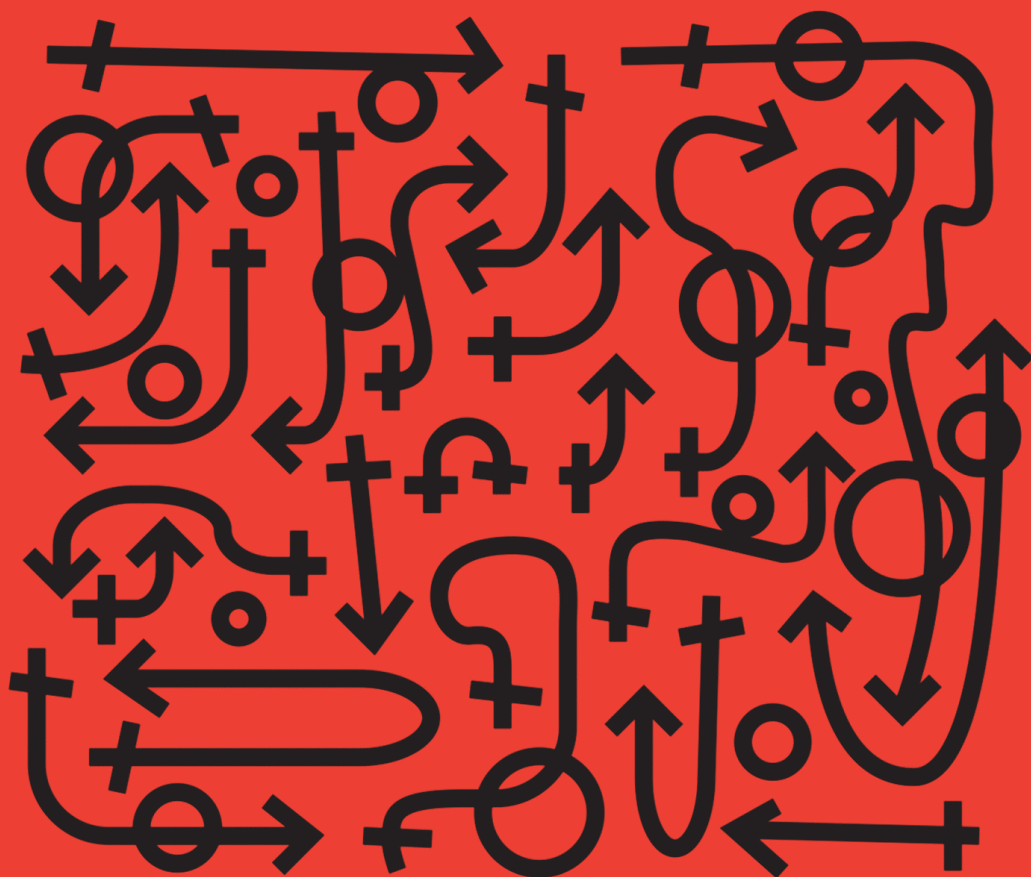


# GLOBAL INFORMATION SOCIETY WATCH 2015

*Sexual rights and the internet*



ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)  
AND HUMANIST INSTITUTE FOR COOPERATION WITH DEVELOPING COUNTRIES (Hivos)

## Global Information Society Watch 2015

Sexual rights and the internet

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# CHINA

## LESBIANS ORGANISING ONLINE: WHEN LESBIANS COME OUT AND MARRY GAY MEN IN CHINA



### Pink Space China

Xiaopei He

[www.pinkspace.com.cn](http://www.pinkspace.com.cn)

### Introduction

The first website dealing with so-called “contract marriages”,<sup>1</sup> called “Marriage Without Sex” (无性婚姻网),<sup>2</sup> was launched in China in 2005. This website divides people into two categories: people with physical and psychological problems who want to be married but not have sex, and lesbians and gay men who want wedding ceremonies but do not want to have sex with each other.

Many homosexual people, mainly lesbians, have since then set up online chat rooms for lesbians and gay men looking for contract marriages, and the practice has spread rapidly throughout urban China.

In 2014, Pink Space produced a documentary film called *Our Marriages – When Lesbians Marry Gay Men*.<sup>3</sup> The film follows four lesbians who had been seeking out gay men and negotiating contract marriages. The film shows their weddings, listens to their stories of how lesbian lives are lived in a compulsory heterosexual culture and society, and documents why lesbians need to use the internet to organise their desires and lives.

### Homosexuality in China

Being homosexual is not illegal in China and there are many lesbian, gay, bisexual and transgender (LGBT) organisations operating in big and small cities. However, homosexuals were punished under a legal provision against “hooliganism”, a criminal offence until 1997, which could lead to a life sentence for having a one-night stand, a mistress, sex outside of wedlock or for same-sex behaviour. Homosexuality was also treated as a mental illness

until 2001, when it was removed from the list of mental disorders.

Chinese society has also been ruled for thousands of years by Confucian philosophy<sup>4</sup> – which says the most unfilial thing a child can do is to not produce an heir – and that thinking will not change overnight. Doctors at public or private clinics still treat homosexuals in secret. The word “homosexual” is not allowed to appear in official newspapers or on TV, and there is no celebrity who has come out as homosexual in public.

On the one hand there is the influence of Confucian philosophy, on the other there are policies that state that every child must be born within wedlock and pregnancies require prior permission from the government.<sup>5</sup> Both the policy and culture make heterosexual marriage compulsory and legitimate.

It is not difficult to understand why an estimated 90% of gay men in China marry heterosexual women (this is estimated to be 15-20% in the US).<sup>6</sup> There are no estimations for lesbian women marrying heterosexual men in either country. Women’s desires and sexuality, by and large, are ignored. Therefore the stories below are extremely important.

### The chat rooms

I will use the film *Our Marriages – When Lesbians Marry Gay Men* to explain how contract marriages are organised, what role the internet plays, why the internet offers a new way for lesbians to organise, and what this way of organising means for lesbian lives.

Xiong is one of the four lesbian women in the film. She started a QQ chat room<sup>7</sup> in 2008. She spoke about a letter that her mother wrote to her at the time urging her to get married, as well as how her girlfriend broke up with her and married a man. Xiong said that she felt she could only remain lesbi-

1 “Contract marriages” – or marriages of convenience (形式婚姻, xingshi hunying) – are a growing practice in China. In this report the term “contract marriages” is used loosely to refer to any relationship where an agreement is struck between two parties, whether verbal or written, and then a wedding ceremony performed. In only one of the four relationships discussed here was the wedding actually registered with the government.

2 [www.wx920.com](http://www.wx920.com)

3 Xiaopei He and Yuan Yuan, 2014. [www.imdb.com/title/tt3546992](http://www.imdb.com/title/tt3546992)

4 Confucian philosophy instructs people to marry, to reproduce and to continue the family line without thinking of one’s desires and sexualities.

5 Population and Family Planning Law Of The Peoples Republic of China, 2002.

6 The Economist. (2010, 18 March). Homosexuality in China: Collateral damage. *The Economist*. [www.economist.com/node/15731324](http://www.economist.com/node/15731324)

7 QQ, an instant messaging service, also offers games, music, shopping, and micro-blogging, amongst other services. [https://en.wikipedia.org/wiki/Tencent\\_QQ](https://en.wikipedia.org/wiki/Tencent_QQ)

an if she married a gay man. She then set up a chat room and named it “L-G Unusual Marriages”. Soon she found that just one chat room, which could accommodate 100 people only, was not meeting the demand. She then launched four contract marriage chat rooms and ran them simultaneously to meet the need. One is for lesbians and gay men in Beijing, the capital city.

Xiong put her personal information online using a template and required people to fill in their information in the same way: age, height, weight, occupation, income, horoscope, current living conditions (whether the person has a lover, house, car, etc.) and their requirements for an ideal partner.

Xiong met her girlfriend and a lesbian couple in the chat room. The four of them began living together and helping each other in the process of searching for gay husbands.

Shan Shan was the first one among the four who found a gay husband. One morning she logged on and chatted with a gay man; by that afternoon they had met and were engaged and soon after they had the wedding.

Ke Le chatted with many men, but no one met her needs. A gay friend of hers, out of loyalty, came forward and married her. He had taken his boyfriend home and his mother had already accepted them as a couple. However, at their wedding, his mother asked Ke Le if they could now be a “normal” husband and wife. Ke Le told her that their desires are their fate, which will not be changed by a wedding.

Jing Jing is Xiong’s girlfriend. She had been forced to go on many blind dates set up by family and friends, since society allows no one to be single. She eventually married a gay man to satisfy her parents, as she realised her parents were facing too much pressure from others. Along the way, she had rejected one gay man who had requested that she have eye surgery to look pretty. She told him to find an actress instead if he wanted a pretty girl to save face.

Xiong chatted with many gay men. There was one that she thought could be an ideal husband, but she said, “He talked like he was better than me, just like many men – I could not stand it.” Xiong said she does not need that. She finally found a husband who treated women equally and met her needs.

At the end of the film, all four lesbian women married gay men and carried on living together. They and their gay husbands had agreed that after the wedding ceremonies they would not live together and they would not have children together. Three out of four did not register their marriages with the government. But they all agreed to visit

each others’ families during festivals or at certain family gatherings.

### **The challenge posed by contract marriages**

Contract marriages are criticised widely in and outside of China, as well as in lesbian and gay communities. Some say lesbians marrying gay men are cheating or lying; they should come out as gay or lesbians rather than hide their desires, living in a closet and leading double lives. Some say that lesbian women inviting men into their lives is the same as inviting gender inequality into their lives. They say it is not feminist. Others say to enter into contract marriages is to pretend to be the same as straight people, and to compromise oneself by engaging in institutionalised heterosexual culture.

However, in the process of making the film, we began to see the essence and nature of contract marriages. Firstly, these lesbians and gay men are true to themselves and to each other and they do not betray their desires. They marry each other for the sake of their parents, as they love their parents and wish to satisfy them. They recognise that it is only if they get married that they can have their desires fulfilled, only if they get married can they be true to themselves, and once they get married they can live the lives they wished for. They are happy rather than miserable.

They are also not “in the closet”, because as soon as they log into the contract marriage chat rooms, they come out as lesbians or gay. They have to come out to themselves and to the others. At the same time, logging into the chat rooms is not only to come out as a homosexual person, but also to find a way that guarantees their same-sex desires can be fulfilled. Marrying another homosexual person will ensure that their same-sex desires will not have to be repressed. Therefore to marry is to come out, rather than being in the closet.

Furthermore, the most important thing is to come out to oneself or to the community that provides support, rather than to the public or the government which represses, suppresses and punishes homosexual desires.

Secondly, women in contract marriages have the freedom and space to declare their desires and needs. Women can negotiate conditions and claim their needs online before meeting their candidates (i.e. husbands-to-be). In traditional marriages women are taken for granted, and their needs and desires are largely ignored. In contract marriages women are in a more equal position. Although many do not register their marriages, when written contracts are struck between the partners these are

enforceable in court. The internet allows women to articulate their desires and needs and ask men to meet their needs. Because of this, some argue that women who seek contract marriages are true feminists.

Thirdly, contract marriage is a queer practice rather than a pretence to be straight or to compromise oneself to meet the needs of a heterosexual culture. If gender is performance, transgender people and drag queens are queer because they challenge the gender system. In the film the weddings are performance too: both husband and wife, groom and bride, gay and lesbian, they dress up, they come to the stage, they perform and tease the rituals; they subvert, transform and challenge the institution of marriage.

The institution of marriage is deeply unequal and discriminatory. While traditional marriages can allow economic benefits and social respect, certain people are excluded from these benefits due to stigma: sex workers, people with HIV or disabilities and LGBT people. Since they are excluded from the institution of marriage, they are excluded from those benefits and respect. At the same time, it can be argued that calling for same-sex marriages to be legalised is a compromise with heterosexual culture, and reinforces an unequal and discriminatory institution, rather than challenging it.

Finally, the film also shows that the internet has led to changes in women's lives. Women can articulate their desires, women can make demands, women can negotiate the conditions of engagement with men, and women can take the lead in organising social change.

Xiong explained that much of the organisation of online contract marriages is led by lesbian women, because men are not used to being equal with women. Even some gay men find it difficult to meet the demands of lesbian women and prefer to marry straight women. But lesbian women do not want to enter marriage to suppress their desires. Through organising contract marriages online, Xiong not only took control of her own life, and built new lesbian and gay families and communities, she also became a lesbian activist and a leader for the movement.

## Conclusions

First of all, chat rooms used to organise contract marriages create a new space for lesbians and gay men to come out to themselves and to each other. It is a space that is safer because they come out to people with the same needs and desires, rather than

offline, where people might judge or attack them. This is also a space that accumulates narratives and stories which challenge the very institution of marriage, revealing its unequal and discriminatory nature. It also challenges the notion of same-sex marriage, which is dangerously becoming a singular and universal goal of global LGBT movements. This goal reflects a lack of awareness about different needs, cultures, societies and the politics of different LGBT people in diverse locations.

Instead, the demand for contract marriages in China shows that there are many ways to be homosexual or to lead movements. Same-sex marriage should not be a single goal and should never dominate global LGBT movements. The act of organising contract marriages online sheds a new light on same-sex marriages that can benefit the LGBT movement. It creates a feminist space, allowing lesbian women to declare their needs and desires that are often the opposite of what the patriarchal marriage institution is designed for – one that requires women to be silent and obey their husbands.

The space not only leaves women free to articulate their sexual desires, but also gives women the courage to ask their potential husbands to meet their needs before entering marriages. In contrast, women in traditional marriages in China would seldom think of their own needs, let alone ask for them to be met. In the ways in which traditional marriages function, women are invisible, ignored and taken for granted. But contract marriages bring women's desires and needs centre stage, so that they cannot be ignored any more.

The online spaces created through organising contract marriages provide lesbian women in China a space not only for articulating their desires and declaring their needs, but for identifying social problems, forming communities, designing strategies for engagement, and being part of the lesbian movement.

Finally, the act of organising contract marriages online goes beyond everyday LGBT and feminist concerns; it is also a broader social movement, which has an impact on many social and political fronts. Contract marriages show that women or people with disadvantaged social identities can take the initiative to control and change their lives.

The internet makes this possible. Using the internet to organise pushes lesbian women into the political arena, enabling them to become negotiators, leaders and organisers, both online or offline. It allows them to play a key role in social life, not only changing their own lives, but the lives of many others.

## Action steps

Organising contract marriages online started on a small scale, but is quietly growing in China. It is welcomed by the lesbian and gay communities, as well as people who do not wish to or cannot get married. However, the practice goes far beyond LGBT issues or meeting LGBT people's needs only.

Internet users in China exceeded 630 million in 2014. Because of this, the number of people who enter contract marriages will grow.

This raises the following concerns for internet activists:

- At the level of legislation, many people who enter contract marriages choose not to register with the authorities, which means their rights are not protected by law. Internet activists as well as human rights activists should raise the concern that written contracts should be validated by law, so that those who enter into contract marriages enjoy their rights like any other citizen.
- For LGBT activists and feminists, contract marriages provide a great example on how to fight for sexual rights and gender equality. They uncover the great inequality and patriarchal practices that the institution of marriage brings to society and human lives, which, so far, neither the LGBT movement nor the feminist movement has been able to effectively address. Promoting same-sex marriages not only strengthens the unequal system, but also reinforces patriarchy. Activists could use contract marriage as a case to raise awareness about how the institution of marriage in itself is a problem, which should not be the goal of any sexual rights movement.
- For activists and theorists, contract marriages can provoke many interesting issues. It is a practice that requires urgent theoretical analysis. Theory could in turn serve practice. For example, the new and growing phenomenon of gay and lesbian kinship (or LGBT families) could be a subject for research, which will contribute to the theory of how human societies evolve.

# Sexual rights and the internet

The theme for this edition of Global Information Society Watch (GISWatch) is sexual rights and the online world. The eight thematic reports introduce the theme from different perspectives, including the global policy landscape for sexual rights and the internet, the privatisation of spaces for free expression and engagement, the need to create a feminist internet, how to think about children and their vulnerabilities online, and consent and pornography online.

These thematic reports frame the 57 country reports that follow. The topics of the country reports are diverse, ranging from the challenges and possibilities that the internet offers lesbian, gay, bisexual, transgender and queer (LGBTQ) communities, to the active role of religious, cultural and patriarchal establishments in suppressing sexual rights, such as same-sex marriage and the right to legal abortion, to the rights of sex workers, violence against women online, and sex education in schools. Each country report includes a list of action steps for future advocacy.

The timing of this publication is critical: many across the globe are denied their sexual rights, some facing direct persecution for their sexuality (in several countries, homosexuality is a crime). While these reports seem to indicate that the internet does help in the expression and defence of sexual rights, they also show that in some contexts this potential is under threat – whether through the active use of the internet by conservative and reactionary groups, or through threats of harassment and violence.

The reports suggest that a radical revisiting of policy, legislation and practice is needed in many contexts to protect and promote the possibilities of the internet for ensuring that sexual rights are realised all over the world.

GLOBAL INFORMATION SOCIETY WATCH

2015 Report

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