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# *Cultural Norms and Lesbian Marriage: A Feminist Study*

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***Abstract:*** This essay aims to explore the cultural norms that resist the legislation of lesbian marriage in China, examining the influence of traditional ideologies, social expectations, and cultural environment on the LGBTQ+, especially the lesbian community. In the passage, the reason for the formation of homosexual relationships will be discussed, followed by the impact of Confucianism, Buddhism, and Taoism on shaping the social views against female-only marriage, which are generally recognized as the three most representative ideologies in China. The essay also describes and analyzes the traditional and contemporary expectations placed on women in Chinese society, highlighting how those expectations limit women's free will and abilities in a male-dominated society. A comparative analysis between Western and Eastern cultural developments regarding the legislation of homosexual relationships is illustrated in the last part of this essay, which shows how the inaction of Chinese women led to the lack of attention toward lesbian legislation from society.

***Keywords:*** Lesbian marriage, Cultural norms, Chinese society.

## 1. Introduction

Since time immemorial, homosexual lovers have been known as a special group of people, garnering increased attention worldwide. Yet in Chinese culture, same-sex relationships remain in their social position as a phenomenon that is excluded and denied, even though people are taking actions such as promotion to let Chinese recognition follow the world progress. That is mainly because the conservative ideologies of a country are always challenging change because of relatively flash transformation. Especially in China, which is a civilization with more than 5000 years of history, people significantly emphasize the traditions and customs, just like Confucius, who cannot accept the appearance of same-sex marriage. The development of lesbian, gay, bisexual, transgender, and queer (LGBTQ) acceptance in Chinese society led to psychological and societal pressures on them and forced them to conform to heteronormative standards. This essay aims to explore whether cultural norms are affecting the resistance to lesbian marriage legislation, which, in the author's opinion, can be concluded as the social contracts that limit Chinese people's freedom of thinking and deciding.

One of the most significant factors shaping the resistance to legislation of lesbian marriage is Chinese traditional beliefs toward religious and different ideologies. This essay will mainly touch on Confucianism, Buddhism, and Taoism and review the contexts in ancient classics from political, theological, and philosophical perspectives. Additionally, social expectations also lead to the non-legislation of homosexual marriage. In the second part of the essay, the traditional and contemporary expectations toward females in China will be described with data and recorded evidence, such as

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bamboo slips. The last part of this essay will focus on the comparison between Western and Eastern homosexual cultural development and legislation processes. A reason for non-legislation in China will be built from a psychological point of view.

The most unique part of this essay is the comparison between Chinese and Western cultural ideology, which can demonstrate the globalization of the idea of lesbians and showcase the lack of ideological development about lesbian marriage in China. Therefore, this essay will construct a platform for people with foreign backgrounds to better understand the lesbian situation in China and allow Chinese people to know the shortcomings and gaps compared to other regions.

## 2. Background Information

### 2.1. The Doctrines about the Development of Gender Roles

In the common academia, Austrian psychoanalyst Sigmund Freud is the earliest person to state the idea that biological characteristics determine gender roles. He reckoned that the different gender inheritances mainly decide the psychological differences between males and females. Furthermore, he argued that the gender identity and preference of a certain individual are determined by his or her opinions of their parents [1].

However, Judith Rich Harris, a researcher of group socialization in America, argued that families and parents influence children's personalities less than the surrounding environments, including same-age classmates and friends. Analytical research shows that even though parents apply education that is inappropriate for their children's gender, it will not affect the gender identities of the children as they already have the cognition about different genders at one year old [2].

In modern anthropological studies, researchers from Taiwan divided the lesbian groups into pure masculine lesbians, pure feminized lesbians, and lesbians that blur between masculinity and femininity [3].

### 2.2. The Causes of Gender Roles of Lesbian

There are mainly two perspectives about the formation of gender identity as both masculine lesbians and feminized lesbians; one is about innate brain structures and genetics, and the other is about acquired environments, such as adolescence, childhood experiences, and family education.

According to "The Second Sex" by Simone de Beauvoir, psychoanalysts especially highlighted the influence of mothers on the growth of masculine lesbian identity for girls during adolescence [4]. To be more specific, both coddling and abuse can cause special feelings for a girl to be willing to protect another girl. Another example could be that when a girl is growing up in a family that wants to have a boy or only has males, she will be educated as a male child and build a masculine personification.

About the formation of feminized lesbian identity, one perspective is that they are born with a narcissistic personality. Because they love themselves as females, they will only love people similar to them, who are also females. Another group of people believe that because some girls start to fear boys for various reasons. It may be due to the family's over-education about the dangers of males from parents to protect their children, also the past experiences that a male had hurt.

## 3. Causes of Non-legislation of Lesbian Marriage in China

### 3.1. Religions And Ideologies Occupied Chinese People's Mind

In the common sense of Chinese people, culture is the basis of the nation's development, and different ideologies and religions form the core of Chinese culture. Among the hundreds of thinkers in China,

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the three most famous and significant influences of philosophies distilled from history are Confucianism, Buddhism, and Taoism. Unfortunately, all of them contain ideas about family that are opposite and even against the growth of lesbian marriage.

### 3.1.1. Confucianism and Lesbian Marriage

Since the Han dynasty of China (202 BC~220), rulers of Chinese nations placed Confucianism as the national belief. They built laws, policies of governance, and moral principles based on the ideologies settled by it.

"Book of Rites," a classic about the rules and principles for Chinese people in interactions with others, states that marriage is not just about the choice between two youths but is linked with the social dignity of two families [5]. Therefore, in Confucian family ethics, the marriage of two youths is totally under the control of their older families; their love and willingness are not considered while determining their life partner.

In addition, in the context of feudalism, there is extreme inequality between males and females after marriage, and the wife's submission to her husband represents the husband's dignity and status. According to Dong Zhongshu, a Confucian scholar, one of the three principles of Confucianism-based society is the husband's dominion and servitude over his wife. Meanwhile, to maintain the bloodline of males, they are morally allowed to marriage with more than one female to bear more children, while chastity was regarded as the most important quality of a female [6].

It is clear that women had a very low status in ancient Chinese society, and males were those who had the capacity and right to control the families. Also, even though youth had the idea of protecting women's rights, as mentioned before, the real choice is controlled by the elders of the family, who are usually absolutely against homosexual relationships. Confucianism also believes that the foundation of a peaceful society is a happy family, and a qualified family is formed by the participation of males to the obedience of females [6]. Since males have been seen and treated as the main individuals in a family unit who can bring the league dignity and honors, the elders resolutely oppose the establishment of a family with two females.

### 3.1.2. Buddhism and Lesbian Marriage

Buddhism is another religion that began to develop in China during the Han dynasty; at the beginning, the audiences were centered on the upper classes, such as royal families and local royals. Since the Tang dynasty (618~907), its ideology began to penetrate the public. As a religion that used to receive special attention from the emperor, the secularization of Buddhism deeply affects people's opinions about marriage, especially females, in a wide range.

On the one side, allowing the public to believe this religion lets them begin to follow predestination. Before the secularization of Buddhism, social status was the most important consideration when two families were deciding whether to let the youth get together. A royal female could not marry a farmer male. However, within the promotion of the Chan sect, the idea that "everyone has the equal chance to become the buddha" became popular, which largely balanced the rights of males and females in a family because while discriminating against women, their husbands need to consider the possibilities for their wife to become the buddha [7].

However, as people began to believe in predestination, the controller of the family began to use it as an excuse to force females to marry the males. They stated that marriage is a part of life that people's actions in previous existence have determined, so it is the females' destiny to marry the males, and they cannot violate the willingness of the Buddha. Thus, females lost their rights to choose their mates, and the marriage partner chosen by their family were always males.

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Additionally, in the process of following the commandants in Buddhism and trying to become the Buddha, females are gradually falling into the self-proving trap prepared by a male-dominated society, which further emphasizes the absolute rights of males. Expressly, in Buddhist scriptures, the pains in the world are limited, so if the monks and nuns can endure more, other people will suffer less. Therefore, since the Tang dynasty, a huge number of females entered the temple and became a nun to relieve the pain of their families because they wanted to gain respect by doing so [8]. Indeed, society admired this action, but at the same time, this became one of the limited ways females used to raise their social status by restricting self-freedom.

#### 3.1.3. Taoism and Lesbian Marriage

Taoism is a local Chinese religion, and its main belief is to follow the natural rules, which is against lesbian marriage. In Taoism, males symbolize Yang, meaning positive elements; females symbolize Yin, meaning negative elements. The rule of nature is formed by the balance between Yin and Yang, and human beings, as a part of the natural world, should contribute to the balance [7]. Therefore, males and females have to get together to construct a balance. If two females establish a family, the over-negative relationship will damage both themselves and the whole family league.

Secondly, part of Taoism believes that combining Yin and Yang is a way to maintain a healthy body. One of the sects of Taoism in Southern China typically focuses on the exploration of sexual action between males and females. Taoist believers are usually used to indulge in sexual activities, and they have a classic named "Art of Lovemaking" [9]. Homosexual relationships, as mentioned before, cannot include Yin and Yang at the same time, and lesbians are biologically unable to preserve their health by applying sexual activities.

In another part, Taoism argued that the final goal of cultivation is to become immortal; to achieve that, restraining the desire is one thing that needs to be done. According to Zhan Luan, six emotions need to be rejected, including love for parents, marriage partners, lovemaking, interests, and social status [10]. In other words, Taoism is opposed to the relationships between two lovers. Lesbian marriage is included in this case.

### 3.2. Social Expectations Forcing People to Create Gender Co-existing Families

It can be seen in the passage above that in Chinese society of male supremacy, females are in a relatively lower position. Therefore, based on the needs of both society and males, there are a huge number of cultural expectations and responsibilities that the whole society assign to females. Those restrictions highly limited the acceptance of lesbian partnerships.

#### 3.2.1. Social Expectations Toward Females in Ancient China

The Qin dynasty (221 BC ~ 207 BC) is almost the earliest dynasty that has a complete record of the social expectations towards females. The bamboo slips found in Shuihudi, Mountain Zhangjia, and relics stored in Peking University represent the general definition and anticipation for a successful woman in ancient Chinese times; filial piety toward the elders of the husband's family is the most important criterion to assess the goodness of a female.

Women's filial piety was safeguarded in the Qin dynasty through two-tiered measures of morality and law. From a moral aspect, applying filial piety to the elders from the husband's family has been seen as a foundational rule to justify whether a female is ethical. In a book named "The Education of Female" created in the Qin dynasty, it is expressly stipulated that as the wife of a male, a female needs to have the ability to sense the moods of elders in her husband's family. When the elders are in a bad mood, females should cook soups for them during the day and prepare porridge at night [11]. Additionally, in the Qin dynasty law, there were conditions that a female would be officially punished

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for not being morally filial. For example, in the bamboo slips stored by Yuelu Academy, if a female verbally abuses the elders in her husband's family, she will be cut off her hair and eyebrows in front of the public, which is a very serious punishment at the time that people placed their hairs as the representation of dignity. If a female further assaults the elders, she will be sent to a random minister's family and be served as handmaidens [12].

Moving to the Han dynasty, society began to justify females from specific wording and behavior perspectives. The book "Commandants of Women" by Ban Zhao pointed out that there are four principles for women to follow. Virtuous means to be faithful to husbands; nice in speech; cannot speak ill to others; have a good appearance; keep tidy and beautiful in front of families; be capable, skilled in spinning and entertaining guests [13].

In conclusion, it can be proved that from both morality and legislation perspectives, all the social expectations toward females in ancient China were trying to judge them based on the situation that they were successfully married to a male and were living in their husbands' families. Therefore, it is hard to break the moral and legal principles and difficult to have a female-female marriage in ancient China.

### 3.2.2. Social Expectations Towards Female in Contemporary China

Compared to ancient times, the social status of women had improved in perspectives such as education, employment, and political rights, but the inequality between sexes since feudal society is entrenched in people's concepts. There are three relatively traditional expectations of females in contemporary Chinese society.

Firstly, there are serious stereotypes of the differences between males and females in the public. From a general view, males are always logical, independent, and active, while females are emotional, dependent, passive, and sensitive. Based on the difference in temperament, the male personality should be resolute, confident, generous, and responsible, while the female personality should be gentle, considerate, submissive, even weak and selfish. Most Chinese believe that these characteristics are formed by nature, and all the media, like literary works and films, highlight the traditional virtues of women, such as softness, patience, and understanding. This kind of recognition limited the development of feminism in modern China. Chinese females cannot stand in the position of decision-making and usually need to follow the opinions of the males in their family. According to a survey created in 1990 by the National Women's Federation, only 0.1% of males thought females had the opportunities to promote their ideas, while no females thought so [13].

Secondly, lack of self-esteem, self-reliance, and high levels of dependency are included in the cognition of most females in China. This can be proved from both their views on marriage and employment. Part of Chinese women are highly dependent on marriage and their husbands, have a family has been seen as their goal in life. After having a husband who is working outside, those women will voluntarily give up their own jobs. When mentioned about the question "how many laborers the family had," the members from several families in Fujian usually do not include girls and women [14]. Also, women usually have the demand of being taken care of, and males are always desired to take care of them. Some females in China are used to dreaming of a life of unemployment, and they wait for husbands or policies to protect their survival needs. Based on this mental concept, it is easy for the public to define all females as a high-demanding group depending on the male-dominated society, which should not be able to separate from male power and build a female-only family.

Thirdly, society is overly concerned about females' external beauty, causing the culture to judge them based on their appearance. In most situations, beauty has been seen as the most important "ability" for a woman to be successful. People generally agree that if a woman has a nice outlook, it will be easy for her to earn money and social respect by doing jobs such as stimulating male

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consumption through seductive gestures. Therefore, females have been considered tools that have sexual functions and beautiful outlooks. Thus, society does not support the development of lesbians who cannot meet the demands in such areas of showing sex and "female beauty."

## 3.3. Collectivism in China and Individualism in The West

### 3.3.1. Changes in The Legal Status of Homosexuality in The West and China in Contemporary Society

The acceptance of homosexuality has grown both in the West and East world in recent times. In China, the regulations towards homosexuality shifted from decriminalization to non-pathologization and gradually eased. In 1997, China's new criminal law was promulgated, deleting the offenses of 'hooliganism' and 'sodomy', which are criminal charges usually used to punish same-sex behavior. In 2001, medical classification books officially removed homosexuality from the list of mental illnesses, achieving the shift from the medical definition of homosexuality in China as a "sexual deviation" to non-pathologization. Chinese officials first released data on the number of homosexuals and HIV infections in China in 2005, which demonstrates China's open and inclusive mind toward this situation [15]. After the development of over one decade, the level of discussion and social attention to homosexuality has increased compared to the past.

In the 1920s, homosexuality in the West was seen as a criminal action that was against and demeaned. However, even though it was not legally permitted, there was a recognition of the naturalness of this kind of behavior, which provided a suitable social condition for the eventual legislation of homosexual marriage [16]. Since the second half of the 20th century, there has been a significant liberalization of the law on homosexuality. In Sweden, homosexual behavior has been accepted as long as it does not involve young people under the age of 18 and special interconnected relationships, such as teacher-student relationships after 1944. In 1956, the Sexual Offences Act of the UK declared that sodomy was not an offense where it was not committed in a public space and in the presence of other people. 1967, British law finally legislated homosexual relations between adults; by the end of 1980, 22 states in the US had legislated homosexuality. Nowadays, countries such as Belgium, Spain, Canada, and France have all indicated that they have legislated homosexual marriage either nationally or in parts of the country [15].

### 3.3.2. Collectivism in China and Individualism in The West

The legislation of homosexual marriage, especially lesbian marriage, is not just the responsibility of the legislature but is highly related to the social movement and the strength of homosexuals fighting for their rights. In the mid-20th century, the sexual liberation movement in the West was widespread. In the early 1950s, the first homosexual organization was formed in Los Angeles in the US. With rapid development, at the time of the late 1960s, the Stonewall Inn riots involved 4 million people for homosexual demonstrations. Up to today, there are more than 600 gay and lesbian organizations and publications in the United States [17]. Compared with the Western movement, China is lagging. Until now, homosexual groups are still only active on the internet without forming a public political discussion. Many homosexuals in China complain that the main problem faced by the development of homosexual culture is not legislation. The society needs to improve the acceptance of this niche relationship [15].

Collectivism links individuals who view themselves primarily as parts of a whole; individualists are motivated by their own preferences, needs, and rights, giving priority to personal rather than group goals [18]. As seen in the descriptions above, Western people are courageous enough to fight for their rights, while Chinese people usually consider the social effects and are afraid to express themselves. That is because Chinese people are naturally concerned about their views and opinions towards them.

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Therefore, it can be concluded that the Western world is more independent, and Chinese society is collectivistic. Under this cultural norm, considering all the points we mentioned above, including religious and ideological beliefs and social expectations, Chinese lesbians are not encouraged to make their voices because they are afraid to be the otherness of the society. This awareness further led to the inaction in the fight for rights and blinded the world from Chinese lesbians' demand for legal marriage.

## 4. Conclusion

In conclusion, this essay discussed the cultural norms causing the non-legislation of lesbian marriage in China from historical, archeological, sociological, anthropological, and psychological perspectives. The factors can be simplified into the following points:

Religions and ideologies are affecting people's opinions about female-only marriage. Confucianism believes that a happy family is the foundation of a stable society, which mainly can be formed by filial piety towards elders in the husband's family and the control from elders who are usually against homosexual relationships. Buddhism further restricts females' free will by letting them believe the predestination that they must marry a male and seduce them into the self-prove trap that lowers their social status. In Taoism, males who represent Yang and females who represent Yin establish the balance of the world and maintain the health of their own bodies. Therefore, single-sex relationships can break and damage society from community-based and individual aspects immorally.

For social expectations, in ancient Chinese times, the success of a woman is judged by whether she could adapt and submit to her husband's family. Taking care of the elders and having techniques for speech, conduct, and behaviors all needed to be applied after women married men. Thus, society cannot access and accept a female who does not live in the family of her husband. In modern society, people continue to stereotype females as the attachments of males and assume them as a group that lacks powers and abilities. Therefore, society only allows women to belong to men.

Comparing the Western and Eastern development of homosexual culture, it is easy to see that Westerners are usually more courageous in fighting for their rights and interests, while Chinese people generally consider more about the consequences for them as a part of a bigger group. The collectivism in Chinese people's minds makes the lesbian groups in this culture afraid to express their needs, and other people naturally ignore them. Therefore, it seems like Chinese lesbians are not as highly demanding the legislation of marriage as the individualistic western lesbians.

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