

Wives, Husbands, and Lovers

**MARRIAGE AND SEXUALITY IN HONG KONG,
TAIWAN, AND URBAN CHINA**

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Stanford University Press
Stanford, California

12 MARITAL BORDERS

Gender, Population, and Sovereignty across the Taiwan Strait

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THE INSTITUTION OF MARRIAGE IN TAIWAN today is changing rapidly as seen by a rising age at first marriage, soaring divorce rates, and a growing disinclination among young people to marry at all. These domestic patterns of marital de-institutionalization are coupled with the now two-decade-long phenomenon of cross-border marriages that typically pair Taiwanese men with Southeast Asian and Mainland Chinese women. These cross-border unions feed a variety of very public anxieties in Taiwan concerning racial and cultural integration, the fate of mixed-race and mixed-heritage children, immigrant spouses' futures as Taiwanese citizens, and the potential for a silent invasion of Mainland Chinese through family reunification. Marriage, in short, has become a nexus linking gender, population, and national sovereignty.

This chapter examines how marriages between Taiwanese and Mainland Chinese both reinforce and perturb this nexus of gender, population, and sovereignty in contemporary Taiwan. With regard to the first two terms, we might say that gender norms organize how states categorize and regulate their populations. I use the case of cross-Strait marriages to show how Taiwanese immigration policies produce a gendered ideal of authentic marriage that affirms traditional gender roles and, in so doing, mitigates anxieties stemming from the population's rapid aging and low rates of reproduction. Although marital immigration inspires its own complex set of demographic concerns, those concerns may be balanced by the perception that cross-border marriages help remedy the "care deficit" and "shortage of children" produced by the changing composition of the Taiwanese national body. To successfully

actualize this promise of demographic salvation, however, immigrant spouses must conform to the gendered role expectations that define cross-border marital authenticity.

Sovereignty, the third term in the nexus, is less commonly linked to kinship ties or to the emotional, economic, social, and legal entanglements that characterize marriage. Through a detailed analysis of how the Taiwanese state regulates cross-Strait marriages and how those regulations affect Chinese spouses in Taiwan, I show how new forms of state power directed at recent changes in marriage and population may generate sovereignty effects for a country that has struggled to claim an independent national status, especially in relation to China. Cross-border marriages broaden the frame of reference for marriage from a union of citizens who form families and reproduce the nation to a bond that legally joins citizens to noncitizens, carving out new immigration pathways that expand the scope of border control and immigration regulation, the latter both critical markers of sovereign status (Newendorp 2008; Surkis 2010). At the same time, however, cross-Strait family reunification also generates new concerns about national identification directed at both Chinese spouses and their children that deepen anxieties about immigrants' and citizens' national commitments and potentially undermine the sovereignty effects produced by an increasingly robust immigration regime.¹

Taiwan is not alone in regulating the entry of foreign spouses or in monitoring their path toward naturalization, nor is it unique in evaluating the nature and quality of its citizens' transnational marriages (Constable 2003; Surkis 2010). Border inspections and consular interviews have long been used by governments around the world to produce categories of people deemed desirable and undesirable from the perspective of family stability, the health and uniformity of the population, and national reproduction.² Whereas domestic couples in Taiwan benefit from the turn to private ordering that increasingly characterizes the stance of Taiwanese courts (Kuo Chapter 9), cross-border couples face persistent pressure to conform to public ordering of their marriages. This public ordering is produced through immigration policies, techniques of border control, and state regulatory practices designed to police Chinese marital immigrants and evaluate the authenticity and quality of their marriages. But such public ordering also generates effects that extend beyond disciplining the scope of recognized intimate relationships. Precisely because of Taiwan's uncertain sovereign status and its contested political ties with China, the regulation of Chinese marital immigrants and cross-Strait mar-

riages acquires added significance as a critical—albeit contested—mechanism for asserting Taiwanese sovereignty.³

This chapter is based on research conducted between 2003 and 2011 with cross-Strait couples in Taiwan and China; Taiwanese governmental entities charged with immigrant policing, monitoring, and service support; and NGOs that provide assistance to Chinese spouses in Taiwan or work as activists for immigrant rights.⁴ Over these eight years, I conducted over 150 interviews with Chinese spouses, some of which included their Taiwanese partners and in-laws. I joined social gatherings in homes and leisure sites and participated in a wide array of government- and NGO-sponsored events, training classes, and public demonstrations. In addition, I completed in-depth interviews and participant observation with immigration bureaucrats and officials in sites ranging from the National Immigration Agency (NIA) headquarters in Taipei to the control zone of Taoyuan International Airport, where I observed border interviews with cross-Strait couples. This wide array of sources and perspectives informs my ethnographically based analysis of the gendered nature of cross-border marital regulation, the disciplinary power of the category “sham marriage,” and the association of cross-Strait marriages with key demographic concerns in Taiwan today. In the final section, I show how cross-Strait marriages have enabled Taiwan's sovereignty claims by expanding practices of border control and immigrant regulation. Here I supplement my ethnographic material with a close reading of the video art production *Empire's Borders I* (帝國邊界一), produced by Taiwanese artist Chen Chieh-jen. Chen's insightful critique of global border regimes speaks to the broader consequences of asserting sovereignty through marital regulation.

MARITAL BORDERS

The most recent wave of marriages between Taiwanese and Mainland Chinese began in 1987 with the reinstatement of cross-Strait ties after nearly forty years of military and political conflict. Among the first Taiwanese to cross the Strait were retired veterans and men exploring business opportunities in China, some of whom used this opportunity to seek a Chinese spouse. Veterans were more likely to marry divorced or widowed middle-aged women, while businessmen found partners among the never-married and previously married alike. Over time, cross-Strait marriages diversified to include a wider array of spouses with different class and ethnic backgrounds and prior marital histories. Taiwanese partners range from members of the working class

to white-collar professionals, although more are concentrated in the lower income ranges, and they include those marrying for the first time (often in middle age) as well as divorcees and widowers. Chinese spouses also span a broad spectrum of ages, places of origin, educational and professional backgrounds, and previous marital and romantic histories. Although popular stereotypes of cross-Strait marriages depict both spouses as poor or otherwise disadvantaged (and thus unable or unwilling to marry domestically), in fact these unions increasingly join better-educated, never-married individuals from both sides of the Strait, and a small minority pair Chinese men with Taiwanese women.

As these marriages grew in number throughout the 1990s and into the new millennium, cross-Strait couples faced a confusing array of policies that dictated where they lived and what rights were available to the noncitizen partner. Most couples resided in Taiwan in accordance with patrilocal residence norms, except in cases where the Taiwanese partner worked in China. But Chinese spouses occupied an ambiguous status in Taiwan as neither foreigners nor natives: designated as “people of the Mainland area,” they faced immigration and citizenship procedures that differed in substance and degree from those directed at “foreign” spouses, primarily women from Southeast Asian countries.⁵ Thus, although cross-Strait marriages are part of a changing landscape of intimacy in Taiwan that includes same-sex unions, marriages with Southeast Asian wives, and Taiwanese couples who live apart (Kuo Chapter 9; Shen Chapter 11), they occupy an unusual niche in this marital field precisely because the status of Chinese spouses in Taiwan is tainted by the contested political ties across the Strait.

In brief, for much of the past two decades Chinese spouses have waited twice as long as other foreign spouses before becoming eligible for citizenship. This time frame of eight years was often extended, moreover, due to backlogs created by quotas imposed initially at the residency stage and later at the point of granting citizenship. Efforts to equalize the waiting period for Chinese and foreign spouses produced a slight reduction in 2009, from eight years to six. Furthermore, unlike foreign spouses who receive residency status and work rights immediately on arrival in Taiwan, prior to 2009 Chinese spouses faced a delay of several years in obtaining residency, and legal work rights could take from two to six years, depending on individual circumstances.

Bureaucrats and officials have justified these delays as necessary to prevent “sham marriages” (假結婚) contracted merely for economic motives, whether

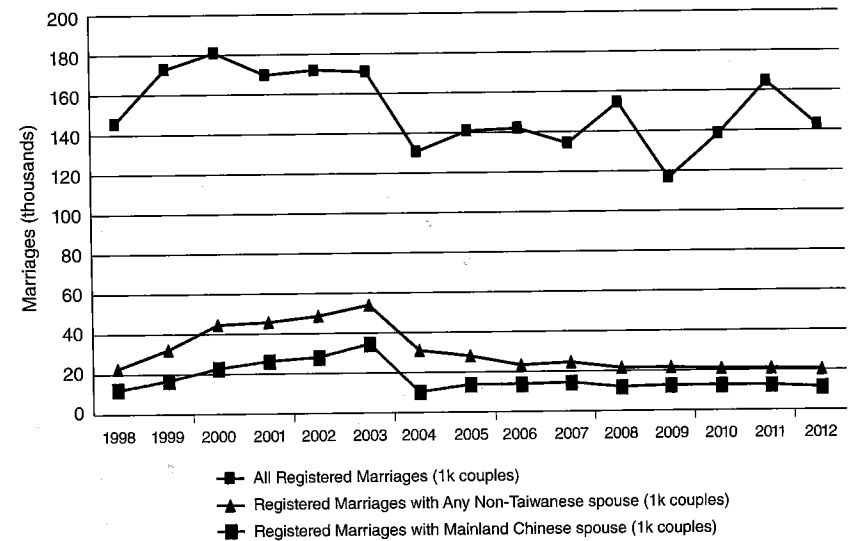


Figure 12.1. Registered marriages in Taiwan, 1998–2012.

SOURCE: Taiwan Department of Household Registration, Ministry of the Interior, “Statistics on Marriages between Nationals and Foreigners.”

through legal or illegal channels. The main bureaucratic procedure put in place to block the entry of “sham” Chinese spouses was the border interview, a system implemented in late 2003–2004 at the peak of marital immigration from China to Taiwan. In 2003 alone, 32 percent of all registered marriages included a noncitizen spouse, and 20 percent involved a Chinese spouse specifically. Although the number of cross-border marriages has declined since that peak, these unions continue to represent 10–15 percent of all annual registered marriages in Taiwan (Figure 12.1). Chinese spouses have outnumbered their other foreign counterparts by a factor of more than two to one, but their longer wait to citizenship has meant that fewer have acquired Taiwanese citizenship. By the end of 2012, 306,514 Chinese spouses had applied for entry to Taiwan and 100,337 had become Taiwanese citizens.⁶

Marital immigration, coupled with the influx of temporary migrant workers from Southeast Asia, has spawned a robust regulatory regime in Taiwan that integrates prevailing policing and national security goals with welfare and other social services that promote immigrant adjustment and familial stability. The regulation of cross-border marriages thus fosters an expansion of governmental power now directed internationally as well as domestically.

New marriage practices in Taiwan have transformed the terrain on which state regulation encounters intimate life, pairing marital decisions with sovereign decisions and deepening the reach and scope of state power.

ENGENDERING CROSS-BORDER MARITAL REGULATION

The regulatory system that has emerged in response to cross-border marriages is inherently gendered. By this I mean that it both rests on and reproduces specifically gendered expectations for proper marital roles and behaviors on the part of immigrant spouses, what elsewhere I have called “a dependency model” of marital immigration (Friedman 2013). This model ties a Chinese wife’s or husband’s legal standing in Taiwan to family and marital status alone, providing no independent basis for residency or citizenship claims. At the same time, restrictions on Chinese spouses’ work rights (in place prior to August 2009) and regular government monitoring of cross-Strait marital relationships affirmed a presumed norm of feminized domesticity for immigrant women and men alike by valuing Chinese spouses’ reproductive contributions to their Taiwanese families and defining the desire to engage in nondomestic labor and remunerated employment as suspect, a potential sign of questionable marital motives. This regulatory regime has created gendered standards for cross-border mobility and naturalized citizenship that make marital immigrants dependent on their citizen-spouse for legal and economic support.

Domestic marriage trends in Taiwan show Taiwanese women increasingly delaying marriage, with some rejecting it altogether.⁷ As the analyses by Yu and Liu (Chapter 10) and Shen (Chapter 11) demonstrate, despite broad social, economic, and political challenges to traditional models of marriage and family in Taiwan, gendered expectations for marital roles and responsibilities have not changed dramatically for those who opt in to marriage.⁸ Immigrant wives thus find themselves caught in the intersection of traditional social expectations and changing legal regulations (Kuo Chapter 9). Their citizen-partner and in-laws often expect them to perform housework, bear and raise children (their own or those from a Taiwanese spouse’s previous marriage), and care for elderly or sick family members. Even Chinese husbands in Taiwan face a similar domestic orientation because of delays in acquiring legal work rights and difficulties finding employment commensurate with their education and previous work experience (Friedman 2013).⁹ As a result, Chinese spouses may find they have no choice but to conform to these domestic orientations, especially because refusing to do so may cast doubt on their own immigration

intentions and interrupt their trajectory toward citizenship (Friedman 2013). In short, public ordering often trumps their own private desires when it comes to the opportunities and expectations Chinese spouses face as marital immigrants in Taiwan.

Lu Jingjing’s marital experiences in Taiwan exemplify some of the conundrums produced by this dependency model. I first met Jingjing at a 2007 government-sponsored life skills course held for Chinese spouses who lived in an eastern district of Taipei city. A quiet, serious woman whose glasses and ponytail made her look more like a student than a married woman in her early thirties, Jingjing rarely spoke out during the class sessions except to offer the occasional, sardonic comment about the poor prospects many of them, including herself, faced on both sides of the Strait. Jingjing was forced to drop out of the class halfway through to care for her sick father-in-law. Aware of the care expectations faced by many of the Chinese women I had met in Taiwan, I did not think much of the situation until Jingjing contacted me in late October to ask whether I would be willing to meet with her.

“Even on the day we registered our marriage, I didn’t believe it,” Jingjing professed as we took our seats in a coffee shop near the working-class neighborhood where she lived with her husband, his parents, and his two divorced sisters. “I never thought I would marry someone from outside [of China]. Taiwan is a very distant place.” Jingjing shed the reticent demeanor she had adopted in the classroom and launched into a nonstop narrative until the shop closed, at which point we moved to a bench in the park across the street and continued our conversation until nearly midnight. Jingjing traced her current circumstances back to the Cultural Revolution when her father, a teacher at Nanjing University, was sent down to the Jiangsu countryside where he met and married her mother, a peasant woman twelve years his junior. Although her father had successfully shifted the family’s household registration back to Nanjing after the Cultural Revolution, his premature death in 1980 left her mother to fend for herself with two young children. Unable to cope, her mother returned to her native village in the southern Jiangsu countryside.

This move initiated what Jingjing went on to describe as over two decades of personal disappointments and struggles: testing into university but lacking the resources to pay for tuition; struggling as a migrant worker in Shenzhen without an identification card (身分證); following her mother to Shanghai, then back to their rural township in Jiangsu, and later to Anhui, all moves sparked by her mother’s relationships with different men or efforts to find

Jingjing a suitable husband. In her late twenties, Jingjing ended up back in Nanjing where she used the engagement money given to her by a prospective suitor (a disabled man whom she had no intention of marrying) to enroll in a computer course and later a training school to become a foot masseuse. While working in a foot massage clinic she read a newspaper article about a rural lecturer from Henan who had married a European man after meeting him online. Inspired by this woman's success story, Jingjing began to correspond with foreign men via the Internet, ultimately meeting her Taiwanese husband online in June 2006.

After corresponding with her husband for one month, Jingjing agreed when he proposed to meet her in person in Shanghai. He asked her to marry him on the second day of the visit, and six weeks later they registered their marriage in her hometown. Her husband was thirteen years her senior and, like her, was a never-married high school graduate. Jingjing admitted that she had lowered her standards to find a stable partner, and she knew that being from the Mainland put her at a disadvantage in Taiwan. At the same time, she clearly recognized that, without connections in China, she had no hope of "turning over" (翻不了身) and improving her life circumstances were she to remain.

Full of hope for a better future, Jingjing arrived in Taiwan in January 2007, only to discover that Taiwanese ways of thinking differed dramatically from Mainland Chinese, and she was surprised by the discrimination she faced from her husband's family. Because she had not yet borne them a child and could not work legally outside the home, she was viewed with suspicion as an outsider who made no contributions to the family. Moreover, two of her four sisters-in-law had divorced, and their husbands had either had an affair with a Chinese woman or married one after the divorce. As a result, the extended family was predisposed to distrust her motives, and her husband tended to side with his mother and sisters in any family disputes.

Jingjing spent her days caring for her father-in-law who was bedridden after a stroke—feeding him, changing his diapers, and doing other housework—freeing her mother-in-law from these tasks. She chafed at the restrictions her care responsibilities placed on her movement, and she resented the fact that she had been forced to drop out of the life-skills class even though it met only three days a week for a few hours. She described her mother-in-law as a traditional woman from the southern Taiwan countryside who believed Jingjing should remain obediently at home to avoid being influenced by other

Chinese women. In Jingjing's case, government regulations that prohibited her from working legally outside the home dovetailed with family care work expectations to make her, as she put it, a prisoner in her husband's house. If she were to challenge these restrictions on her mobility and employment opportunities, she ran the risk of being accused of harboring inauthentic marital motives and undermining her authorized immigration status.

THE SPECTER OF SHAM MARRIAGE

The tension Jingjing faced between familial care work demands and her own desire to seek employment was not unusual. For her and other Chinese spouses, the consequences of this conflict were intensified by the disciplinary category of "sham marriage" and the way the category sutured together marital and migration intentions. Constructed through border interview decisions, bureaucrats' evaluations of Chinese spouses' residency and citizenship applications, media representations of cross-border marriages, and societal distrust of Chinese wives, the category of sham marriage created a powerful disciplinary field that subjected all Chinese spouses to potentially severe consequences, including the threat of deportation.

Initially, sham marriage stood in for the intention to engage in illegal employment such as sex work, but in the last decade its scope has expanded to encompass migration goals that exceed a commitment to the marriage itself. Immigration bureaucrats typically identify these nonmarital intentions as the desire to work and earn money, even in occupations that are not themselves illegal. As one immigration officer described to me, in such cases the Chinese spouse is merely "using marriage to enter the country" to gain access to more lucrative employment opportunities than those available in the Mainland.¹⁰ This focus on intentions as the cornerstone of a sham marriage makes the category notoriously difficult to define, however, and the bureaucratic procedures put in place to evaluate marital authenticity (such as the border interview) often reinforce the fuzziness of the category itself, even as they empower bureaucrats to deport immigrant spouses whom they suspect of inauthentic marital motives (Friedman 2010a).

Although most Chinese spouses pass through the border interview system and subsequent bureaucratic encounters relatively uneventfully, their experiences educate them about the power of the category of sham marriage and its ability to determine their own opportunities and status in Taiwan. As stories and accusations of sham marriage circulate among communities of Chinese

spouses, those narratives do important work by shoring up claims of marital authenticity and assertions that one deserves better treatment as a result. Some of this discourse is directed at the government, but equally pertinent and powerful interlocutors are other Chinese women and men who readily judge their compatriots. Some of my earliest conversations with Chinese wives in Taiwan drove home for me the salience of the category of sham marriage in the lives of all Chinese marital immigrants.

When Pan first walked into the Taipei café where we had arranged to meet one August night in 2003 after she got off work, I did not recognize her as being from China. She was tall and thin, with dark hair that she wore loose around her shoulders. She had on red-rimmed glasses with stylish frames and was dressed casually in a shirt and jeans, a look that belied the fact that she was already in her forties. Pan spoke with virtually no Mainland accent, and the only thing that might reveal her origins was her direct style of speech.

Pan hailed from a coastal area of Zhejiang Province and had first married a Taiwanese in 1995 when she was thirty-two years old. After a few years she divorced her husband because of his infidelities and in 1998 married her current husband, with whom she had a daughter a year later. Because both Pan and her husband worked long hours in restaurants, they could not care for their daughter, and Pan had sent the child to live with her parents in China. As Pan continued to talk about her life in Taiwan, it became clear that she was unhappy in her marriage and despised her husband, whom she described as lazy and unmotivated. Yet, for her daughter's sake, she was not willing to divorce him, although she talked frequently of moving back to Zhejiang once she became a citizen.

For Pan, the authenticity of her marriage stemmed both from the fact that she had borne a child with her husband and from her commitment to hard work and maintaining legal status in Taiwan. By contrast, she claimed, Chinese women in sham marriages wanted only to make money; they did not care about becoming citizens or receiving legal work rights. Having a child tied Pan to Taiwan in a way that differed from those in ostensibly sham marriages; they simply wanted to earn as much money as possible and then leave. Moreover, her money was "clean." Pan emphasized time and again how hard she worked for the \$25,000 NT she earned each month. If she was like the women in sham marriages, she would simply find a man and live with him for a monthly fee. Her commitment to working hard for "clean money," coupled

with her good family background and willingness to remain in an unhappy marriage, distinguished her from those who, she argued, viewed marriage simply as a means to improve their material circumstances.¹¹

Yet despite Pan's efforts to draw clear lines between herself and women in sham marriages, her narrative constantly traversed those boundaries as she spoke in greater detail about her life and aspirations. Although the money she earned was not tainted by sex work, she remained in Taiwan for a reason not terribly different from the one she attributed to those in sham marriages: the ability to earn more money than she could in China. And although she claimed to have a stronger tie to Taiwan because of her marriage and her child, she nonetheless talked repeatedly about returning to China, with or without her husband, to start up a business there. In short, her decisions to date and her plans for the future looked in many ways like those she described for women in sham relationships, the major difference being the type of work she performed and how that work enabled her to assert a sense of familial responsibility and personal respectability.

Many cross-Strait couples claimed the mantle of authentic marriage to demand that immigration officials do a better job of weeding out sham marriages instead of punishing all with harsher immigration policies. Like Pan, however, they, too, struggled to define the slippery contours of the category itself. In 2009, I attended a government-sponsored immigration policy education forum held for cross-Strait couples residing in southern Taiwan. A Taiwanese man in his forties stood up with a small child in his arms and addressed the National Immigration Agency (NIA) representative with an accusatory question about the border interview system. He described the system as a rude interference in personal privacy and an obstruction of marital freedom, as evidenced by the fact that his wife twice flew to Taiwan only to be sent back after failing to pass the border interview:

I don't know what our government is safeguarding us from. My wife went through two interviews before she passed. And we now have a child. I'm really suspicious about what kind of reason was used for deporting her; was it sham marriage? If it was sham marriage, then is this child sitting here today also a sham? I feel that the problems with the interview should have been eliminated long ago. We have basic freedom of marriage. Whatever country I want to marry someone from, that is my own personal affair. The government absolutely has no right to interfere. (Chia-yi, Taiwan, June 7, 2009)

The NIA representative's reply was polite and apologetic, and he repeatedly stressed that, as far as he knew, interviewers were now trained not to ask the kinds of personal questions that the gentleman found so offensive. Although he agreed with the man's assertion of marital freedom, the representative failed to address the man's other major critique, namely the questionable status of the category of sham marriage itself and its deployment as a rationale for border control.

The audience of several hundred men and women listened attentively to this man's critique and those that followed. Virtually every Chinese immigrant I interviewed claimed to know someone in a sham marriage, an assertion through which they simultaneously identified themselves with the category of authentic marriage. Widespread dissatisfaction with the policies and procedures in place to discourage sham marriages, coupled with recognition of those policies' obvious failures, led some to demand more effective government intervention, while others wanted the government to stop regulating cross-border unions altogether. Regardless of their position on governmental involvement, however, few challenged the notion that one could distinguish categories of real and sham. Only on rare occasions, such as in the husband's outburst at the policy education session, did individuals comment on the ontological ambiguities created by the concept of sham marriage, including the status of the children who might result from such unions.¹² By underscoring the fluidity of the boundaries between these categories, such challenges articulated the difficulties of defining the essence of a real marriage and the obstacles this categorical uncertainty generated for bureaucrats and immigrants alike.

POPULATION

Concerns about the quality and composition of contemporary Taiwanese marriages raise broader questions about national population that have preoccupied the government over the past decade. Marriage cuts across the three areas of concern described in the Population Policy White Paper of 2007: population aging, declining fertility, and immigration. Cross-Strait marriages traverse this population terrain and link marriage to the construction and management of population as a focus of governmental attention.

So-called caretaking marriages (照顧式的婚姻) directly link immigration flows to growing elder care needs in a society with ever-fewer young people available to support an aging population. Caretaking marriages typically

pair middle-aged Chinese women with elderly veterans, former soldiers who retreated to Taiwan with the Nationalist army in the late 1940s and formed a marginalized community of single men largely ostracized from local Taiwanese society and its marital opportunities.¹³ By the time cross-Strait ties resumed in the late 1980s, these men were in their fifties and sixties, facing old age without family support (and most with only a meager pension as veterans). In China, they looked for wives who would return with them to Taiwan and provide care as they aged. Most of these women hailed from the veterans' home provinces and were middle-aged and divorced or widowed, with teenage or adult children of their own.¹⁴ Many had been pressured to retire or "step down" (下崗) from collective and state-sector jobs with the onset of China's market reforms, and they found themselves increasingly disadvantaged in a job market that favored youth and higher education. They imagined that Taiwan would offer them better employment opportunities, and many were attracted by the promise of companionship and their husbands' (often exaggerated) portrayals of comfortable living environments and substantial financial resources.

Once they arrived in Taiwan, however, these women often found themselves living in dismal conditions, struggling to make ends meet on extremely tight budgets. As veterans grew older, moreover, many suffered strokes or other debilitating illnesses that required constant care from their wives. Hence, on the one hand, Chinese women relieved the burden on the state by providing care for aging veterans; on the other hand, these caretaking expectations came to define the authenticity of marriages that were otherwise deemed suspect due to significant age gaps between spouses and assumptions that older women's "real" migration goals were material, not relational. Wives who were perceived as not fulfilling their care responsibilities, either because they went out to work or because their husbands were so ill that they had to move to a nursing home, faced accusations of sham marriage and potential deportation.

Immigration bureaucrats have relied heavily on this caretaking paradigm to adjudicate marital authenticity in veteran marriages. The NIA often turns to the Veterans Affairs Administration to conduct investigations when the Chinese wife of a veteran applies for citizenship. On a warm September day in 2007, I found myself in a car with Mr. Liu, a Veterans Affairs officer, hurtling through traffic en route to a northern Taipei suburb to investigate a case where the eighty-year-old veteran-husband resided in a nursing home and his thirty-something Fujianese wife lived downtown near the restaurant where

she worked. As we parked outside the small, single-story building that housed the care facility, Mr. Liu commented to me that the wife's application would probably be rejected, not merely because of the couple's age difference (forty-two years) but, more important, because the wife had not been caring for her husband. The VA had a network of district-level volunteer representatives who provided support services to veterans and completed background research in cases such as this one. The local representative already had informed Mr. Liu that the wife rarely visited her husband in the four years he had lived in the nursing home, and Mr. Liu clearly was inclined to recommend that her application be denied.

The wife had been awaiting our arrival, and we walked quickly through the waiting area to a back room where the husband lay listlessly on a hospital bed. The group gathered around him, and Mr. Liu, shouting to counteract the man's deafness, asked whether he knew why we were there. Receiving no answer, other than a forceful shaking of the head, Mr. Liu casually reminded me that I had wanted to chat with the wife, thereby providing him an opportunity to speak privately with the husband. She and I retreated to the waiting room and, with the television blaring in the background, she described quite matter-of-factly the chain of events that had led her to marry her elderly husband. They had lived together in Taiwan for three years, she added, until two car accidents and a stroke forced him to move to the nursing home.

Walking back to the car after Mr. Liu had finished his inquiry, I asked the local representative what she thought about the case, and she responded drily that the wife merely wanted an identification card (that is, citizenship) and, according to the nursing home staff, had rarely visited her husband over the years. As the driver guided the car down the narrow alley that connected the nursing home to the main road, Mr. Liu pointed to a middle-aged man leaning against the wall next to a moped. "That is her boyfriend," Liu told me, information they had received from the staff who confirmed that he had brought her there on other occasions. I wondered how they knew for certain that he was her boyfriend, recalling that the wife had described him to me as a co-worker's husband. The details, it seemed, were irrelevant at this point, and the VA personnel were much more inclined to believe the staff at the nursing home than the wife's own claims that she cared for her husband even after he moved to the nursing facility. The final straw in her case was the testimony of her husband, who evidently had instructed Mr. Liu not to grant her citizenship out of fear that she then would leave him.

In the end, Mr. Liu recommended to the NIA that the wife's application for citizenship be denied. He explained to me that when couples live apart, as in this case, the Chinese wife "must show that she has continued to care for her husband. [She must] visit him often, on her own initiative, [to show] definitively that she is caring for this 'uncle.'" In this and other cases, the caretaking paradigm defined the outcome of bureaucratic evaluations of marital authenticity. Because a Chinese wife's citizenship application rests on her status as the spouse of a citizen, the evaluation of her application assesses the nature of her marriage as part of determining her future in Taiwan. The irony of this process, of course, is that despite the VA's professed commitment to protecting veterans' interests, Mr. Liu's negative assessment of the wife's application likely produced the very outcome that the husband had hoped to avoid: his wife's inability to continue to care for him—not because she had left him for another man but because the government had deported her for being in a "sham marriage."

If caretaking serves as the measure of marital authenticity for women married to elderly men, then childbearing performs this function for Chinese spouses with younger partners. As with elder care, immigrant childbearing also helps resolve critical population problems, in this case by offsetting low birth rates among Taiwanese women and "filling the gap" produced by a rapid decline in national fertility.¹⁵ On several occasions, I heard government officials herald this proactive contribution during public events targeting Chinese spouses (see also the 2007 white paper section on fertility, Li 2007: 232). Of course, the opposite sentiment also featured prominently in government statements and media accounts that criticized the additional resources that had to be spent on these children as compared to their native counterparts to ensure their future educational and employment success (Lin and Hu 2010).¹⁶ Yet, as Taiwan's birth rate tumbled to one (or even fewer) children per woman by the end of the first decade of the new millennium, the government seemed increasingly willing to expend these resources as part of efforts to encourage all married women, citizen and immigrant alike, to bear more children.¹⁷

For Chinese spouses who face sustained suspicion about their migration motives, childbearing enables them to assert marital authenticity and to benefit from preferential treatment that moves them more rapidly through the sequence of immigration stages toward citizenship and offers some security if their marriage fails. As they learn the intricacies of immigration policies, Chinese spouses quickly become aware of the personal and legal benefits of

childbearing and the protections it provides them. At the same time, those who cannot or who choose not to procreate experience greater anxiety about their prospects for citizenship and societal acceptance.

Although immigrant childbearing is widely identified by bureaucrats as a sign that the marriage is not a sham, it also raises questions about what kind of Taiwanese children these will be. Ethnic and cultural similarities across the Strait, combined with the nearly universal choice of Taiwanese citizenship for these children, mean that procreative Chinese spouses contribute to reproducing an ethnically Chinese Taiwanese nation.¹⁸ At the same time, however, concerns that ethnic similarities might mask differences in political views and national identification also extend to the second generation, who, so it is feared, may be unduly influenced by their Mainland Chinese parent or, like Pan's daughter, may even be raised and educated in China.

For many of the bureaucrats and officials I interviewed in Taiwan, the primary means of insuring that a child of a cross-Strait marriage would become Taiwanese in orientation and commitment was to raise and educate that child in Taiwan. Although bureaucrats had no right to monitor a child's place of residence while a cross-Strait marriage was intact, they could and did regulate those arrangements when a Taiwanese child became the basis for a Chinese parent's residency status. In 2008, during revisions to the policy permitting continued legal residence for a divorced Chinese spouse who had received child custody, bureaucrats added a clause specifying that the child in question had to reside in Taiwan for more than 183 days per year; otherwise the Chinese parent's residency status would be revoked. One NIA bureaucrat in the residency division spelled out two rationales for this restriction aimed at preventing Chinese spouses with child custody from sending their children back to China: One, the practice made immigration officials suspicious that the Chinese spouse demanded custody after a divorce only as a means of obtaining citizenship; and two, it created an undesirable custody situation for the child "because we all know that it is best for children to be cared for by their parents." Dismissing the validity of any pragmatic arguments regarding how best to support that child, the bureaucrat then admitted:

Actually, the primary [reason] for this requirement is that [we] want her to care for our Taiwanese children [台灣之子]. To be frank, we don't want Taiwanese children receiving a Mainland education. Once the child is older and is brought back to Taiwan, that accent [and] way of thinking will cause adjustment difficulties and will create another wave of societal problems.¹⁹

This bureaucrat's frank comments on motivations behind these policy changes reflect the complex position of Chinese spouses who bear children for their Taiwanese families. On the one hand, childbearing attests to the authenticity of the marriage (or, presumably, at least its consummation) and the Chinese spouse's willingness to reproduce a multigenerational Taiwanese family. On the other hand, however, the government is concerned about protecting those children from becoming too tainted by their parent's Mainland origins, especially in divorce cases where the Taiwanese parent might not actively participate in childrearing. As a result, what is often a practical decision on the part of a divorced Chinese spouse—sending a small child to live with parents or siblings so that she can work long hours to support the child—is transformed into the strategic "use" of child custody for purposes ostensibly unrelated to her parental status, with the undesirable result of making a Taiwanese child into a Mainland child through the force of family socialization and exposure to the Chinese education system.

SOVEREIGNTY

Government concerns about national identification, whether directed at Chinese spouses or at their children, situate cross-Strait marriages squarely in the contested political terrain of China-Taiwan relations and Taiwan's own uncertain sovereign standing. Marital regulation is not typically considered a sovereign act, but in a world increasingly defined by cross-border mobility and international legal norms, it has become a site for enacting sovereign power through literal and figurative control over national borders (Dailey 2009; Surkis 2010). When marriage to a citizen constitutes grounds for entry or naturalized citizenship or when cross-border marriages are viewed as potential threats to the desired composition of the national body, marital immigration laws and regulations may enact sovereign claims by policing the boundaries of national inclusion. In cases such as Taiwan where other modes of sovereign assertion are foreclosed by the lack of international recognition, the government's ability to regulate cross-border marriages and marital immigrants powerfully substantiates Taiwan's sovereign aspirations, and no more so than when the foreign spouse hails from Mainland China.

Taiwanese artist Chen Chieh-jen's video art production *Empire's Borders I* integrates marriage and sovereignty in a single representational frame as it contrasts the fate of young unmarried Taiwanese women denied visas to the United States with the experiences of the Chinese wives of Taiwanese citizens

who face similar obstacles in their efforts to enter Taiwan or establish residency and citizenship. Created in response to Chen's own humiliating treatment by a visa processing officer at the American Institute in Taiwan (AIT), the U.S. consular office in Taipei, *Empire's Borders I* employs a stripped down, quasi-documentary style in which the eight women in each section impassively narrate their own encounters with bureaucratic representatives of sovereign power.²⁰ Their accounts starkly depict the arbitrary nature of border control decisions that enact sovereignty through marital evaluations. Chen's choice to pair Taiwanese with Chinese border crossers and the AIT with the NIA powerfully situates Taiwan and its sovereignty dilemmas at the borders of both the United States and China.

Empire's Borders I enacts the gendered features of border regulation through its focus on marital status as the common bond linking unmarried Taiwanese women applying for U.S. visas to Mainland Chinese women seeking entry to and citizenship in Taiwan on the basis of their marriage to a Taiwanese citizen. The first part of the video shows how the motives of the eight young Taiwanese women are rendered suspect precisely because the women's unmarried status suggests to AIT interviewers that there is nothing tying them to Taiwan, a suspicion that assumes marriage is an inevitable, even necessary, stage in a Taiwanese woman's life course. As a result of their single status, the young women are viewed as likely candidates for illegally overstaying their visas or seeking permanent residence in the United States.

The video depicts how gendered expectations for marital roles and behaviors undergird border decision making (just as they inform subsequent immigration decisions made after entry, as previously described); as a result, women who seek to cross borders find their marital lives scrutinized closely by immigration officials. The Mainland Chinese wives in the second part of *Empire's Borders I* come under the Taiwanese state's investigative and regulatory gaze precisely because of their marriage to a citizen. Their unions generate suspicions about their border-crossing motives that derive from gendered assumptions about proper marital roles and behaviors that reaffirm many of the gender continuities in Taiwanese marriages described by Yu and Liu (Chapter 10).

The eight Mainland Chinese women featured in the video represent different kinds of cross-Strait unions, from younger women who have borne children with their Taiwanese partners to middle-aged women in "caretaking marriages" with elderly veteran-husbands. Portrayed standing in the control

zone of Taiwan's main international airport, facing away from immigration with their luggage carts in front of them (as if they are being sent back to their place of origin), the women read from notes jotted on the back of official forms. Speaking in Mandarin and various dialects, they, like their Taiwanese counterparts in the first segment of the video, recount experiences of bureaucratic suspicion and heartlessness, the arbitrary nature of sovereign power, fears of deportation, and painful separations from children and other family members. Running throughout their narratives is an indictment of their harsher treatment in comparison to other foreign spouses and the societal discrimination they have faced while resident in Taiwan.

Chen portrays the U.S. visa system (here enacted by AIT interviewers) as the international standard of border regulation, a status confirmed through its modeling by Taiwanese immigration bureaucrats in the second part of the video. The narratives in both sections affirm the arbitrary nature of bureaucratic decision making and the indiscriminate sovereign power that stands behind it; at the same time, the women's stories depict the marital foundations of sovereign assertions as they underscore how assessments of marital status and quality pervade bureaucrats' exercise of discretionary power. One middle-aged Chinese woman whose husband was in a nursing home recounted a tale that paralleled my encounter with the Veteran's Affairs Administration described in the previous section. In a trembling voice, the woman narrated how she had fought to obtain citizenship after nursing home workers reported to an investigator that she and her husband argued frequently, misinterpreting her raised voice as anger instead of as a response to her husband's growing deafness. As a result, her application for citizenship was denied, and only after her husband wrote a letter to the NIA testifying to her attentive care over the years did she finally receive citizenship.

The arbitrary nature of decisions about whom to admit, deny entry to, or bestow citizenship on does not point to an exceptional form of governance that deviates from rational administrative procedures. Instead, this very arbitrariness (as seen in the exercise of bureaucratic discretion) undergirds a mode of sovereign power that reconstitutes itself through constructing an ever-changing legal threshold where inclusion and exclusion, approval and denial, meet (Agamben 1998, 2005). For many countries, border control practices have spread beyond the physical site of the border to ports of embarkation and government offices overseas, thereby extending the reach of sovereign decision making through the spatial extension of specific bureaucratic and

policing practices (Bigo and Guild 2005; Coutin 2003; Mountz 2004; Ong 2000; Pratt 2005; Rajaram and Grundy-Warr 2007; Salter 2006; Sassen 2006). Chen's pairing of Taiwanese women's U.S. visa application failures with Chinese women's immigration obstacles in Taiwan shows how Taiwan has adopted these bureaucratic procedures to assert its own sovereignty, even in the face of a contracted space of national governance that prevents it from projecting those sovereign practices across the border into China.

Given Taiwan's limited international recognition, the border interview system best exemplifies the kind of bureaucratic practice that produces sovereignty effects (Friedman 2010a). Applied only to Mainland Chinese spouses and their Taiwanese partners, the border interview requires a face-to-face encounter between Chinese immigrants and Taiwanese state actors during which the state representative is empowered to make a sovereign decision about whether to admit the Chinese spouse. The effect of this decision is not lost on the couple or the interviewer. For Chinese spouses, the interview is the first in a series of evaluations they face during their long wait to citizenship, and it confirms their differential treatment as compared to other foreign spouses. "Why is it only Mainland Chinese spouses who have to suffer endless scrutiny in Taiwan?" asks a young woman in the second half of *Empire's Borders I*. "Can't we just be treated the same as other people?"

This question—why must Chinese spouses be treated differently from all other foreigners?—speaks directly to the contestations over sovereignty that infuse cross-Strait relations more generally and that shape cross-Strait marital regulation specifically. Because Taiwanese bureaucrats are unable to interview potential immigrants on Chinese soil (as they do with foreign spouses in their home countries), their border decisions assume heightened importance by repeatedly invoking the specter of deportation. At the same time, their very decision-making power also reaffirms Taiwan's de facto sovereignty, especially when it is enacted in response to Chinese border crossers who stand in for China's refusal to recognize Taiwan as an independent nation-state.

The substance of this sovereign power is not just any kind of border control, however, but specifically the decision about whether to recognize the marriage of a Taiwanese citizen to a Mainland Chinese. Cross-Strait marriages, in this sense, create the foundation for sovereignty by enabling family reunification claims that require governmental evaluation of the authenticity of such marriages, in part through assessing whether Chinese spouses perform expected gender roles defined by a traditional model of culturally Chinese marriage.

Whether this immigration apparatus actually makes Taiwan more sovereign or whether it merely reaffirms the violence of border control is the question that animates *Empire's Borders I* and its undisguised critique of Taiwan's efforts to imitate the United States through its policing of Chinese spouses.

CONCLUSION

The key place of marital regulation in Taiwan's sovereignty project is perhaps unexpected, and yet, seen from another perspective, the marriage-sovereignty nexus merely broadens the role of marriage as a relationship that normalizes diverse forms of intimacy by weaving them into the fabric of a national body politic (Berlant 1997; Cott 2000; Friedman 2006). Through evaluating marital roles and migration intentions, immigration bureaucrats create a gendered ideal of authentic marriage that channels Chinese spouses into care work, household labor, and childbearing. These expectations subsequently affirm both traditional Taiwanese gender norms and definitions of "real marriage" that are incorporated into immigration policies designed to block "sham marriages." As a result, Chinese spouses may find that the decision to marry a Taiwanese does not enable them to "develop" (發展), as many desire, so much as it relegates them to domestic spaces and the unremunerated (and largely unrecognized) work of caring for others.

Current Taiwan government concerns with a rapidly aging population and below-replacement birth rates offer some possibilities for integrating Chinese spouses into the national body. As caretakers of elderly husbands or in-laws and as bearers of new Taiwanese children, Chinese spouses reduce the burden these population pressures place on the state. Hence, marital immigration—although deemed a population concern in its own right—nonetheless cuts across these other demographic domains to offer redemptive possibilities for the nation and the immigrant spouse. But this redemption rests on the condition that an immigrant spouse conform to expectations that she place her marital commitments above all other interests, lest the shadow of material motives darken her migration intentions.

By linking care for the elderly and childbearing with the influx of immigrant Chinese spouses, cross-Strait marriages provoke a wide array of regulatory policies aimed at limiting access to national inclusion, cultivating the health and competitiveness of the population, and maximizing identification with the Taiwanese nation. Precisely because Taiwan faces its greatest sovereign threat from China, the entry of Chinese marital immigrants provokes

heightened governmental and societal anxiety about the future national identification of these immigrants and even that of their children. The labyrinthine immigration and residency system that regulates Chinese spouses speaks to the depths of this anxiety and its contested management across the complex terrain of cross-Strait relations. At the same time, however, the myriad decisions Taiwanese bureaucrats and officials make on a daily basis about the fate of Chinese spouses also enable them to enact national sovereignty both at the border and domestically as they assess marital immigrants' entry, residency, and citizenship claims through evaluating marital authenticity and the performance of expected spousal roles. These bureaucratic practices reaffirm public investments in the state of Taiwanese marriages, especially those that enable sovereign claims by uniting spouses across the fluid borders of the Taiwan Strait.

NOTES

1. On the relation of marriage to nation, see Berlant (1997), Borneman (1992), Chao (2004), Constable (2003, 2009), Cott (2000), Friedman (2006), Glosser (2003), and Somerville (2005).

2. For a sample of this literature, see Canaday (2009), Chen (2009), Gardner (2005), Luibheid (2002), McKeown (2008), and Yue (2008).

3. In her analysis of marriage annulment as a governmental tactic in France, Surkis also shows how "the regulation of marriage produces and protects French sovereignty." Although France certainly enjoys secure sovereignty in comparison to Taiwan, its efforts to combat "fake" and "forced" marriages involving Muslim immigrants invoke a need to uphold the sanctity of French law and public order that reflects "a perceived crisis of the French state" (Surkis 2010: 537).

4. Over the years, this research has been supported by the National Science Foundation (#BCS-0612679), the Wenner-Gren Foundation for Anthropological Research, and the Chiang Ching-kuo Foundation. I am grateful to the many people in Taiwan and China—immigrants, citizens, bureaucrats, officials, NGO workers, and activists—who gave generously of their time and energy to educate me about their experiences, concerns, and aspirations.

5. Only in 1992 were Chinese spouses granted rights to enter, obtain residency, and gain citizenship in Taiwan with passage of the Act Governing Relations between Peoples of the Taiwan Area and the Mainland Area (台灣地區與大陸地區人民關係條例).

6. By comparison, 153,858 foreign spouses had entered Taiwan by the end of 2012, and 101,679 had become naturalized citizens (Taiwan National Immigration Agency and Department of Household Registration, "Number of Foreign and Mainland

Spouses in Each County and City by Documented Status, 1987-2012"; retrieved on August 13, 2013, from www.immigration.gov.tw/public/Attachment/31241924454.xls).

7. For instance, based on surveys conducted between 1999 and 2006, Chu and Yu (2010: 98-99) found that approximately 31 percent of women who first married after 1990 were age twenty-nine or older, and approximately 40 percent were in the twenty-five to twenty-eight age range. In 2012, the average age at first marriage for women was 29.5 years, up from 27.8 in 2006 (Taiwan Department of Household Registration, Ministry of the Interior, "Median and Average Age at Marriage," updated May 30, 2013; retrieved on January 22, 2014, from www.ris.gov.tw/346).

8. A 2010 survey on gender equality conducted by the government-affiliated Research, Development and Evaluation Commission found, however, that roughly 60 percent of respondents did not agree with the statement: "Men should bear the responsibility of making money to support their families, while women's work is handling household chores and caring for the family" ("Taiwanese Believe" 2010). These findings recognize women's high rates of workforce participation but may not indicate actual changes in the gender division of household work, as Yu and Liu (Chapter 10) suggest.

9. Men are certainly a minority among Chinese spouses in Taiwan, constituting approximately 5 percent or less of those who enter the country. Wealthier and better-educated Chinese men tend to expect their Taiwanese wives to relocate to China. I interviewed approximately ten Chinese husbands in Taiwan and China, together with several Taiwanese women married to Chinese men.

10. Interview with author at National Immigration Agency Headquarters in Taipei, February 4, 2008. Another factor that informs this formulation of sham marriage is the inability of Mainland Chinese to enter Taiwan purely for employment unless they are skilled white-collar workers.

11. Pan emphasized her parents' respectability by describing how they worked for reputable work units and raised three daughters, of whom she was the youngest. Pan claimed she had fallen only a few points short of testing into college and, as a result, worked for eighteen years in a state-owned foodstuffs company before marrying her first Taiwanese husband. Although she had had a boyfriend in China, she had never wed prior to this marriage, itself a sign of changing marriage practices in the Mainland.

12. This categorical ambiguity was also recognized by bureaucrats at the other end of the system, such as those who arrested and investigated Chinese spouses suspected of sham marriages and prepared them for deportation. See Chao (2010: 174-175) for a similar commentary by a Mainland affairs policeman about the fluidity between categories of sham and authentic marriages.

13. Not only were these men separated from civilian society in military camps and communities, but military regulations in force in the 1950s barred them from

marriage while they remained in the service. I did interview some couples where the elderly husband was native Taiwanese, typically divorced or widowed, and also seeking a caregiver in old age.

14. I also interviewed veterans who had married younger, never-married women, some of whom bore them children. The risk faced by all wives of elderly veterans was that their husbands might die before they obtained Taiwan citizenship. Prior to 2004, widowed Chinese spouses without minor children in Taiwan enjoyed no protections against deportation if they had not yet become Taiwanese citizens.

15. In both 2009 and 2010, Taiwan's total fertility rate was 1.0, one of the lowest in the world (Population Reference Bureau 2010). By 2011, it had dropped below 1.0. Of the roughly 190,000 babies born in Taiwan in 2009, some 17,000 were born to Chinese and foreign mothers, or 8.7 percent of all births. From 2004 until 2009, children born to foreign and Chinese spouses grew from 1.6 percent of primary and middle-school children to 6.1 percent. By 2009, this meant that 1 in every 8.4 children in the first year of primary school had a parent who was not Taiwanese, and 1 in 24 had a Chinese parent specifically (Lin and Hu 2010).

16. Concerns about the "quality" of children born to cross-border couples feature more prominently in assessments of childbearing by Southeast Asian spouses, and public figures have been taken to task for openly expressing racist attitudes about mixed-race Taiwanese children (Hsia 2009: 34–35).

17. During follow-up interviews I conducted in the summer of 2011, several Chinese women who already had children reported to me that they had been contacted as part of a government survey to assess their future childbearing plans and to learn what kinds of assistance would encourage them to have another child.

18. This is in contrast to Southeast Asian wives who are marked as racially different and, hence, who are seen as producing mixed-race Taiwanese children.

19. Interview at National Immigration Agency headquarters, Taipei, Taiwan, May 18, 2008. There was a year and a half period during which this restriction on the length of time a child could spend outside of Taiwan also applied to divorced Chinese spouses who had acquired citizenship within the past three years. In other words, NIA bureaucrats saw fit to regulate the childrearing arrangements made by a single Chinese parent even after she or he had become a Taiwanese citizen. Elsewhere, I have argued that this regulation was part of a broader array of policies that created a graduated citizenship structure in Taiwan that denied full citizenship rights to Taiwanese citizens who recently hailed from Mainland China (Friedman 2010b).

20. The women in the first part of the video are actresses from a local theater troupe who recite narratives culled from public responses to a blog that Chen established in the aftermath of his humiliating experience at AIT. The second section features Chinese wives narrating their own experiences.

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