Murphy 2004:116).

“These legal structures (rights to work, choice of domicile, choice of religion, freedom of assembly and association, and freedom from discrimination on the grounds of sex, race, status or religion.) do not, however, exhaust discourse on citizenship” (Mackie 2000: 246-247).<sup>61</sup>

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<sup>58</sup> There are numerous sociological works that confirm similar research results about the masculine character for the Taiwanese groom and the structural gender bias in interracial marriage (Hsiao-Chuan Hsia, *The Media Construction of the “Foreign Brides” Phenomenon*, 2001; Hsiao-Chuan Hsia, *Internationalization of Capital and Trade in Asian Women- “Foreign Brides” Phenomenon.*, 2002; Hsing-Ju Shen and Hong-Zen Wang, *Norms of Integration and Strategies of Escape: A Daily Life of “Vietnamese Brides” in Taiwan.*, 2003.)

<sup>59</sup> Such gender divisions within the interracial marriage and their family life of course should not be all falling into the stereotype, the female foreign spouses seek help from NGOs, social movements (Hsiao-Chuan Hsia, *The Making of Immigrants Movement: Politics of Differences, Subjectivation and Societal Movement.*, 2006), and from their self-developed strategies in their daily local lives (Hsing-Ju Shen and Hong-Ze2004n Wang, *Norms of Integration and Strategies of Escape: A Daily Life of “Vietnamese Brides” in Taiwan.*, 2003.)

<sup>60</sup> Tim Murphy, *Legal Fabrications and the Case of ‘Cultural Property’*, p116, in Alain Pottage and Martha Mundy et al. eds., *LAW, ANTHROPOLOGY, AND THE CONSTITUTION OF THE SOCIAL: MAKING PERSONS AND THINGS*. Cambridge: Cambridge University Press (2004).

<sup>61</sup> Vera Mackie, *Japan: Gender, Class Ethnicity, Sexuality*: 246-247, 2000.

Based on the analysis given above, I point out that the discourse on the reforms for foreign spouses, including policy-making, acts and regulations and Family Law, will possibly constitute a backlash of ideas related to the sexual family and state/family patriarchy, as I demonstrated in Part III. While interracial marriages have embedded multiple hierarchies (e.g., class, gender, culture, etc.), merely equipping the foreign spouse to be an obedient wife, qualified mother and dutiful daughter-in-law, in order to profit the family/state, with enforcement of various acts, rules, laws and regulations, probably will be the source of some backlash. The backlash, in my view, originates from the nostalgia of patriarchy and stereotyped gender roles in marriage.<sup>62</sup> In other words, the transnational phenomenon—in this case, interracial marriages—has increased dramatically in the past five years in Taiwan due to globalization, and indeed represents a image of marriage in 1950s, in which certain interracial married couples are expecting and re-enacting traditional gender role-playing in the twenty-first century.<sup>63</sup>

Therefore, the topic of female foreign spouses should not be relevant only to Family Law, or to immigration regulations; in fact, the topic of the foreign spouse and her intimate citizenship goes further to remind us of an old question again: What constitutes family for foreign brides and their families in their new countries? When the marriage becomes a category for immigration application, and involves economic mobility during the global era, then, what is the essence that is left or remains in the *marriage*? In this sense, the very fundamental issue of this essay is not only to provide a comparative study

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<sup>62</sup> Ching-Ying Tian & Hong-Zen Wang, Masculinity and Cross-Border Marriages: Why Taiwanese Men Seek Vietnamese Women to Marry?, 2006. (in Chinese), pp3-36. *Taiwan Journal of Southeast Asian Studies*, Vol.3 No.1, April 2006.

<sup>63</sup> Such gender divisions within the interracial marriage and their family life of course should not be all falling into the stereotype, the female foreign spouses seek help from NGOs, social movements (Hsiao-Chuan Hsia, *The Making of Immigrants Movement: Politics of Differences, Subjectivation and Societal Movement.*, 2006), and from their self-developed strategies in their daily local lives (Hsing-Ju Shen and Hong-Ze2004n Wang, *Norms of Integration and Strategies of Escape: A Daily Life of “Vietnamese Brides” in Taiwan.*, 2003.)

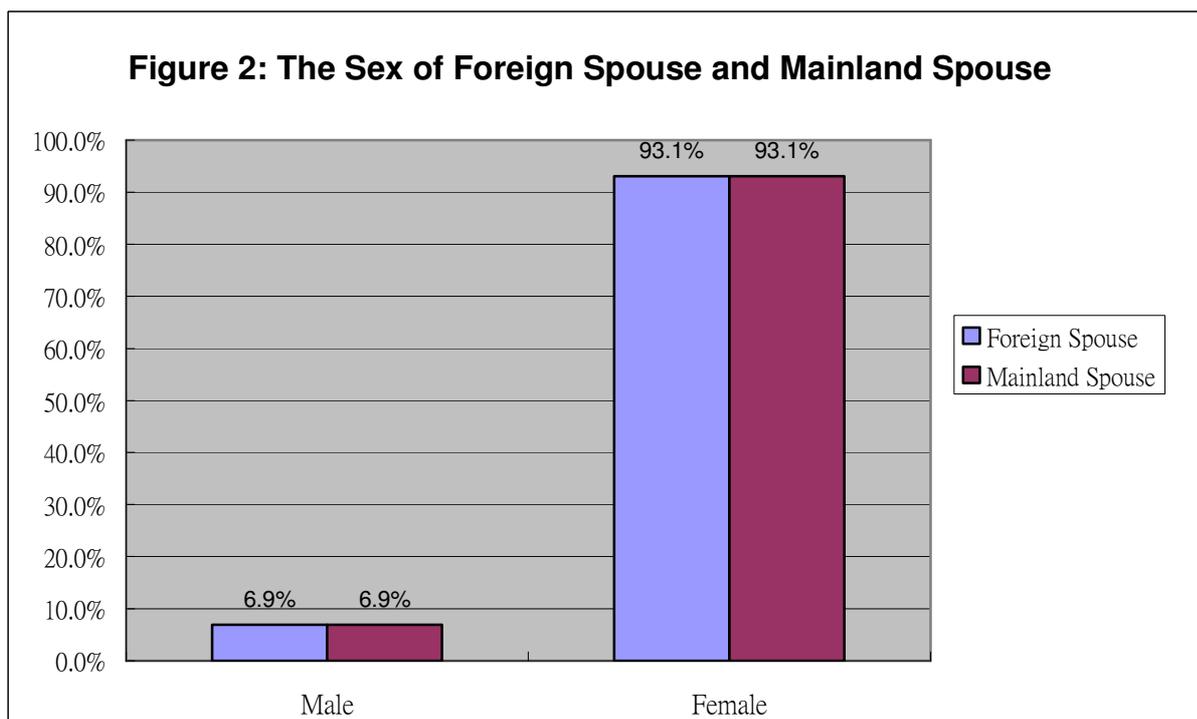
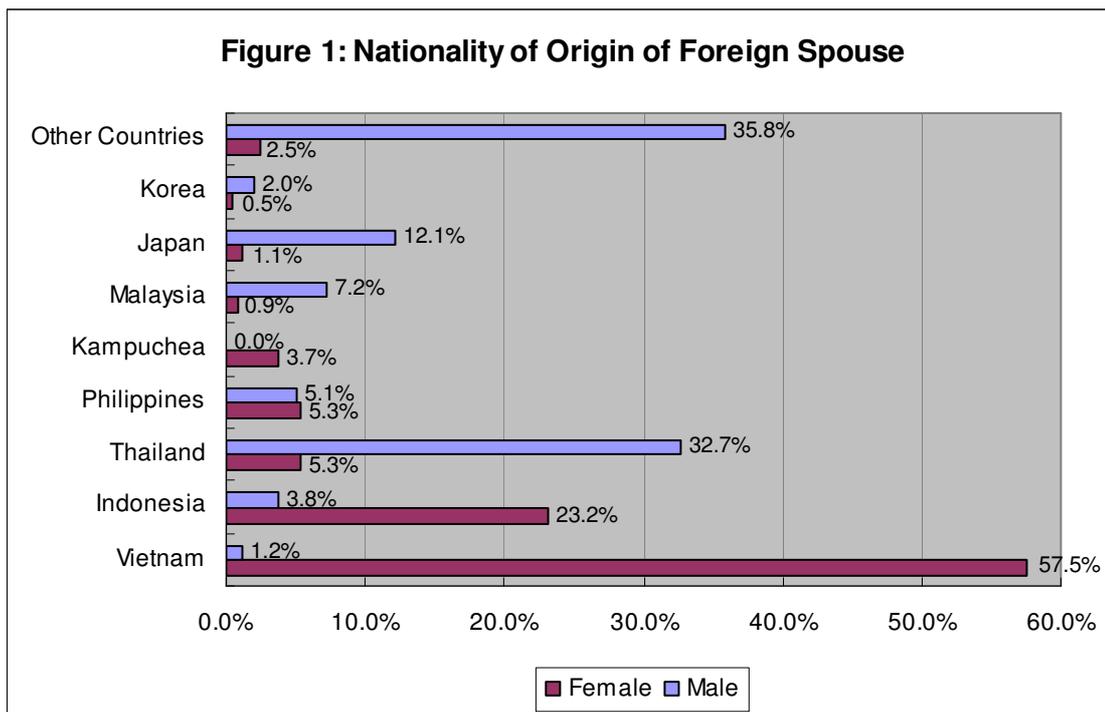
for immigration law and the foreign marriage issue. I would rather take this marriage immigrant case to rethink the methodology and theories regarding the contemporary challenges for law and globalization, for instance, in this essay, the foreign spouses. Following Riles's proposal to consider the "interdisciplinary strategies"<sup>64</sup> that are integrating legal study, Anthropology of Law and other fields in academia, and thinking about the "Project of Relationships,"<sup>65</sup> on the topic of foreign spouses, my ambition is to do the "task of relating related disciplines, or of discovering relationships where lawyers see rules ..."<sup>66</sup> In this manner, I aim to do the task of discovering how the topic of the foreign spouse, as the triangular prism, generates different reflections from bureaucrats, politicians, media, lawyers, sociologists, advocates, feminist groups, foreign spouses themselves and their husbands' families. Furthermore, I wish for this article to contribute to the examination of how the acts and regulations for family, gender, race, class and global-local issues impact their citizenship and civil lives. All of them indeed continually craft a regime with legal implications for *marriages and families*. Finally, I hope that placing this interdisciplinary project at the crossroads of immigration law, Family Law, Law and Globalization, by taking foreign spouses as the object, will provide a better understanding of marriage immigrant regulations in the global era.

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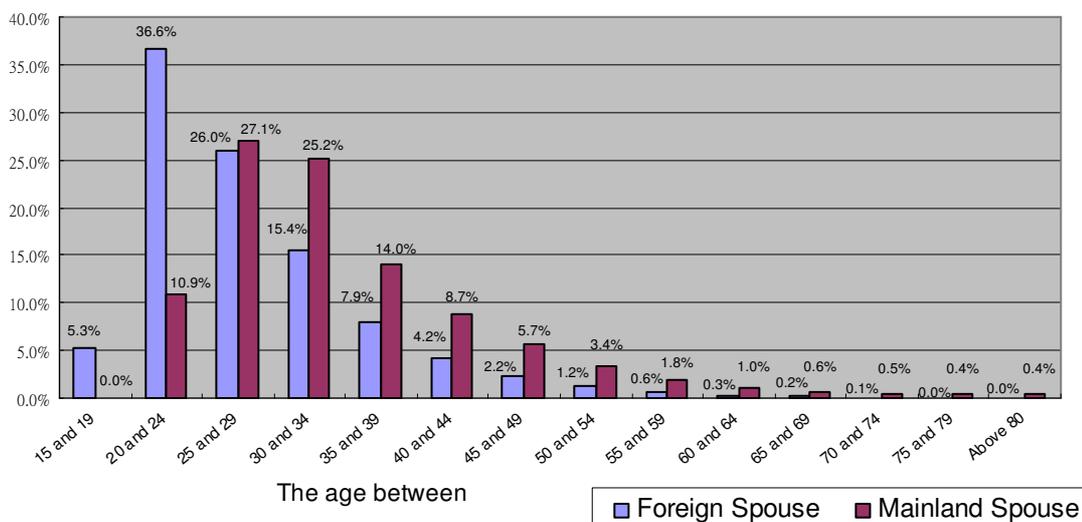
<sup>64</sup> Annelise Riles, *Representing in-between: Law, Anthropology, and the Rhetoric of Interdisciplinarity*, p631-2, 1994 U. ILL. L. REV. 597, 1994.

<sup>65</sup> Annelise Riles, *Representing in-between: Law, Anthropology, and the Rhetoric of Interdisciplinarity*, p632-3, 1994 U. ILL. L. REV. 597, 1994.

<sup>66</sup> Annelise Riles, *Representing in-between: Law, Anthropology, and the Rhetoric of Interdisciplinarity*, p631, 1994 U. ILL. L. REV. 597, 1994 .



**Figure 3: The Age of Foreign Spouse and Mainland Spouse**



**Figure 4: The Length of Residence for Interviewees in Taiwan**

