

Defamilisation, Familisation, Debates on Same Sex Marriage Issues in Hong Kong, Mainland China, Taiwan – An Introduction

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Introduction

The aim of this Themed Section is to contribute to the intersection of LGBTQ+ research and Social Policy research. Its focus is on establishing connections between the defamilisation and familisation studies, which hold a significant position in social policy literature and the issues surrounding same-sex marriage in Mainland China, Hong Kong, and Taiwan.

This Themed Section builds upon the critiques of Esping-Andersen's (1990) classification of eighteen OECD countries into three worlds of welfare capitalism based on the concept of labour de commodification. While Esping-Andersen's research (1990) sheds light on the risks stemming from the labour market, which undermines individuals' autonomy in choosing how to take part in the work economy, it has faced criticisms for not adequately considering the diverse ways in which people organise their family lives (Lister, 1994; Hill, 2006; Bambra, 2007; Kroger, 2011). Responding to this critique, the emergence of defamilisation and familisation studies has emphasised that individuals' welfare, particularly that of women, can be undermined not only by labour market risks but also by family-related risks (Lister, 1994; Esping-Andersen, 1999; Chau and Yu, 2013; Kilkey and Merla, 2014; Israel and Spannagel, 2019).

The defamilisation and familisation studies make important contributions to social policy research. One of these is to draw attention to two types of family-related risks: defamilisation risks and familisation risks (Chau and Yu, 2021). Defamilisation risks refer to a lack of opportunities for individuals to achieve an acceptable standard of living independently from their family relationships (Chau and Yu, 2023), while familisation risks pertain to a lack of opportunities for individuals to choose their role within the family while maintaining a socially acceptable standard of living (Chau and Yu, 2022). To address these risks, suggestions have been made for defamilisation measures, such as the provision of formal childcare services, and familisation measures, such as carers' allowances (Bambra, 2007; Lohmann and Zigel, 2016; Kurowska, 2018). Defamilisation measures aim to support individuals in organising their lives independently from their family relationships, while familisation measures aim to provide support to those who wish to provide care within their families while maintaining an adequate standard of living.

The defamilisation and familisation studies also contribute to comparative social policy studies especially those concerning the similarities and differences in welfare

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organisation between Eastern and Western contexts (Chau and Yu, 2013, 2022; Yu, 2018; Yu, Chau, and Lo, 2023). Over the past three decades, there has been an expanding volume of comparative social policy studies discovering that despite cultural disparities, governments in East Asian countries and Euro-American countries often learn from and adopt each other's social policies in response to global pressures and calls from international organisations (Won and Pascall, 2004; Walker and Wong, 2005; Yu and Chau, 2021). This discovery has encouraged important debates on whether cultural factors' role in shaping welfare policies in East Asia and the differences between East Asian welfare arrangements and Esping-Andersen's three worlds of welfare capitalism have been overemphasised (Walker and Wong, 2005; Lee and Ku, 2007). Studies comparing the commitments of countries across continents in providing familisation and defamilisation measures are valuable to inform these debates (Chau and Yu, 2013). On the one hand, these studies explore the commonalities of the functions of the family policy measures implemented in both Eastern and Western contexts: these functions include assisting individuals in outsourcing their family care responsibilities to the formal sector and subsidising female workers to look after their young child (Yu *et al.*, 2015). On the other hand, these studies shed light on the diverse responses of individuals between and within countries to these policy measures (Chau and Yu, 2022).

Nevertheless, it is important to acknowledge that the defamilisation and familisation studies are not without limitations. Many of these studies inadequately address the vulnerability of sexual minority individuals to defamilisation and familisation risks (Lo *et al.*, 2022; Yu *et al.*, 2018). Examples of these risks include challenges in forming same-sex families due to a lack of legal and social support, difficulties in pursuing parenthood due to denied access to parental rights, adoption, or assisted reproductive technology, obstacles in outsourcing care responsibilities to formal sectors due to the stigma associated with homosexuality, and exclusion from government family-based welfare programs based on the heterosexual family model (Lo, 2020, 2022; Tao, 2022).

The insensitivity of the defamilisation and familisation studies to the family-related risks faced by LGBTQ+ individuals is concerning. This oversight inadvertently reinforces the notion that heterosexuality is the norm, which not only impacts people's life decisions but also influences the focus and priorities of research in this field. Additionally, it disregards the potential of LGBTQ+ individuals to actively contribute to exploring alternative approaches to organising welfare based on their life experiences within predominantly heterosexual contexts. Furthermore, it overlooks the importance of reforming current family policies to meet the needs of LGBTQ+ individuals.

This Themed Section contributes to the analysis of the limitations of the defamilisation and familisation studies. As shown in the introduction, its focus is on examining the interconnectedness between familisation/defamilisation and same-sex marriage matters in societies influenced by Confucian heritage. To achieve this, four analytical tasks are undertaken:

- Develop a new theoretical framework to study and guide government actions in assisting LGBTQ+ individuals in coping with defamilisation and familisation risks and challenging the heteronormativity.
- Highlighting how LGBTQ+ individuals can utilise Confucianism to advocate for their social rights and contribute to the development of Confucian welfare models.
- Discussing the varied responses of sexual minority people to same-sex marriage.

- Exploring how the legalisation of same-sex marriage can create a platform for bringing sexual minority people from different locates to generate and consume international goods to address defamilisation and familisation risks.

Five articles

In relation to these four analytical tasks, this Themed Section provides a collection of five articles covering the defamilisation and familisation issues and same-sex marriage issues faced by LGBTQ+ people in Hong Kong, Mainland China, and Taiwan:

- *Defamilisation, familisation, and LGBTQ+ studies* (State of the Art article)
- *Explore the mutual benefits of studying the rights of sexual minority people in Hong Kong and Confucianism* (Article One)
- *An intersectional approach to family life: reflections on same-sex marriages, familisation risks, and defamilisation risks in Mainland China* (Article Two)
- *Queer families, family policy, and the legislation of same-sex marriage: the case of Taiwan* (Article Three)
- *The international impact of Taiwan's legislation of same-sex marriage: the queer economy of welfare mix* (Article Four)

The State of Art article provides a comprehensive review of the existing literature on defamilisation and familisation, as well as the literature focused on welfare models that influence government approaches to addressing defamilisation and familisation risks. Drawing from this review, it introduces the queer life mix framework, which serves as a tool to assess and enhance government initiatives aimed at supporting LGBTQ+ individuals in navigating defamilisation and familisation challenges. This framework builds on the previously studied life mix framework and is rooted in six key principles. These principles encompass recognising the significance of LGBTQ+ individuals' caregiving and working lives, offering opportunities for them to make choices regarding their life arrangements, acknowledging that their preferences may evolve across different life stages, ensuring inclusivity within government assistance, recognising the potential for evolving family relationships, and promoting awareness of heteronormative assumptions within the welfare system.

The State of Art article suggests that the queer life mix framework can improve the life of LGBTQ+ individuals. First of all, it facilitates a systematic assessment of the strengths and limitations of different welfare models available to the government. This allows for a comprehensive review of the relative desirability of different approaches in supporting LGBTQ+ individuals. Moreover, it brings attention to the potential exclusion of certain LGBTQ+ individuals from government measures, providing a basis for targeted action and intervention. Furthermore, it challenges the heteronormative and gendered assumptions that underlie policies related to the organisation of men's and women's working and caring lives.

Article One aims to explore the mutual benefit of studying Confucianism and the rights of sexual minority people in Hong Kong. It focuses on four analytical tasks: discussing the three fundamental elements ('Ren', 'Li', and 'Ideal Societies') of Confucianism; exploring strategies for promoting Confucianism (Ren-focused, Li-focused, and Ideal Societies-focused); examining the relationship between promoting the rights of

sexual minority people in Hong Kong and Confucianism; and exploring how enhancing the LGBTQ+ rights can enrich Confucian welfare model literature.

The implementation of these analytical tasks provides insights into the interplay between the study of Confucianism and the LGBTQ+ rights in Hong Kong. Firstly, the article highlights that Confucianism can either provide support or pose challenges to the rights of sexual minority individuals. This depends on the analysis of the relative significance of the three key elements within Confucianism. Secondly, it suggests strategies for enhancing the welfare of LGBTQ+ individuals. These strategies involve promoting their active participation in discussions surrounding the interpretation of Confucianism and fostering alliances with like-minded individuals who hold similar viewpoints on the interplay between 'Ren', 'Li', and 'the Ideal Societies'. These strategies serve as crucial avenues for LGBTQ+ individuals to seek justifications based on Confucianism to support their efforts to protect their welfare and rights.

In Article Two, the focus is on the ongoing same-sex marriage campaign in Mainland China and how Chinese lesbians navigate government policies related to same-sex marriage. The article delves into the 'Three Nos Policy' on homosexuality implemented by the government, highlighting its impact on hindering the same-sex marriage campaign for lesbians and other sexual minority communities. The study's findings are presented, revealing that diverse strategies are employed by lesbians to manage the risks associated with defamilisation and familisation. Examples of these strategies include entering into a 'contract marriage' with a gay man, opting for same-sex marriage registration outside Mainland China, concealing their sexual orientation in the workplace and with family, relocating away from their parental homes, and distancing themselves from their families of origin, as well as engaging in online/offline lesbian communities. The article emphasises that through the adoption of these various strategies to address defamilisation and familisation risks, lesbians may also attempt to form alliances that support them in gaining greater control over their lives.

Article Three explores the potential benefits of legalised same-sex marriage for the LGBTQ+ community, particularly in terms of fostering family life and safeguarding against risks related to family dynamics. While previous research has focused on the perspectives of proponents and opponents of same-sex marriage in Taiwan, this article takes a social policy approach, examining the provision of welfare services and identifying gaps in support for LGBTQ+ individuals following the implementation of marriage equality. Through a content analysis of online community discussions since the legalisation of same-sex marriage in 2019, this article reveals that local LGBTQ+ communities express concerns regarding the absence of legal recognition for cross-border couples, the lack of legal parental status and rights for same-sex parents, and the influence of heteronormative values and kinship norms. By shedding light on the heteronormative assumptions ingrained in both the policy system and society at large, this article underscores the impact on the welfare of LGBTQ+ individuals and proposes supplementary and alternative measures to address these concerns.

Article Four introduces the concept of the queer economy of welfare mix framework, aiming to establish a connection between research on the queer economy and the mixed economy of welfare. Despite their interconnectedness, there is a noticeable absence of discourse regarding the queer aspects of the mixed economy of welfare, as well as the diverse strategies employed by LGBTQ+ individuals to navigate the advantages and limitations of the queer economy. The primary objective of our framework is to illustrate

how LGBTQ+ individuals can effectively utilise both local and transnational resources offered by the mixed economy of welfare, employing various strategies including the citizen strategy, consumer strategy, and consumer-citizen strategy. To provide empirical evidence for the framework's validity, we examine the impact of Taiwan's legalisation of same-sex marriage on Hong Kong and Mainland China, shedding light on the role of the government in promoting the welfare of LGBTQ+ individuals and the associated challenges they face.

'Social' and 'policy' dimensions of LGBTQ+ research

This Themed Section extensively utilises the social policy literature as a foundation to examine the defamilisation/familisation and same-sex marriage issues. Additionally, we are enthusiastic about engaging in an intellectual exchange of ideas within a social policy academic journal. There are reasons for us to employ this research and dissemination strategy to establish a strong connection between LGBTQ+ research and Social Policy research.

The first reason is the significant emphasis given to the notion of 'social' in social policy studies. This point is supported by evidence. Analysts engaged in debates surrounding the nature and scope of social policy express specific concerns regarding what sets it apart as a 'social' policy (Donnison, 1975). Furthermore, in inventing the ideas of social quality that plays an important role in forming the development of policies, analysts stress the importance of not only challenging the ideas of individualistic economic actors of neo-liberalism but also bringing the 'social' in Beck *et al.* (1998), Tomlinson *et al.* (2016).

The ideas of 'social' holds significant relevance when analysing the defamilisation and familisation risks experienced by LGBTQ+ individuals. Undoubtedly, when discussing the risks associated with defamilisation and familisation for LGBTQ+ individuals, it is crucial to consider human agency and respect their capacity and preferences to exercise agency. This underscores the importance of recognising that different LGBTQ+ individuals may have diverse views on family risks and varying preferences regarding how to address these risks. However, it is equally important to pay attention to the 'social' dimension of defamilisation and familisation issues.

First and foremost, it is crucial to acknowledge the limitations imposed by heteronormative structures that hinder individuals' agency in navigating their family lives. As explored in Articles One and Three, while we should value the LGBTQ+ community's ability to interpret Confucianism through their own perspectives, we must also recognise the constraints imposed by certain Confucian principles that align with heteronormative ideals, thus impeding the LGBTQ+ community's pursuit of their rights.

Secondly, as highlighted by analysts (Tomlinson *et al.*, 2016; Holman and Walker, 2018; Yu, *et al.*, forthcoming), self-identity and self-realisation encompass significant social dimensions. This is because individual's opportunities for self-identity and self-realisation are heavily influenced by society through the process of social recognition. Considering this perspective, it becomes essential to raise concerns regarding the creation of favourable social conditions that enable LGBTQ+ individuals to explore their preferred paths of self-discovery and self-creation.

These conducive social conditions encompass inclusive social systems (such as marriage and social welfare system), as well as supportive communities and social

networks. The significance of these social conditions in supporting LGBTQ+ individuals to achieve self-realisation and develop their self-identity to a certain extent explains why lesbians in Mainland China are eager to explore different strategies in response to the government's 'Three Nos Policy', as discussed in Article Two. These strategies may assist them in navigating unsupportive social systems (such as workplaces and schools that are predominantly influenced by heteronormativity) and unsympathetic communities (such as extended families that strongly adhere to traditional Chinese family values). Additionally, these strategies may enable them to seek more accepting social systems, such as forming same-sex marriages in overseas societies, while also fostering connections and friendships within online communities.

Thirdly, it is important to recognise that the development of social conditions that allow LGBTQ+ individuals to organise their well-being without the constraints of heteronormativity is not solely an individual concern but a societal matter. This implies that LGBTQ+ individuals have both the right and the responsibility to challenge heteronormativity, as their efforts are expected to benefit not only themselves but also society as a whole. Therefore, instead of solely considering LGBTQ+ individuals as beneficiaries of actions aimed at promoting sexual rights and combating heteronormativity, we should also regard them as defenders of public interests.

Adopting this perspective, the quest for creating favourable conditions for LGBTQ+ individuals to address defamilisation/familisation risks can be understood as a search for ways to make society a better place for everyone to navigate family-related issues. It recognises that by dismantling heteronormative structures, we may be able to create a society that supports the well-being of all individuals, regardless of their sexual orientation or gender identity.

The second reason for our preference to align this project with social policy studies are their emphasis on the ideas of 'policy' which is commonly seen as planned actions. Social policy inherently involves tangible agendas and actionable steps. When addressing the broad issue of responding to defamilisation and familisation risks faced by LGBTQ+ individuals, we believe that it is crucial to examine the specific agendas and actions required to tackle these challenges. Incorporating this aspect into our research plan holds significant importance.

Undoubtedly, analysing the complexities surrounding the understanding of defamilisation and familisation risks faced by LGBTQ+ individuals is essential. However, it is equally important to determine the necessary actions that can lead to immediate improvements in the situation for LGBTQ+ individuals, even if we cannot address all aspects simultaneously. For instance, this may involve studying approaches that can encourage more countries to legalise same-sex marriage or provide parental leave benefits for same-sex couples. This means that while our aim is to generate more knowledge about defamilisation and familisation issues, it is imperative to take concrete actions that bring immediate positive impacts to the lives of LGBTQ+ individuals, regardless of how small these impacts may be. This perspective stresses the importance of examining the vulnerabilities of LGBTQ+ individuals to defamilisation and familisation risks extends beyond mere academic inquiry. It represents our concern for the hardships faced by LGBTQ+ individuals, and our belief that the main purpose of studying these hardships is to discover pathways for alleviating them. It is worth highlighting that all articles in this Themed Section cover the practical approaches that may be able to assist LGBTQ+ individuals to choose their ways of responding to the defamilisation and familisation risks.

Conclusion

This Themed Section has dedicated its focus to the challenges associated with same-sex marriage in Hong Kong, Mainland China, and Taiwan. There remains significant work to be done in order to reduce all vulnerabilities of LGBTQ+ individuals to defamilisation and familisation risks. In pursuing further research, it is valuable to engage in both conceptual endeavors and empirical investigations.

Conceptually, it is worth studying the relationships between the queer life mix framework and the queer economy of welfare mix framework. Such a conceptual endeavor will enable us to explore more possibilities of how LGBTQ+ individuals organise their working life and caring life through consuming the international and local goods. Empirically, it is important to explore the actions undertaken by LGBTQ+ individuals in advocating for same-sex marriage in other societies that are influenced by Confucian ideas. Addressing these research agendas will help us to further extend the scope of social policy studies.

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