

Human Rights Promotion Using Language and Cultural Means: Same-Sex Marriage and Taiwanese Civil Society

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CULTURE IS CONSIDERED A SYSTEM OF MEANINGS containing elements such as norms, traditions, and beliefs which construct the worldview of a person and hence influence how he/she decides his/her behavior and interacts with the world (see Jasper, 2005, pages 123-126; Ross, 2005, pages 137-141). To put it simply, culture is about the logic of appropriateness. If a person believes eating meat is appropriate, he/she eats meat; if a person believes what a religion promotes is appropriate, he/she supports it; if a person believes playing video games is inappropriate, he/she refuses to play the games. The logic also has an unconscious aspect. For example, spontaneously speaking in mother tongue is rarely questioned as inappropriate.

Education on human rights values after World War II is based on the logic of appropriateness on a global scale. For example, it asks people to move from believing in the appropriateness of treating females as inferior to males to considering them as equals. The fundamental goal of human rights promotion is to empower people to live with dignity and rights. The Vienna Declaration and Program of Action, adopted on 25 June 1993, states:

The World Conference on Human Rights reaffirms the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law. The universal nature of these rights and freedoms is beyond question. (I(1))

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Whether a state agrees with it or not, human rights values nowadays have become the moral boundaries of state-parties and individuals and shape the public expectation toward their behavior.

The promotion of human rights did not proceed without a hitch, however. When the government of Hong Kong was replying to the list of questions raised in the fourth report for the Universal Periodic Review of the Human Rights Council, for example, it tried to justify its violations and quoted two sentences from President Xi Jinping of China

There is no one-size-fits-all path for human rights development in the world. There is no best way, only the better one” (CMAB, 2021).

The illogical claim by some state-parties¹ of incompatibility between human rights [universality] and national culture [particularity] has been regarded as one of the greatest barriers to human rights promotion. Simultaneously, there is an increasing amount of literature suggesting and/or analyzing the “vernacularisation” of universal human rights – how human rights concepts intertwine with local culture and create new discourses, and how human rights are promoted through local channels such as cultural activities (e.g., Acharya, 2004; Caudwell, 2018; Levitt et al., 2013; Plantilla, 2019).

This article focuses on the promotion of human rights from a bottom-up perspective. Human rights promotion, a life-long process involving diverse forms and actors, includes both formal and informal types. While formal education on human rights usually takes place in schools and universities, the civil society (as distinguished from the government) usually engages in informal education and adopts casual methods (e.g., using songs) and actively mobilizes people (e.g., protests) in promoting particular rights. In this study of human rights promotion by civil society, two elements deserve greater attention – the language and the means to express messages. Both are fundamental and contextualized carriers of values used by the civil society in engaging with the larger society. These two elements are essential in the dialogue that the civil society actors would like to have with other members of society. Language as used in this article not only refers to verbal expression but also to symbolic representations (e.g., flag) that are widely associated with particular rights and/or groups. In promoting human rights,

it is necessary to understand the opposition that civil society faces and how such opposition is constructed and expressed.

This article discusses the languages and materials used in promoting (and opposing, if any) particular human rights during the last decade in Taiwan, and the roles culture played in the promotion process. It focuses on the same-sex marriage movement and the discussions on same-sex marriage rights in Taiwan.

This article argues that same-sex marriage rights are human rights, though these rights have not yet been covered by any international human rights instrument.

The Issue

Same-sex marriage rights were not intensely discussed until the 2010s after an administrative proceeding was filed against the Department of Household Registration in Taipei. This case involved the rejection of an application for registration of two people of the same sex as a married couple. This incident led to a widespread discussion of same sex marriage in society. Protests, assemblies, and activities were continuously initiated by different groups to express either support or objection to the legalization of same-sex marriage. The claims of the pro-LGBTQ+ groups included but were not limited to the legalization of same-sex marriage, the promotion of sexual liberation, and the implementation of inclusive education. On 24 May 2019, a law recognizing same-sex marriage was passed as the Act for Implementation of Judicial Yuan Interpretation No. 748.² This was a milestone for Taiwan and the first such law in Asia.

This article provides insights on how LGBTQ+ rights were promoted and contested in Taiwan, which is a leading liberal ethnic Chinese society in the world. It offers a glance at how civil society actors use languages and means to promote as well as oppose LGBTQ+ rights. It suggests that civil society actors should understand the character of the human rights or the human rights issue that they would like to promote to be able to adopt corresponding strategies to successfully promote such rights. These strategies include the use of languages that express ideas different from existing cultural concepts, the means that can directly convey human rights messages in a dialogue with society, and the changing societal contexts.

Compatibility between Confucianism and Human Rights

The debates over the compatibility between Confucian culture and human rights have continued for decades even in a liberal (i.e., Taiwan) or a semi-liberal (i.e., Hong Kong, particularly before 2021) ethnic Chinese society. Whereas Confucianism is perceived as deep-rooted in Asian and ethnic Chinese society, its strong emphasis on harmony, order and hierarchy simultaneously earns itself a derogative image among those who promote free and equal society. Online posts discussing Confucianism in two most popular local online forums in Taiwan and Hong Kong (PTT and LIHKG respectively) can help understand the everyday opinions regarding Confucianism in (semi-)liberal ethnic Chinese society (See Annex A for the titles and content of the posts shown on Google).

As expected, the views expressed were divided. Those who criticize Confucianism believe that it promotes inequality, absolute obedience to authorities, blind filial piety, and subordination of oneself. Education on Confucianism is labeled as an education of servility, serving as an anti-democratic tool to preserve the dictatorship and limiting modernization. In contrast, those who view Confucianism positively believe that the incompatibility between Confucianism and liberal values is an artificial one that started in ancient China. Authorities in the past distorted Confucianism and tailored it as a cover to support the absolute power of the emperor over its people. Therefore, the problem is not Confucianism but those who use it for governing purposes and private interests. This debate can also be observed in commentaries about Confucianism, politics, and liberal values in local news media; though the commentaries are more inclined toward supporting Confucianism that facilitates dictatorship (e.g., Hung, 2016, Yu, 2018; see also BBC, 2015). Regardless of their stances, they have generally agreed that, firstly, the Chinese authority nowadays is a typical example that has instrumentalized Confucianism to reject human rights, equality, freedom, and/or diversity. Secondly, Confucianism tends to encourage a vertical relationship (i.e., social hierarchy) instead of true equality.

Reformists, educators, and scholars have raised the view that ruling regimes since a century ago had used Confucianism and traditional culture to enslave the Chinese people,³ there is an increasing number of literature defending the compatibility between Confucianism and human rights values in recent decades. For example, Tang (2010) argues that common grounds

can be found in the two ideologies by looking into the duty language (義務語言) and rights language (權利語言) in Confucianism. According to her, the Confucian world social order and harmony are built on a human relationship model in which family is the core. From personal life and family to society and state, individuals are required to play roles to fulfill their responsibilities (pages 33-34). Yet, rights are not neglected in Confucian expression. Emphasizing the duty of the state to the people (e.g., protecting the life of the people) is simultaneously emphasizing the fundamental rights that people can enjoy (e.g., the right to live) from a Confucian perspective (page 35). Most importantly, Confucianism not only carries the principles of mutual obligation and the collective responsibility in each relationship but also equality of dignity by highlighting the need to think about others when taking action (page 33). Therefore, although Confucianism does not speak of human rights, Tang believes that the ideology itself is not entirely unrelated to what are being promoted nowadays (rights and equality in particular). She further argues that language adopted by Emperor Wu of Han (141 BC to 87 BC) and succeeding regimes distorted Confucianism and turned it into a unidirectional relationship by highlighting social status, stressing the duty of obedience, and emphasizing loyalty or even unquestionable submission to authority (pages 37-39).

Despite the subtle variances in the interpretation of Confucianism, scholars who support the compatibility between Confucianism, democracy, and human rights generally share similar view with that of Tang (e.g., Chan, 2011; Dan & Choy, 2011; Fetzer & Soper, 2007; Lee, 2002). They believe in the possibilities of developing and enhancing human rights with Confucian values and agree on the view that Confucianism has been distorted to become a tool of authoritarianism. As for the opposition, the strong emphasis of Confucianism on social hierarchy is regarded as one of the main difficulties in the promotion of human rights. From the Confucian perspective, duties outweigh rights, obedience outweighs challenge, and harmony outweighs conflicts (see also Chen, 2006; Gao, 2003; Weatherley, 2002). Additionally, some scholars, like Samuel Huntington, contend that the core values promoted in Confucianism (e.g., authority, cooperation, and responsibilities) make the ideology contrary to democratic values (e.g., liberty, competition, and rights), and democracy can only succeed by weakening Confucianism in society (Elstein, 2010; Fukuyama, 2010, page 22; Spina et al., 2011).⁴ Albeit a consensus regarding the compatibility between Confucianism and human

rights values (including democracy) is not yet established, it is clear that they are not entirely unrelated or hostile to each other.⁵ A path to coexistence may exist indeed.

Dialogue between Confucian Traditions and the Marriage Rights of Sexual Minorities in Taiwan

Despite the suggested theoretical compatibility between Confucianism and human rights, Confucian concepts are barely found in the discourse of individuals or non-governmental organizations/non-profit organizations (NGOs/NPOs) in promoting same-sex marriage rights in Taiwan. Rather, Confucianism is regarded as an enemy to their cause. In July 2016, Jennifer Lu,⁶ the current General Coordinator of the Taiwan Equality Campaign,⁷ wrote an article for the Thinking Taiwan Forum,⁸ titled [*Jennifer Thinking*] *The Future of Marriage Equality in Taiwan – United to Change Confucianism and Traditional Authoritarian Family Values*. She argued that the key obstacles to promoting equal marriage rights were Taiwanese Confucian values and its affiliated family ethics, and thus accomplishing the expectation of parents and emphasizing family values were indispensable traditional thoughts to the ethnic Chinese community (paras 6-7). Consequently, an individual act of “coming out of the closet” challenged the entire family and social structure (para 9). From this viewpoint, furthering the development of LGBT rights and democratic and civil society requires people to unite and “challenge the parent-child relationship” and “alter the meaning of children to the parents” (para 10).

This attack on Confucianism and traditional values, however, was relatively rare in 2010s when the same-sex marriage movement engaged the mainstream society with the logic of appropriateness. Instead, the movement used the human rights language (see photos below for examples of human rights expressions, Figures 1 and 2) such as the Rainbow Flag, “(Anti-) Bullying”, “(Anti-)Discrimination”, “Human Rights”, and “Equal Rights”, and also individual-centered language such as “Self/I”, “Sex”, and “Love”. These symbols and terms are different from the traditional Confucian language which stresses “Us”, “Parents” and “Collectivity.” Although the movement did not attack traditional values, it also did not localize the conceptual expression of LGBT rights in Taiwan. Nevertheless, there were attempts to incorporate universal claims of LGBT rights with local symbols, such as rec-

reating the national flag and map with the colors of the Rainbow Flag (see Figure 2).



Figure 1. A pro-LGBTQ+ activity held in Taipei on 28 November 2016.

From left to right, top to down, the words shown in the images are: “Marriage equality is human rights, human rights cannot wait”; “Marriage equality, forming a home because of love” (shown on the pink board) and “Pluralistic sexual desire” (shown on the green board); “Refuse to be a second class citizen, legislating a separate law = discrimination”; “Allowing Stephen Curry to Cheat but barring LGBT from marriage”.



Figure 2. A pro-LGBTQ+ protest in Taipei on 29 October 2016.

The board on the left side of the photo (Figure 2) states “Marriage equality;” the board on the right side of the photo states “Diverse Families.”¹⁰

Aside from organizing massive gatherings (e.g., protests) and formal activities (e.g., public speaking, forums and lobbying), promoting LGBTQ+ rights through cultural means is also observable in the work of NGOs/NPOs. For example, the Taiwan Alliance to Promote Civil Partnership Rights has its own thematic song. Part of the lyrics are translated below:

The Right to Love Each Other¹¹
[Translated from Mandarin Chinese]

...

It is more than the body existing between you and me, and in every night.

It is more than the inseparable soul between you and me, between two persons.

It is not only about you and me, but a fair opportunity to be heard by more people.

To hear the right of us to love each other.

(Lyricist/Composer/Arranger/Signer: Vanny)

Similarly, the song used human rights and individual-centered language such as “Rights” and “Love.” They neither criticize Confucianism nor selectively use Confucian concepts. More interestingly, when an outsider – who is not familiar with the Taiwan Alliance to Promote Civil Partnership Rights – hears the song, it is quite difficult for him/her to recognize the LGBTQ+ meanings carried by it. Rather, the song is more likely to be considered merely a romantic song. Thus, this strategy can help promote LGBTQ+ rights by avoiding triggering instant caution and resistance from an ordinary citizen when he/she hears the song. Songs, additionally, are a powerful cultural tool to promote ideologies in human histories, such as *La Marseillaise*¹² composed during the French Revolution in France (1789-1799), and *Glory to Hong Kong*¹³ composed during the Anti-Extradition Bill Movement in Hong Kong (2019-2021/present¹⁴). They are easy to disseminate and emotionally influential and effective in strengthening the bonds between individuals who uphold the same values.

In 2017, Mandopop singer Tanya Chua¹⁵ rearranged the song *We Are One*¹⁶ to support the International Day against Homophobia, Transphobia, and Biphobia. The lyrics echo those discussed in the previous paragraphs. Eight Taiwanese singers were invited to sing the song and more than one

hundred Taiwanese celebrities were included in its music video. Celebrity effects are exceptionally prominent in contemporary society. Since they are public figures and have branding value, their endorsement not only increases the visibility of the issue they promote but also emphasizes the appropriateness of accepting it. In other words, they have the power to reshape existing culture in society. A study done in Canada shows that political statements made by celebrities can make unpopular statements more acceptable to the public (Jackson & Darrow, 2005).

Advertisements and videos are another set of tools that the pro-LGBTQ+ organizations often used to communicate with the public during the same-sex marriage movement. For example, Marriage Equality Coalition Taiwan (n.d., page 38) produced an advertising video titled “The Innate Thought of a Father” on 2 December 2016. The video describes a father’s reaction when he found out his oldest daughter was a lesbian, with the narrations done by the father himself. While he was initially shocked by the revelation of his daughter, he started to search for information about the lesbian concept and relevant matters and was delighted to know that his daughter was living happily with her partner and daughter. The video ends with a scene where family members gathered for a family picture (photo below, Figure 3), interspersed with family pictures taken in the past. The video content challenges the mundane understanding of Confucianism in at least two ways. Firstly, the father is active in learning and accepting the behavior of his offspring.



Figure 3. Screenshot of the video “The Innate Thought of a Father”, The Present Tense of Family, 3 December 2016.¹⁷

From a traditional Confucian perspective, offsprings should fulfill the expectations and follow the instructions of parents (Chen, 2006, page 61). They are supposed to understand their parents instead of seeking understanding from them. Secondly, the family looks happy even when the oldest daughter comes out of the closet and does not submit to the established hierarchy. The meaning and image in the video imply that same-sex couples may not impair family relationships. Whether intended or not, the video confronts Taiwanese traditional family values and presents to the Taiwan public the possibility of having an alternative way of living.

Another promotional material used is poster. One poster challenges the traditional family structure, yet perhaps had won greater resonance in society (Figure 4). Wearing red sweaters, the two men (a homosexual couple) are in separate reunion dinners with their family members during a Chinese New Year Festival. The man in one photo is asked “Do you have a girlfriend?” while the man in the other photo is asked, “Why haven’t you married a wife?”. These questions are exceptionally familiar at the present time to most ethnic Chinese when meeting relatives in meals to celebrate Chinese New Year. Since being married and having offspring are significantly valued in terms of performing filial piety to parents and family members in Confucian culture, these questions are endlessly repeated until one has fulfilled his/her family mission. To some youth, these questions are a source of conflict during dinners. Hence, the poster captures the attention of heterosexual people (youth in particular) as the situation resonates with their experiences.

Moreover, to homosexual couples, the poster shows the awkward situation where they can neither confess to their family members about their relationship nor be together in the same dinner. Maintaining harmony during festivals is essential to traditional Chinese families. Revealing their relationship during dinner would make them a “common enemy” of relatives who uphold traditional family values and subject them to criticism for breaking family harmony. This perceived pressure within the family deters them from coming out of the closet. With the two characters looking straight at the camera, the poster establishes a direct conversation with the audience as well.

This poster astutely arranged verbal and visual languages. It not only interacts with traditional Confucian values but also seeks to educate and stimulate the compassion of other (ethnic Chinese) citizens regarding the

dilemma of homosexual couples during the celebration of one of the most important festivals in an ethnic Chinese society.



Figure 4. A poster created by the Marriage Equality Coalition Taiwan in 2017.

The two sentences written in white color in the lower portion of the poster translate to “In every Chinese New Year, (they) can only think of each other by wearing similar clothe. (We) hope that we can join the reunion dinner together in the next Chinese New Year.”¹⁸

These promotional materials are crucial in connecting the culture of the LGBTQ+ community to mainstream society. They serve as a channel to inform the majority in the society about the needs of the LGBTQ+ people and the dilemmas encountered in their daily lives, and hence aimed at creating a culture by which LGBTQ+ is not seen as something arcane or far from being understandable. In the promotion of their logic of appropriateness (i.e., marriage equality and protection of LGBTQ+ rights), the pro-LGBTQ+ bloc in Taiwan was active in adopting human rights and individual-centered expressions such as “Rights” and “Equality” and visual languages such as the Rainbow flag. This choice of language contributes to the concept of family by the same-sex marriage movement – a concept based on individual choice and the love between two persons. The choice of language also helps to increase the visibility of the LGBT-supporting groups. Moreover, since this culture goes contrary to Confucian traditions, Confucian values are barely used to localize or promote their claims. Confucian and traditional elements are often presented as either part of the background context or as ideas hostile to pro-LGBTQ+ claims.

Rejecting Same-sex Marriage and LGBTQ+ Rights to Defend Confucian Traditions

The promotion of LGBTQ+ rights in Taiwan in the last decade did not happen without challenges. Like the pro-LGBTQ+ bloc, the anti-LGBTQ+ bloc also adopted promotional materials to make their claims visible to the public, but using different verbal and visual languages. The anti-LGBTQ+ bloc in the last decade had four leading local anti-same-sex marriage organizations (established in 2013 – 2014): (1) the Coalition for the Happiness of our Next Generation which is an advocacy group; (2) the Family Guardian Coalition which represents religious parties; (3) the Defend Family Student League which represents students; and (4) the Mothers Shield Alliance for the Protection of Families and Children in Taiwan which represents women (mothers). Their ultimate goals are generally the same: oppose same-sex marriage and/or LGBTQ+-oriented inclusive education.

Despite their common objectives, the reasons behind their stance are different. For example, the Coalition for the Happiness of Our Next Generation listed six reasons for opposing same-sex marriage (2013, modified on 15 November 2016):

1. Legalizing same-sex marriage will consume enormous national resources and impact the government's efforts to boost the economy;
2. Same-sex marriage has ignited social conflicts in many countries, and Taiwan's hasty promotion of it is bound to trigger social conflicts and internal divisions;
3. The European Court of Human Rights has not reached a verdict on the issue, so Taiwan should not become the first guinea pig in the ethnic Chinese region;
4. Same-sex marriage lacks the potential for natural reproduction, which is not conducive to family continuation and population growth in Taiwan;
5. The largest group affected by HIV/AIDS is men who have sex with men, and it has become one of the top ten causes of death among teenagers;
6. Same-sex marriage does not align with the best interests of under-age children.

Though disputable, the reasons (except for point six) are relatively plausible viewed objectively from social and economic perspectives. Acutely articulating their claims with rational language (such as cost-benefit discussion) also makes their argument less sensitive and more plausible to local citizens. The Family Guardian Coalition was more outspoken about its stance. In response to a proposal to amend Article 972 of the Civil Code to change the definition of marriage as between a male and a female to two parties, the Coalition made a public statement in 2016 about three reasons for the objection, summarized as follows:

1. Attempts to legalize homosexual relationships are considered as official recognition and encouragement of the state to the sexual activities between two homosexual persons. It will, therefore, lead to misconceptions and biases among the next generation regarding sexual behavior;
2. Sexual activities between homosexual persons will not be accepted by the majority;

3. Legalization of same-sex marriage will “result in the breakdown of human relationships and family hierarchies” and hence endanger the traditional ethical structure.

Confucian language became more apparent in their statement, which is especially reflected in point three when they used the term “human relationships (人倫)” and “family hierarchies (輩分)”. To understand how they educated the public about their logic of appropriateness (i.e., same-sex marriage and LGBTQ+ rights should not be accepted), it is necessary to analyze the promotional materials used.

Similar to the pro-LGBTQ+ bloc, a series of massive gatherings and formal activities were launched by the anti-same-sex marriage bloc to make their concerns visible. Photo below (Figure 5) presents two pictures taken and reported by news media in an anti-same-sex marriage rally held on 3 December 2016. In the first picture, people were sitting on the floor and holding a white sheet printed with the words “Marriage, Family, to be Decided by All Citizens.” In the second picture, the words shown on the backdrop are “To Be Decided by All Citizens, To Be Decided by Parents.” The first sentence is about same-sex marriage, while the second sentence is about inclusive education. Apart from the political calculation and context,¹⁹ it is not surprising that they connected the issue (same-sex marriage) to the idea of people making decisions on marriage issues. Family and family relationships lie at the core of Confucian ethics, the foundation of society. From this perspective, the attempt to legalize same-sex marriage challenges the entire existing social institutions. Since children should follow the instructions of their parents, inclusive education is regarded as a device to disrupt this established relationship by instilling in children a set of values different from their parents.²⁰ The language used here is quite different from the words and phrases that the pro-LGBTQ+ bloc used in promoting their claims to Taiwanese citizens.

Figure 5 shows the anti-same-sex marriage rally organized by The Coalition for the Happiness of Our Next Generation that advocated ‘Marriage and Family, To Be Decided by All,’ asserting that “any government effort to change the definition of marriage must go through a nationwide referendum.”²¹

The Coalition for the Happiness of our Next Generation organized an anti-same-sex marriage rally on 3 December 2016 that prominently featured



Figure 5. An anti-same-sex marriage rally held on 3 December 2016.



Figure 6. Another picture taken during the anti-same-sex marriage rally held on 3 December 2016.

a large ball with the words “Black-Box Legislator Yu Mei-nu” on the stage (Figure 6).²²

The advertisement videos, social media promotional materials, and banners of the anti-LGBTQ+ bloc use the Confucian language. In late 2016, two advertising videos were broadcast on television in Taiwan. Both videos ask parents and families to participate in an upcoming anti-same-sex marriage protest to be held on 3 December 2016. The videos immediately brought controversies in society. Although the official source of the videos was not found online, the videos were saved by citizens and uploaded on YouTube. The narrations of the videos are translated below:

Video 1. Narrations [Translated]

One Husband and One Wife.

This is our marriage system.

“Homosexual people can marry” sounds fine, but “Husband and Wife” will no longer exist on legal documents [after the legalization of same-sex marriage].

They can only be called as “Spouses”.

If “Husband and Wife” do not exist, neither can we call “Father and Mother”, “Grandfather and Grandmother”, “Uncle”, “Auntie”, “Cousin (Male)”, “Cousin (Female)”.

All mess up together.

In order to allow same-sex couples to marry, “Father and Mother” disappear,

“Grandfather and Grandmother” vanish.

Do you agree with this sort of marriage system?

Millions of families, stand up on 1203!

The Civil Code must not be amended. Consider Alternative Ways.

Video 2. Narrations [Translated]

...(Content Missing in the Video)

This is the current form of sex education.

“Homosexual people can marry” sounds fine, but schools have to educate our kids about what is “male having sex with male” and “female having sex with female” since then (the legalization of same-sex marriage),

And parents cannot disagree.

Homosexual orientation can be acquired later in life.

Do you agree with this sort of education?

Millions of families, stand up on 1203!

The Civil Code must not be amended. Alternative ways can be considered.



Figure 7. Screenshot of the video “Back-up of the Anti-Same-Sex Marriage Advertisement ‘1203 Million Families Stand Up on 1203’ YouTube 360p.”²³



Figure 8. Screenshot of the video “1203 Million Families Stand Up on 1203.”²⁴

Materials published by other anti-same-sex marriage organizations and individuals carry similar messages as in these videos. For example, on 31 December 2016, the Defend Family Student League posted a material on its Facebook page titled “Anti-Same-Sex Marriage to Save Taiwan” (see Figure 9) in Taiwanese Mandarin. A slogan was put below the title that reads “Not striving for economic development, only igniting controversies, accepting

Same-Sex Marriage Bill, the end of family.” Four consequences of the bill are listed in the material: (1) Kids will lose their fathers or mothers for their whole life; (2) The concept of a marriage built upon “One Husband, One Wife” will be threatened; (3) It will become illegal to protest on the street (if same-sex marriage is legalized); (4) Providing service to homosexual people cannot be refused in the future. Regarding the fourth point, the texts explain that legalization of same-sex marriage would impact on religious freedom, freedom of conscience, and the right of parents to participate in the education of their children.

The column on the left side of the table are about the consequences of legalizing same-sex marriage. Relevant examples are provided in the columns on the right side of the table.²⁵

Before the presidential election was held on 11 January 2020, a massive number of banners was used to promote anti-same-sex marriage claims and support or attack the politicians based on their stance on the issue.²⁶ One of the most frequently seen banners was made by the Mothers Shield Alliance For the Protection of Families and Children in Taiwan. Figure 10 is an example of it. With a picture of a woman holding a baby, the banner starts with two sentences blaming the legislators for passing the same-sex marriage bill. In

反同救台灣

不會拚經濟 只會起爭議 接受同婚案 家庭就完蛋

法案通過後的後果	國外的實例，我們要學嗎？
<p>讓孩子一輩子沒有爸爸或沒有媽媽!</p> <p>註：同婚法案通過，不僅讓家庭破碎，更讓孩子沒有爸爸媽媽!</p>	<p>美國實例：</p> <p>「我發現有種同性伴侶，但另一頭永遠無法填補曾經遺留的空缺。」—Heather Barwick (Heather Has Two Mommes 為一童) 向被同性戀者的親戚告白，完成了他們的家庭關係。</p> <p>註：美國伴侶的動本本要求與異性，同婚之孩子們，你們當中需要這在人生的決定，你們會好好的，但我們沒有好好的，他們哭壞了。—Heather 如此說。</p>
<p>一夫一妻的婚姻觀念 遭受威脅!</p> <p>註：同性戀關係的命名與社會道德的「真實」在2015年年初，公眾對婚姻關係系因為在考試題目中提到「一夫一妻是自然的」，遭教育部罰款3萬元。</p>	<p>美國實例：</p> <p>德州州自2013年至今已合法14年。這幾年下來，該州的民衆不但人身自由、家庭的尊嚴，也節節受到威脅，不少教育權益受到威脅。例如：學校與政府在「同性戀的言行」，「在小孩、幼生與學童同性戀」，「沒有權力及關於學校之同儕關係之教育」，「當多倫多的學生提出關於同性戀的性戀者」，「公法部門在高中徵收有影響性的恐小電子」，「拒絕為同性伴侶關係的商家會被控訴」，「公法機關反對同性戀者的學校與團體」，「反對同性戀者與攻擊，甚至被驅逐」。</p>
<p>到那時再上街抗議 就是違法了!</p> <p>註：就在一些地區抗議期間，已經可能影響到選舉結果。未來再上街抗議，除了黨派攻擊，也無法（因為修改了）。</p>	<p>法國實例：</p> <p>2013年，法國通過同婚法案，在通過前許多多多的抗議行動，但在這幾年，一切就一掃而空了。2015年有數萬人走上街頭抗議，不讓同婚生效。這是讓民衆覺醒的標誌，上萬人連署抗議。2014年、2015年，法國民間發動多場數十萬人的抗議與集會，聯名出現「2017年——最後的國家」的標語，但還是進行均無所動，與民陣力可滔天啊!</p>
<p>不能拒絕為同性戀者服務!</p> <p>註：宗教自由、良心自由、家長參與教育權，一筆影響影響，甚至受罰於「列強軍閥」，在各地國家都有種種問題。天啊！同婚好大，我們好怕!</p>	<p>加拿大實例：</p> <p>北美最顯的一宗排同案，2年訴訟結果被「我支持同婚」主權黨，帶領上法庭，還有前魁北克省同性戀者。2016年10月24日公署裁決判決，政府與轉性者訴訟，並賠償約有500萬元的賠償(2.5萬)。</p> <p>加拿大實例：</p> <p>安大略省政府決定，天主教學校必須定期舉辦「同性戀/兩性戀聯合主題」(且不得使用同性之稱的名稱)，並且行各公立學校，不得再繼續舉辦「不承認同性戀關係」的小組聚會。</p>

一位美國作家說：「人們從歷史學到重要的教訓，就是人類無法從歷史中學到任何教訓。」同婚案好不好，看其他國家通過後產生的後果就知道(歐洲國家的性解放及同性婚姻案大受台灣，與中華文化、台灣傳統的家庭倫理價值產生衝擊這些國家亦不吝言，我們需要跟隨嗎?這些國家是否回頭路，我們還要向前嗎?)

Figure 9. A digital promotional material against same-sex marriage.

the middle of the banner, it states “We want to have grandson/daughter(s)” and “May the incense continue, passing down through generations.” In an ethnic Chinese society, “incense (香火)” refers to offspring. Hence, “passing down” means continuing the family bloodline. Some banners specified the name of a legislator while some did not. Nevertheless, three more banners are shown in Figures 11-13, which were all found from November 2019 to January 2020, as examples of messages that the anti-same-sex marriage bloc is trying to convey to the public.



Figure 10. A banner made by the Mothers Shield Alliance for the Protection of Families and Children in Taiwan found in a public area.

In the campaign propaganda against same-sex marriage, the slogan “End the lineage” is spreading throughout Taiwan, while pro-same-sex marriage groups are calling for votes for “LGBTQ-friendly legislators.”²⁷



Figure 11. A banner blaming the Democratic Progressive Party for promoting same-sex marriage.²³



Figure 12. A banner asking if homosexual couples can give birth to children.²⁸

The sentences in the banner (Figure 12) state “We want to have grandson/daughter(s). We care about our incense and to pass it down to the next generations. Men married men, women married women. Can (they) give birth to a child? This is the bill forcefully promoted by G. I. Khu.”²⁹



Figure 13. A campaign banner of a Chinese Nationalistic Party candidate, Ai-Lun Meng, in an election for Legislative Yuan members.

On the left side of the banner (Figure 13), from top to down, it states “Refuse drugs, AIDS, and Abusive Sexual Relationships. Do not educate students to become homosexual persons. Oppose inclusion of same-sex relationships and desire in the curricula for elementary and junior high schools.”³⁰

Three prominent and interconnected Confucian values can be identified from these promotional materials created by the anti-same-sex marriage bloc when trying to educate the public about the justification of their claims. First, marriage is relationship between male and female, one of the most essential foundations of human relationships according to Confucianism. Of the five constant relationships mentioned by Mencius (孟子) Teng Wen Gong (Part One), one is “Distinction should exist between husband and wife (夫婦有別).” The distinction not only refers to gender differences but also to their role – men should work while women should assist the husband in educating their offspring. From a traditional perspective, marriage is also not a matter between two persons but between two families.

Necessarily, the second value is the family hierarchy and social status. “Mother”, “Father”, “Grandfather”, etc. are not mere titles or call signs but are status-reflecting terms. In traditional Chinese family dinner held during the Chinese New Year, for example, all relatives and their partners are required to greet each other. When the youngest member talks with other family members, he/she needs to call their titles instead of their names. It will be regarded as disrespectful if he/she calls his/her uncle “Ken” instead of “Uncle”. In contrast, the oldest member of the family is entitled to call others by their names, titles, or nicknames. Different from English, moreover, some titles in Mandarin Chinese carry a more precise status-reflecting meaning. For example, although “A Bwo (阿伯)”, “Shu Shu (叔叔)”, “Da Jyou (大舅)”, and “Er Jyou (二舅)” are all translated as “Uncle”, the first two are used to describe the brothers of the father while the latter two are used to describe the brothers of the mother. In other words, these titles also serve as a tool to recognize the lineage background among family members. This is the social system (ritual and music system) according to Confucianism – the corresponding etiquette and behavior of every person in a clearly defined hierarchy. Therefore, when a Taiwanese associate professor of law told publicly that he would fall into pieces if his grandson/daughter did not call him “grandfather” (ETToday, 2014), he is not the first who had that concern, nor would he be the last saying so within the anti-same-sex marriage bloc.

Third, and most importantly, is about offspring. Despite the fact that ordinary people may not recognize the Confucian-ness of it, there is an idiom that ethnical Chinese parents and older generations frequently talk about – “There are three ways to be unfilial; the worst is to not have offspring (不孝有三，無後為大).” It is a quote from the book *Li Lou (Part One)* written by Mencius. According to the explanation provided by the Revised Mandarin Chinese Dictionary (Ministry of Education, 2021), the three unfilial behaviors are: (1) Blindly obeying parents, witnessing their wrongdoing without providing them advice, and causing them to fall into injustice;³¹ (2) Though the family is poor and parents are old, the child is neither working to feed his/her family nor pursuing fame; (3) Not marrying a wife and having neither descendants to continue family traditions and bloodline, nor having someone worship the graves of the ancestors in designated dates. Whereas the first two ideas are often forgotten, the third is particularly memorized and reiterated by older generations in ethnic Chinese society. Having a grandchild is also somewhat regarded as a right of the elderly parents, and is “shown off” to other relatives in reunion dinners and festivals. From the perspective of parents in traditional Chinese families, therefore, lighting up incense is always regarded as one of the most prioritized missions the younger generations should accomplish.

The concept of family to the anti-same-sex marriage bloc, hence, is built upon traditional languages such as “One Man and One Wife,” “Sexual Relationship Between A Husband and A Wife,” “Offspring,” “Titles,” and “Lineage.” These Confucian values reflected in the languages used in their promotional materials not only empowered them with a sense of appropriateness and the justification for making their claims but also functioned as a thrust to promote their logic to the general public in Taiwan. Since Taiwan is mainly composed of ethnic Chinese, their claims should have a stronger resonance with the cognition of ordinary people than the pro-LGBTQ+ bloc whose languages are new from the traditional culture perspective.

To summarize, the triangular dialogic relationship between the pro-LGBTQ+ bloc, the anti-LGBTQ+ bloc and the general public on the same-sex marriage issue in Taiwan has interesting characteristics. The means used to promote their respective causes have no great differences, but they used distinct sets of verbal and visual languages in their promotional materials and positioned Confucianism – the local traditional culture – in very dissimilar ways. To the anti-LGBTQ+ bloc, Confucianism is clearly its most robust ally

to make their claims visible and tenable in Taiwanese society.³² But to the pro-LGBTQ+ bloc, Confucian language is either hidden or raised as an idea detrimental to their cause. The pro-LGBTQ+ bloc is more inclined to employ human rights and individual-centered languages to redefine the concept of family and love in society.

Future Challenges to the Promotion of Rights

Ever since the legalization of same-sex marriage in 2019 and the success of the Democratic Progressive Party candidates in winning the presidency and a majority in the Legislative Yuan in the elections held in 2020, the development of LGBTQ+ rights has been unprecedentedly positive in Taiwan. In civil society, pro-LGBTQ+ organizations continue to educate the public about the experiences, rights, and needs of their community through different activities. For example, in October 2022, they held an artistic event called the Taiwan Queer Galart, an exhibition about the history of LGBTQ+ protests and movements in the past twenty years,³³ and a “rainbow” bazaar that sold things related to or supporting LGBTQ+ community. The languages used in the materials do not show great differences with the past materials. Formal activities like forums or speeches are also frequently held in different cities in Taiwan. These events are not only about the presence of the LGBTQ+ community but also connect to their past and work for a brighter future. In the legal aspect, the government implemented new measures in 2023 that allow homosexual families to adopt children and homosexual Taiwanese to register his/her marriage with a non-Taiwanese. The protections of LGBTQ+ rights, hence, are gradually expanding in the country.

In stark contrast, the anti-LGBTQ+ bloc has lost its momentum. The two largest anti-same-sex marriage organizations, the Family Guardian Coalition and the Coalition for the Happiness of our Next Generation, have stopped updating their Facebook account since 9 January 2020 and 14 December 2020 respectively. The latter has its own official website, yet the last “updated news” was published on 31 March 2020. Among the four organizations, the Mothers Shield Alliance is the only one that continues updating its Facebook account as of 2023. However, the materials they use to defend their cause are rarely seen in public. Whereas the politicians or organization leaders might have continued their work in alternative ways, abandoning their platforms and retreating from public space indicate that

they have somewhat given up communicating with the pro-LGBTQ+ bloc and the public. Their opinions minimally appeared in the media, have gone underground, or were presented as individual views.³⁴

Is this the destination where the dialogue between Confucianism and LGBTQ rights stops? As discussed in the literature review, democracy is better realized in a society with a weakened Confucianism. Hence, are the rights of sexual minorities successfully promoted in an ethnic Chinese society because of the downfall of Confucianism? Or, did the promotion of LGBTQ rights succeed because Taiwan is already a democracy?

In the case of the same-sex marriage movement in Taiwan, the pro- and anti-LGBTQ+/same-sex marriage blocs positioned themselves clearly to educate the public about their way of living and what they stand for. Both blocs made little effort to appreciate the values supported by each side. While the past political context led to the rise of the two blocs, that context has changed with the existence of more space for reevaluating the possibilities of incorporating some Confucian values into the claims of the pro-LGBTQ+ bloc.³⁵ This incorporation of Confucian values can help promote sexual minorities' rights to people other than those who already have liberal orientation and reach those who have solid faith in Confucian traditions.

However, it is also possible that some of the Confucian values are not compatible with sexual minorities' rights. Those Confucian values that were considered not compatible with sexual minorities' rights were ignored or disregarded by the pro-LGBT+ bloc. At the same time, some Confucian values as seen in the 2016 video "The Innate Thought of a Father" discussed earlier are being redefined instead of being disregarded.

It must be noted that the goal of promoting human rights is not to silence a culture. Since culture is about a way of living which involves personalized interpretations, no proponent of a particular view should be teased, mocked or bullied. Though silencing could occur as a consequence of human rights promotion, it should never be justified as one of its goals. Otherwise, the human rights promotion will mean education of fear among dissidents and deviants.

Use of Cultural Products in Human Rights Promotion

Cultural products such as video clips, movies and dramas are not unique tools for human rights promotion in Taiwan. Looking back to the past de-

cade, they have been utilized as a tool and a place for promoting human rights issues such as ethnic diversity, gender equality, and the rights of sexual minorities in other countries (including western countries through Hollywood in particular). In Taiwan, there are movies discussing LGBTQ+ rights such as “Dear Tenant” (2020) and “Marry My Dead Body” (2023). Noteworthy, Taiwan is not the only ethnic Chinese society where human rights issues can be found in movies and dramas.

As of late 2023, for example, a terrestrial television channel in Hong Kong broadcasted a love comedy called “Food Buddies”. In the first ten episodes, two sets of romantic relationships were depicted. The first set involved one female who directly mentioned her sexual orientation as pansexual, another female whose behavior in the drama looks pansexual, and a “straight” male who later learned to accept the pansexual orientation of the females. In episode two, the pansexual female explained to the male the concept of pansexuality and gender identity using a sauce plate as a metaphor. She said, some people like having simple sauce while others prefer adding condiments like garlic, green onion, or cilantro into the sauce. People choose what they like and hence each person’s sauce plate is unique. Gender identity, therefore, is like the ingredients of a mixed sauce. The metaphor perfectly localized the gender identity issue since making a mixed sauce is something that Hongkongers would do whenever they eat Da Bin Lou (打邊爐).³⁶ This type of hotpot food is one of the most common meal choices for people who would like to gather friends or family members. People create their own sauces by selecting condiments before the meal starts. The metaphorized language helps the public to understand one of the most important topics in the contemporary human rights agenda. The drama, therefore, creates a simplified dialogue between gender identity and local culture, and between sexual minority issues and the public. The drama also includes other sexual and romantic issues such as homosexuality, polyamory (having or desiring multiple intimate relationships at the same time with the full knowledge and consent of all parties involved³⁷), marriage, and netorare (NTR).³⁸

While the role and merits of cultural products in shaping and promoting culture are recognized (Cayla & Eckhardy, 2008; Maisuwong, 2012), the main question is about the extent of help the cultural products can provide in promoting human rights in a formal way (i.e., legal way). For example, it should not be forgotten that Japan is a pioneer and one of the most influential countries in promoting “soft power” (power based on intangible or

indirect influences such as culture, values, and ideology³⁹) and has a well-developed entertainment industry which frequently used Boy's Love (and Girl's Love) as a genre of novels and anime since decades ago. And yet Japan is not a pioneer in legalizing same-sex marriage in Asia; Taiwan pioneered it. Does it mean that in the East Asian context, what happens in entertainment stays as entertainment? Or is it a country-based problem caused by other factors? These questions deserve further attention and investigation.

Implications and Framework of Analysis

This article discusses two implications. Firstly, the choice of languages and means in the bottom-up promotion of a particular right depends on the character of the issue involved. “3+1” questions can help in this regard.

The “3” questions refer to the following: Whether or not the human right or human rights issue involved

1. has obtained official recognition,
2. relates to local cultural heritage, and
3. requires challenging one or more existing concepts with established cultural meaning in mainstream society.

Answering these questions would facilitate understanding of how the right or issue involved is viewed in society and hence the availability of strategies for its promotion. For example, in the case of the same-sex marriage movement, the issue did not have an official recognition (e.g., protection of law) and did not involve local cultural thinking.⁴⁰ But its promotion must challenge the cultural understanding of the concepts of “Family,” “Love” and “Relationship” which are deeply rooted in society. The movement had to borrow definitions from non-Chinese cultures and adopt the human rights language to distinguish its message from the existing concepts in society and increase its visibility.

The “+1” question helps to identify the characteristics of the promotional measures by looking into the primary purpose of the actions (i.e., adoption of the means) taken by relevant parties. The pro-LGBTQ+ bloc aimed to redefine the current logic and strive for official recognition. Hence, they needed to be active and direct in interacting with society.

Promoting a Human Right/ Human Rights Issue in a Liberal Democratic Civil Society

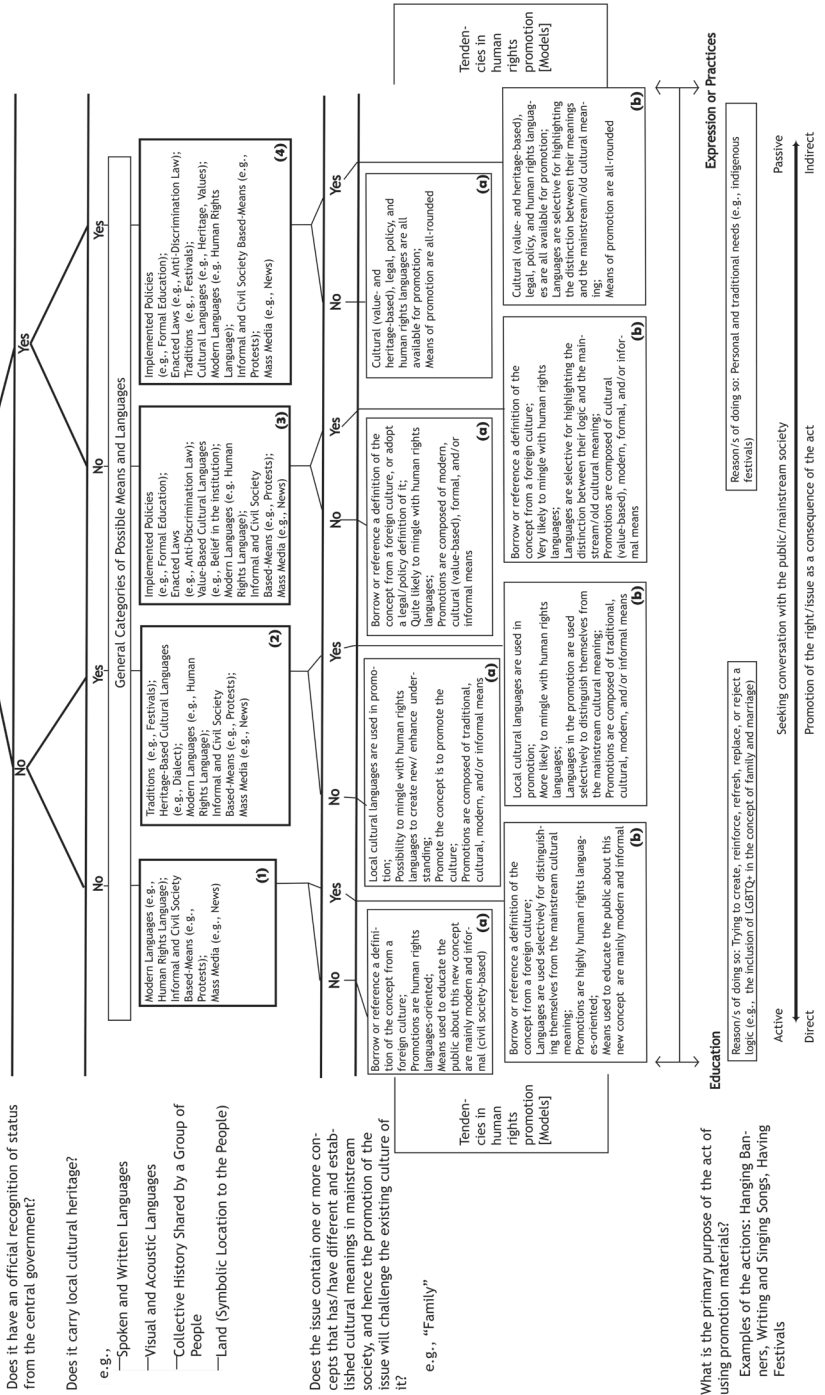


Figure 14. An inquiry framework to understand the position (strategies) of the promotion of human rights issues in civil society.

The inquiry framework of the promotion of human rights or human rights issues in civil society, shown in the flow chart (Figure 14), not only assists civil society actors in locating themselves and employing corresponding strategies in their context, but also provides scholars and researchers a gateway to understand why one or more specific languages or means were adopted and how they were different from other cases of promotion of human rights in different societies. (See Annex B for additional explanation of the framework.)

However, two things regarding this framework should be noted. Firstly, the framework is built upon the cases studied in this article. Its application to other societies awaits further examination. A more thorough quantitative analysis of the languages used in the promotion of LGBTQ+ in Taiwan can provide additional insights on this framework, and its modification as well. Secondly, the framework does not guarantee that the promotion of human rights or human rights issues in every society will always fit any of the eight promotion models. Human rights promotion is a dynamic process in which the needs and positions vary depending on the context. One of the determinants of this framework is that the country is presumed to be a liberal democracy in which civil society is free to discuss, support or oppose any issue. If human rights languages are illegal in an authoritarian country, for example, the promotion of particular rights will be forced to repress its human rights character. If human rights are seen as foreign and illegal ideas in an authoritarian country, for example, the promotion of particular rights as human rights will be repressed and promotional activities will be constrained to incorporate only the existing cultural concepts. Nevertheless, the framework is suggested as a useful tool for civil society actors to determine ways to promote human rights and for scholars to study how languages and means are used according to the appreciation of human rights issues in a society.

The second implication of this article is that theoretical compatibility does not indicate that the culture will be used by civil society to promote particular rights. Although Confucian values are argued to be compatible with human rights values, they were not adopted by the pro-LGBTQ+ bloc to promote their rights in the same-sex marriage movement. Instead, it was more common for the anti-LGBTQ+ to speak of Confucianism. Instead of generalizing the relationship between local culture and human rights, it seems better to work on specific human rights or issues and to portray

the relationship using more accurate and specific situations. Additionally, neither bloc was interested in the discussion about “classic” or “neo-” Confucianism, which is somewhat a hot topic for scholars. Therefore, rather than focusing on the theories about or on top-down efforts in portraying the relationship between local culture and human rights, there is a need to understand how people in society interpret and practice them in their daily lives. This can provide insights for deepening human rights promotion in different societies and enriching academic discussion.

Conclusion

This article presents the use of languages, culture and means in the promotion of same-sex marriage rights in Taiwan in the last decade (2010s-2020s). The pro-same-sex marriage movement employs proactive measures to educate the ordinary people about LGBTQ+ issues and to contest the logic of the anti-LGBTQ+ bloc. It is forced to be selective in the languages used in order to be distinguished in the arena of logic of appropriateness and society. Consequently, the pro-LGBTQ+ bloc marginalized Confucianism – if not regard it as harmful – and its affiliated expression and chose human rights-related terms and expressions as the pillar in their promotional materials. The anti-LGBTQ+ bloc chose the opposite. While their means of promotion are largely the same, their distinct sets of cultural languages can be observed throughout most of the materials used in the last decade. Since the languages employed by the two blocs are distinctive, the cultural interactions (dialogues) were direct, intense, loud and clear.

Moreover, the case of Taiwan can be unique among ethnic Chinese societies. Compared to China, Hong Kong, and even Singapore, Taiwan has developed more favorable institutions for human rights and democratic education. In terms of formal institutions, it has free and fair elections, the rule of law, and legal protections on freedom of expression and other fundamental rights. Some also believe that human rights promotion in Taiwan is relatively less problematic in the sense that the Taiwanese society has already accepted Westernized ideology in education since the 1990s (Dan & Choy, 2012, page 96). As for informal institutions, it has an active civil society with many of its members having faith in democracy and general human rights values. Most importantly, the conservative political party lost its presidency and majority in Congress since 2012. When the conservative political party

won the presidency in 2009, there was a regression in equality and diversity promotion (Cheung, 2022, page 101). These conditions formed the most robust ground for free, diverse and influential dialogues on human rights and society and resulted in more active human rights promotion programming in Taiwan during the last decade.

Hong Kong is supposed to be the second ethnic Chinese society where democratic education and human rights promotion can thrive. It shares the same conditions and a similar culture with Taiwan, with two exceptions on sovereignty and democratic institutions issues. These issues are the most lethal obstacles to human rights promotion in Hong Kong; which has been exacerbated since 2021. Aside from the gloomy future of political rights and the rule of law, civil rights such as religious freedom and the rights of sexual minorities are also in danger. Since the autocratization in Hong Kong requires the city to “Chinanize” itself, it would not be surprising if sexual minorities would be penalized and religions institutions would have to submit themselves to the superior power of the Chinese Communist Party in the future. The use of fear in ruling Hong Kong has turned the city into one of the most unfavorable cities for human rights promotion in East Asia.

Therefore, although the experiences of Taiwan in the promotion of LG-BTQ+ can provide references for civil societies in Asian (and other) democracies, they are neither immediately nor directly replicable to other ethnic Chinese societies since there is a great institutional difference between the countries. Civil societies should search for their paths in human rights promotion by referencing each other and considering the framework offered in this article. Nevertheless, it should be emphasized that a unidirectional top-down refusal to search for the possibilities of promoting human rights in society should not be praised. Otherwise, human rights development will only be distorted or thwarted for private as well as governance purposes.

Acknowledgment

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Annex A. Online discussion of Confucianism in Taiwan and Hong Kong

The first ten results of PTT and LIHKG posts discussing Confucianism shown on Google Search when the two sets of key terms (“Confucianism” & “PTT” and “Confucianism” & “LIHKG”) were searched.

Date of Publication	Title of the Post [Translated]	Theme of the Post [Summary]
30 April 2023	When did Confucianism deviate from its original path?	When did Confucianism become a trash stressing filial piety and social hierarchy?
16 February 2016	Is Confucian culture the main obstacle to the progress of ethnic Chinese?	Is Confucianism the reason why the West is leaving the East behind?
28 June 2014	Re: Any gossip about Confucianism causing harm to people?	Confucian ritual religion (禮教) is not the core idea of Confucius but is an articulation of thoughts instead. Confucianism was turned into a tool to enslave citizens by the Emperors and the ruling authorities.
5 October 2021	What are the problems with the kindness of Confucianism?	Confucianism stresses kindness. Why is it confused nowadays?
5 April 2022	Re: Is Confucian culture a malignant tumor?	Since the adoption of militarism in the Qin dynasty, Confucianism had been transformed into a brainwashing tool for governance. The Chinese world (中華世界) is the parallel world in which Nazi Germany defeated U.S. and U.K.
30 April 2023	Re: Is Confucianism the main reason for China's lag behind the West?	The social hierarchy stressed by Confucianism favors governing “garlic chives [human] farm” in ancient China.
7 August 2023	Re: Why is there no one questioning Confucianism in Chinese history?	The author quoted criticisms from the German philosopher Max Weber regarding the values of Confucianism.
1 May 2023	Re: Is Confucianism the main reason for China's lag behind the West?	Rather than Confucianism, rulers who use the thought to limit the thoughts of the people are those who should be criticized.
13 February 2023	What are the drawbacks of Confucianism in modern society?	What are the defects of Confucianism in contemporary society? Why can foreign countries develop well without it?
22 August 2019	Is Confucianism beneficial or harmful to the development of modern nations?	Asking for the pros and cons of Confucianism to modernization.
Another set of Top 10 results of LIHKG posts discussing Confucianism shown on Google search		
25 October 2021	Confucianism must be eliminated. Otherwise, equality will not be achieved even if the Chinese people founded their new regime.	Confucianism does not promote equality but only hierarchy. Therefore, freedom and equality will not be enjoyed even if the communist party is destroyed.

22 April 2022	[Provocation] People often complain about Confucian brainwashing education in Chinese language and literature classes. Did they actually pay attention in class?	The author argued that the subject of National Language in secondary education did not brainwash students.
2 November 2020	Is Confucian thinking still relevant?	The social hierarchy promoted by Confucianism can encourage harmony since everybody is regulated by the hierarchical structure without conflicts.
26 May 2023	What is new about New Confucianism? Introduction to the historical perspective of New Confucianism, reasons for opposing Buddhism, and concerns about democracy and science. ["Contemporary Issues Faced by New Confucianism and Its Development"]	Introducing Neo-Confucianism.
14 May 2020	Confucius was f _ _ king harmful to people.	Confucianism has overly promoted social status and hierarchy which has poisoned Chinese for generations and led to the situation in which Chinese people have become a lap dog to the Communist Party of China.
13 June 2022	Many bookworms read a lot of books and constantly citing literature, but their inference is a mess.	The author criticized an article that argues the positive relationship between patriarchy and Confucianism.
15 April 2023	If we rewrite history, we should replace Confucianism with Mohism. ⁴¹	Praising the merits of Mohism.
24 Feb 2023	After some understanding of Buddhism/ Christianity/Taoism/ Confucianism, I found that Buddhism and Taoism are most suitable for me.	The author expressed his own opinion about which Chinese ideology fits him/herself/.
8 November 2018	So-called Confucianism is like a drug. Hong Kong will have no future if it is not completely eradicated.	The author believes that the new future of youth can only be built on a complete destruction of Chinese culture (Confucianism in particular).
21 April 2022	Are there any English books that introduce Confucianism and Taoism?	Asking for recommendations about books introducing Confucianism and Daoism in English.

Annex B. Additional explanation of the analytical framework presented in Figure 14

The first question about official recognition from the central government defines the fundamental character of a particular human right or human rights issue in a country. If the state officially recognizes that right/issue, there should be more legal and policy-related (political) means available for the promotion of that right/issue in society. For example, in a situation where an anti-discrimination law has been legislated, the promotion of the equality of indigenous people can stress that “Article OO of the Anti-Discrimination Law prohibits any discrimination acts based on indigeneity, race, or gender.” If someone discriminates against indigenous people with malice, pro-indigenous rights groups can employ legal means (e.g., lawsuits) to defend the rights and promote the legal significance of the right. Civil society actors can also promote that right/issue by informal and civil-society-based means such as protests and street banners, while incorporating the languages (i.e., choice of words, definition, and concepts) stipulated in that law or relevant policies to increase the credibility of their promotion materials. As for the rights/issues without official recognition, however, promotions mainly rely on informal and civil society-based means with limited accesses to legal and policy measures.

The second question concerns the localness of a right/issue. Localness refers to the local cultural properties [heritage] carried by that right/issue. For example, the discussion of the rights of a group of indigenous people must involve the discussion of their indigenous culture (e.g., dialects, customs, and traditions). These cultural properties are not attached to the issue but are the backbone of it. Hence, the “localness” here is more than just about “relatedness” – in a strict sense, it is about “innateness”; in a casual sense, it is about “thickness”. A typical set of cultural properties includes but not limited to spoken and written languages, collective history, traditions and customs, land, and/or visual and acoustic symbols (e.g., ideograms and ballads). Atayal, one of the indigenous groups in Taiwan, for instance, has its own linguistic system which writes and pronounces words differently from Taiwanese mainstream society (Taiwanese Mandarin). They also have traditional festivals and customs that are different from those of mainstream society in Taiwan. The innateness/thickness of local cultural properties inherited by indigenous peoples enriches the options of languages and means in the promotion of indigenous rights. For example, they can write a song in Atayal about a specific history or custom of their people and utilize the power of pop culture to spread it out, or they can educate the public about their traditions and rituals by celebrating their festivals regularly and publicly. In contrast, as explained previously, the LGBTQ+ issue in Taiwan does not hold such sort of cultural properties. Therefore, they had to rely on informal and civil society-based

means and human rights languages in the promotions made in the last decade.

The third question, which is about whether the promotion of a right/issue will challenge an existing concept that has an established cultural meaning in mainstream society, delineates the critical position of that right/issue in society. To put it simply, a challenge will be posted if the promotion contains a concept that is exclusive and/or has been culturally defined. For example, the promotion of the preservation of indigenous festivals is unlikely to overthrow the existing concept of “Festival” since it is relatively neutral. A challenge will be posed, however, if the promotion is trying to redefine “Chinese New Year Festival” – a culturally exclusive concept to ethnic Chinese. In the case of LGBT+ marriage rights in Taiwan, although the word “Family” is neutrally definable, the concept of it is tightly bound to the Confucian culture in ethnic Chinese society. Consequently, the promotion of LGBT+ marriage rights was (is) considered a challenge to the established concept of “Family”. Since a successful promotion of it requires a new “family” concept, the foremost job of civil society actors was to make their logic distinguishable from the existing one. Without the availability of local culture, laws, and policies, human rights languages were the most robust tool to achieve this goal.

With the three questions as the filters of a funnel, the promotion of human rights or human rights issues will eventually fall into one of eight models with corresponding characteristics as shown in Figure 14. They are summarized below:

Model 1(a). Without state recognition and lack of local cultural properties, yet not challenges the mainstream meanings of existing concepts.

The promotion of human rights/human rights issue requires borrowing or referencing a definition of relevant concepts from a foreign culture and are human rights language-oriented. Means are mainly informal and civil society-based, which are employed to educate the public about the new concepts.

Model 1(b). Without state recognition and lack of local cultural properties, yet challenges the mainstream meanings of existing concepts.

The promotion of human rights/human rights issue requires borrowing or referencing a definition of relevant concepts from a foreign culture and are human rights language-oriented. Moreover, languages are selectively adopted to distinguish themselves from the mainstream cultural meanings of existing concepts. Means are mainly informal and civil society-based, which are employed to educate the public about the differences between their logic and the existing logic.

Model 2(a). Without state recognition, yet holds unique local cultural properties.

Promoting the concept of human rights/human rights issue equals promoting the culture of it. It is possible that heritage-based cultural languages are mingled with human rights languages to create new or enhance understanding, and/or increase the

significance of a particular right/issue. Promotions are composed of traditional, cultural, modern, and/or informal and civil society-based means.

Model 2(b). Holds local cultural properties, yet lacks state recognition and challenges the mainstream meanings of existing concepts.

Whereas local cultural languages are used in the promotion of human rights/human rights issue, languages are selectively used since it needs to distinguish themselves from the mainstream cultural meanings of existing concepts. Hence, it is more likely that the languages used in promotion are mingled with human rights languages. Promotions are composed of traditional, cultural, modern, and/or informal and civil society-based means.

Model 3(a). Lack of local cultural properties, yet state recognition has been obtained and no or limited distinguishment is required.

The promotion of human rights/human rights issue requires borrowing or referencing a definition of relevant concepts from a foreign culture. Promotions are also able to adopt legal and/or policy languages to make their claims more credible. Human rights languages are quite likely to be incorporated into promotions as well. Since the state has recognized the right/issue, society should have been developing a value-based culture by which citizens should have faith in the institutions of that right/issue. Promotions are composed of modern, cultural (valued-based), formal, and/or informal means.

Model 3(b). Without local cultural properties, distinguishment is required even though official recognition is obtained.

The promotion of human rights/human rights issue requires borrowing or referencing a definition of relevant concepts from a foreign culture. Promotions are also able to adopt legal and/or policy languages to make their claims more credible. Human rights languages are very likely to be adopted. Languages are selectively adopted to make the right/issue distinguishable. Promotions are composed of modern, cultural (valued-based), formal, and/or informal means.

Model 4(a). All-rounded promotion.

Without the need to seek state recognition or to make distinctions, the languages and means available for the promotion of human rights/human rights issue are all-rounded. It is very likely that the meanings of the concepts contained in that right/issue have become the mainstream meanings as well.

Model 4(b). All-rounded promotion with the need to be distinctive.

Without the need to seek state recognition, the languages and means available for the promotion of human rights/human rights issue are nearly all-rounded. However, since mainstream society still upholds meanings of certain concepts that are different from the meanings promoted by that right/issue, promotions are required to continue the

distinctions.

Last but not least, the Plus-One question helps identify the choices of languages and meanings in promotions. Technically speaking, all acts – as long as they have audiences – are promotions. Hence, the purpose of the act will define the characteristics of the languages and means used in a promotion. For example, if a person would like to express his support for the legislation of LGBT+ marriage rights, the simplest way is to write a publicly accessible post on Facebook or Instagram. As an act of expression, neither does it seek active conversation with the public, nor it is a direct promotion of the right. The choice of languages can be simple and lacks deliberation as well. Another example would be the festivals of indigenous people. If they are celebrating the festivals mainly because of their traditions, seeking conversation with the public will be considered as a secondary or side goal. The promotion of indigenous rights/issues is hence indirect since it mainly relies on the media or government bodies who report their practices and increase their visibility to the public. In contrast, in the case of needing to create a new logic of appropriateness, like the pro-LGBT+ bloc in Taiwan as discussed, active conversations with mainstream society are required. The promotion of rights is the primary goal of the acts since they are all about human rights education – the education of a new logic. Therefore, the Plus-One question helps understand what languages and means are preferable for the promotion of human rights or human rights issues, and why a particular set of languages and means are (more likely to be) adopted in the promotion of those rights and issues in certain contexts.

Overall, the analytical framework proposed and explained here gives insight into the strategies of human rights promotion in different contexts. The first three questions clarify what is included in a stationary box, while the Plus One question determines which tool should or will be picked to carry out the act of promotion. When the context changes, the decision-making process of how to promote a human right or human rights issue is supposed to go through the funnel again. Consequently, the tools sit inside the stationary box will be shuffled accordingly.

Endnotes

1 For example, it would be unconvincing to claim that human rights and democracy do not fit with the culture in Hong Kong since the local people have been enjoying partial freedoms since decades ago and mainstream society was urging for them. Therefore, the violations are not because of the incompatibility between cultures but the political interests of the ruling parties.

2 In Judicial Yuan Interpretation No. 748, the Constitutional Court made the following ruling:

The provisions of Chapter II on Marriage of Part IV on Family of the Civil Code do not allow two persons of the same sex to create a permanent union of intimate and exclusive nature for the purpose of living a common life. The said provisions, to the extent of such failure, are in violation of the Constitution's guarantees of both the people's freedom of marriage under Article 22 and the people's right to equality under Article 7. The authorities concerned shall amend or enact the laws as appropriate in accordance with the ruling of this Interpretation within two years from the date of announcement of this Interpretation. It is within the discretion of the authorities concerned to determine the formality for achieving the equal protection of the freedom of marriage. If the authorities concerned fail to amend or enact the laws as appropriate within the said two years, two persons of the same sex who intend to create the said permanent union shall be allowed to have their marriage registration effectuated at the authorities in charge of household registration, by submitting a written document signed by two or more witnesses in accordance with the said Marriage Chapter.

No. 748 [Same-Sex Marriage Case], Judicial Yuan Interpretation No. 748, Constitutional Court, 24 May 2017, <https://cons.judicial.gov.tw/en/docdata.aspx?fid=100&id=310929>.

3 The New Culture Movement initiated in the 1910s and 1920s – after the fall of the Qing dynasty – was one of the most potent events in the modernization of China. The Movement criticized traditional Chinese culture and advocated embracing Westernized ideals such as science and democracy. It was led by outstanding scholars such as Lu Xun and Hu Shih whose literature and theories still exert influence nowadays. Among the leaders, Liang Qichao is one of those who held a strong opposition to Religious Confucianism. Although he agrees with the merits of Confucianism as a moral philosophy, he believes that the long-existing despotism in China had created a traditional morality of servility, and hence the correction of it not only requires criticism but also the need to implement the rule of law and democracy (Chao, 2000, pages 74-75). See also Lai (2015).

4 The claims made by particular governments in protecting themselves from the implementation of human rights protections are not included in this section. Compared to scholars, it is more often to see authoritarian countries, such as the examples mentioned in the first section of this article, using Confucianism or traditional values to justify their violations of human rights.

5 See the following articles for further discussions: Dallmayr, F. (2017). "Asian values" and global human rights. In *Theories of Rights* (pages 393-409). Routledge; He, B. (2017). "Persistent conflicts between Confucianism and democracy"; Wei-ming, T.

(2012). "A Confucian perspective on human rights," in *Confucianism, Chinese history and society* (pp. 1-22).

6 She is a politician affiliated with the Social Democratic Party since 2015 and an activist in promoting the rights of LGBT in Taiwan.

7 It is an organization promoting gender inequality and a diverse and inclusive Taiwan. Its predecessor is the Marriage Equality Coalition formed by five women's rights and LGBTQ+ rights organizations (Taiwan Equality Campaign, n.d.).

8 The forum was created by the Thinking Taiwan Foundation.

9 "[Video] Support Same-Sex Marriage, Oppose Special Legislation! Tens of Thousands Gather at the Legislative Yuan", CTS, November 28, 2016, <https://news.cts.com.tw/cts/politics/201611/201611281825096.html>.

10 "The deadline for legalizing same-sex marriage on May 24th is approaching. LGBT advocacy groups will station themselves at the legislative Yuan next week," Liberty Times Net, May 11, 2019, <https://news.ltn.com.tw/news/life/breakingnews/2787285>.

11 The full version of the song can be found on the website of the Taiwan Alliance to Promote Civil Partnership Rights: <https://tapcpr.org/tapcpr-news/about-tapcpr>.

12 This song is available on YouTube (La Marseillaise, French National Anthem (Fr/En), www.youtube.com/watch?v=4K1q9Ntrc5g).

13 This song is available on YouTube (Glory to Hong Kong, First version, with ENG subs), www.youtube.com/watch?v=y7yRDOLCy4Y).

14 Although the Anti-Extradition Bill Movement ceased in Hong Kong in around 2021, the diasporic community of HongKongers has continued to hold activities in different countries around the world.

15 She was born in Singapore and is now living in Taiwan.

16 This song is available on YouTube (We Are One Feat. Tanya X aMei X Sandy X Naying X Rainie X Elva X Alin X S, www.youtube.com/watch?v=UiFgnS1eJRM&p=ygUud2UgYXJIG9uZSDolKHlgaXpm4U%3D).

17 This video is available on YouTube, www.youtube.com/watch?v=FC_FoUKuikQ&t=1s.

18 From the Facebook of Taiwan Equality Campaign, 25 January 2017, www.facebook.com/equallovetw/photos/a.201735676949226/236632286792898/?type=3.

19 Although they were proposing a referendum to decide the future of same-sex marriage, it was not formally proposed, accepted, and held in 2018.

20 According to traditional logic, children should follow parental instructions. If inclusive education is implemented, their kids may uphold different sets of values that challenge their parents. As a result, harmony in family relationships will be endangered.

21 R. Y. Yen, The Storm Media, 3 December 2016, www.storm.mg/article/197345?page=1.

22 Yen, *ibid*.

23 Generally speaking, the Democratic Progressive Party (DPP) tends to support same-sex marriage and LGBTQ+ rights while the China Nationalist Party (KMT) tends to be against them. When an article related to the right of same-sex couples to register their marriage was voted in the Legislative Yuan, for example, more than 50 legislators of those who voted for Yes were from the DDP (with one voted for No and

twelve either abstained or did not participate in the meeting) (MainStream News, 2019). In contrast, only seven legislators from the KMT voted for Yes, and 23 voted for No.

24 Coalition for the Happiness of our Next Generation, 2 December 2016, Eve Chen YouTube Channel. www.youtube.com/watch?v=P4KWS8tN2zE.

25 “Anti-Same-Sex Marriage to Save Taiwan”, Defend Family Student League, 31 December 2016, www.facebook.com/photo/?fbid=699276583580641&set=pb.100064513969795.-2207520000.

26 Generally speaking, the Democratic Progressive Party (DPP) tends to support same-sex marriage and LGBTQ+ rights while the China Nationalist Party (KMT) tends to be against them. When an article related to the right of same-sex couples to register their marriage was voted in the Legislative Yuan, for example, more than 50 legislators of those who voted for Yes were from the DPP (with one voted for No and twelve either abstained or did not participate in the meeting) (MainStream News, 2019). In contrast, only seven legislators from the KMT voted for Yes, and 23 voted for No.

27 K. F. Lee, *The News Lens*, 7 January 2020, www.thenewslens.com/article/129736/page4.

28 “Against same-sex marriage of the Democratic Progressive Party, exterminating descendants,” Y. S. Liao, Facebook, 30 November 2019, www.facebook.com/photo/?fbid=1310925539079308&set=pcb.1310932819078580.

29 “[A banner asking if homosexual couples can give birth to child],” Y. C. Lin, Facebook, 27 December 2019, www.facebook.com/photo/?fbid=10221084854567983&set=a.10220996286953848.

30 “[A campaign banner of a Chinese Nationalistic Party candidate],” Facebook of Y. C. Lin, 19, December 2019, <https://www.facebook.com/photo/?fbid=10221000858268128&set=a.10220996286953848>.

31 This is another example of literature indicating that traditional Confucianism does not promote absolute obedience or absolute hierarchy which are always used to argue the incompatibility between Confucianism and human rights (and democracy). According to this traditional thought, children who obey their parents blindly are blamed as unfilial for their foolish behavior.

32 In the battle of culture (i.e., fighting for the majority’s support to their logic of appropriateness and against same-sex marriage), additionally, the anti-same-sex marriage groups had been twisting their use of language in a strategic way. Figure 13 is an example, in which they linked inclusive education to the “education of a homosexual child”. Another example is the request made by the Coalition for the Happiness of Our Next Generation (Xie, 2018). They asked the media to call them “愛家團體 (a group that loves home)”, instead of “反同團體 (anti-homosexual group)” which has been used for a while. By changing the name, it presents an image indicating that people who share the same stance with the Coalition are those who love home (or family), while those who do not (i.e., pro-LGBTQ+ individuals and organizations) are not. Despite their potentially discriminative nature and stigmatization character, such strategies are sometimes quite effective in making their culture more appropriate than others to the swing citizens who have a stronger attachment to traditional values.

33 The title of the exhibition is “Walk with Pride”. See www.songshanculturalpark.org/exhibition/activity/8168ad8d-f113-4033-af27-c70d3855f5ea (in Mandarin Chinese).

34 In the pro-LGBTQ+ protest held on 30 October 2022, a Taiwanese was standing alone and holding a board with the text “I am normal. Oppose same-sex marriage” (Liberty Times Net, 2022). Two males were standing right beside him and one was kissing the other.

35 During the same-sex marriage movement, both blocs had to gain supporters by presenting their ideologies in an outspoken way. Any attempts to use the values or languages of the opposition were not preferable in that those elements would confuse their supporters.

36 According to the romanization system established by the Linguistic Society of Hong Kong, the formal romanization of the Hongkongese words “打邊爐” is “Da2 Bin1 Lou4.”

37 Polyamory, Britannica, www.britannica.com/topic/polyamory.

38 Netorare (寝取られ), a Japanese word meaning cuckold, has been used to describe cases of adultery.

39 Glen S. Fukushima, Japan’s “Soft Power,” Japan Foreign Trade Council, www.jftc.jp/monthly/archives/001/201802/9480ee77341ac62987618120e86cd807.pdf.

40 Arguably, the pro-same-sex marriage group has two cultural properties. First, the value (i.e., the right to same-sex marriage is needed and should be protected) shared among the pro-LGBTQ+ bloc members. Second, the collective memories of being not officially recognized or discriminated against in the country. However, the history is short, and the cultural thickness is still weak.

41 Mohism is one of the Chinese philosophies proposed during the period of the Hundred Schools of Thought in the Zhou dynasty. It is famous for suggesting equality and universal love – indiscriminate caring – between individuals, and also in opposing invasion. Yet due to the influences of modern culture (e.g., the movie “A Battle of Wits”), the image of being good at military tactics (especially in defending a city) may be more prevailing indeed. See Fraser (2002) and Robins (2012).

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