

Research 2012.06.-2012.12

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My research “跨性別人權—比較法研究” (Transgender Rights-a Comparative Law Study) is funded by National Science Council in Taiwan from the end of June till end of December. This project seeks to unpack and analyze issues pertaining to sex, gender, sexuality, gender identity, gender expression, sexual orientation, the right to marry, and gender self-determination in general in the context of laws governing LGBTIQ (Lesbian, Gay, Bisexual, Transsexual, Intersex, Queer/Questioning) community. I wish to imagine a reconstruction of gender-sensitive jurisprudence in Taiwan, and facilitate diverse sexual subjectivities so that law, and legal system in a broader sense, will not be used as a tool to reinforce heterosexual patriarchy ideology, or to oppress sexual/gender minorities.

In this research project, I will conduct a comparative law and culture analysis in two jurisdictions, including Taiwan and Germany (EU), with a political goal in mind, to launch a gender sensitive legal reform in Taiwan. Taiwan has adopted so-called continental law system and often looked up to Germany for the legal inspiration, and yet is influenced greatly by US legal system at the same time. In addition, the Chinese influenced legal culture is heavily presented in Taiwan. It is simply impossible to ignore the cultural/social norms in everyday life in the respective jurisdictions when investigating above-mentioned gender related legal issues.

This project suggests, on the one hand, the methodological inquiry into the possibility of a global feminism to understand and to contextualize each country's unique set of issues; on the other hand, addresses gender equality within cultural and legal discourses concerning diverse sexual subjects. Thus, I hope I would have the honor to meet with feminist scholars, practicing lawyers, NGOs activists, anyone who is interested in and involved in transgender rights issues in Germany or other jurisdictions.