

# CROSS-CURRENTS



## EAST ASIAN HISTORY AND CULTURE REVIEW

### **The “Fake Marriage” Test in Taiwan: Gender, Sexuality, and Border Control**

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#### **Abstract**

According to many reports, migrant sex workers often use marriages of convenience to cross national borders in order to avoid laws criminalizing commercial sex in many destination countries. Taiwan is one of the countries developing strategies to prevent this illicit migration, particularly through the application of a fake marriage test. Based on in-depth interviews with eighteen Chinese migrant sex workers and thirteen officers of Taiwan’s National Immigration Agency (NIA), this article argues, first, that the discourse of “national security” has been widely drawn on to justify Taiwan’s rigid border control at the expense of stigmatized Chinese prostitutes who have been scapegoated. Border control is therefore not only racialized or classed but also sexualized, to the extent that all Chinese migrant women are considered potential prostitutes. Second, this article reveals how the exclusion of and hostility toward Chinese sex workers are simultaneously linked with a gender regime that seeks to exclude Chinese spouses who deviate from Taiwanese gender and social norms. The border is therefore a contested site where gender, sexuality, and nationality are interwoven.

Keywords: migrant workers, sex workers, sexuality, gender, “fake marriage real prostitution,” border control, trafficking

#### **Introduction**

Over the past three decades, 461,985 female marriage migrants have entered Taiwan from China, Southeast Asia, and other countries, with 68.3 percent of them originating in China. The booming population of marriage migrants and the ensuing cultural, social, and political

tensions have triggered huge debates regarding the impact of this migration on the “quality” of the next generation and the political loyalty of migrants, especially Chinese spouses. Moreover, the commercialization of transnational marriages between Taiwanese men and Southeast Asian or Chinese women was labeled by the United States as “trafficking in persons” in a disguised form at the beginning of the new millennium. Earlier immigration control for Chinese brides and foreign spouses relied only on the examination of migrant women’s documents and was considered too loose to detect instances of trafficking in persons or to screen out sex workers. Under pressure from the United States, Taiwan tightened its border control starting in September 2003 in order to prevent Chinese women from exploiting transnational marriage for transnational prostitution, and more generally to prevent trafficking in women. Combating “fake marriage, real prostitution” (*jia jie hun chen mai yin*) therefore provides justification for the newly introduced immigration control measures. It is worth noting that this mechanism initially targeted only Chinese migrant women rather than including all foreign spouses, including those from Southeast Asia.<sup>1</sup> In addition, Chinese spouses were not allowed to enter Taiwan freely but were subjected to a strict quota system before 2002 that aimed to control their numbers; the majority of couples were thus forced to live on different sides of the Taiwan Strait before 2002. As Chinese sex workers were the primary target of the new immigration policies, this article uses the example of Chinese spouses to analyze how the fake marriage test shapes migrant women’s intimate lives and contributes to migrant sex workers’ vulnerability in Taiwan.

The newly developed border control policies raise theoretical concerns regarding the relationship between transnational marriage and transnational prostitution, and the ways in which gender, sexuality, and nationality are interwoven on the border. As Lynn Jamieson (2012) suggests, there is no universal definition of intimacy; rather, there are varied practices of intimacy surrounding marriage or love across cultures. It is therefore rather difficult to

differentiate a “true” transnational marriage from a “fake” one. Sara Friedman (2010, 2014) argues that by demanding that Chinese migrant women “tell the truth” about their marriages, Taiwan’s current border control produces the sovereign effect that Taiwan has been struggling to achieve for decades, while simultaneously (re)producing the gender and sexual norms of conventional (transnational) marriages. Sexuality is obviously situated at the intersection of transnational marriage and transnational prostitution; however, the ways in which it shapes border control are undertheorized. Adding to Friedman’s research, I would like to reveal the ways in which sexuality underlines the newly developed border control measures by including Chinese women who are involved in sex work in the account.

The data presented in this article was generated from a broader project regarding (undocumented) Chinese migrant sex workers in Taiwan that I conducted between 2005 and 2008.<sup>2</sup> Chinese migrant sex workers interviewed in this study were recruited from police stations where these women were accused of prostituting themselves and using “fake marriage” to cover their involvement in transnational sex work in Taiwan. Hence, I use the term “migrant sex workers” to include two groups of Chinese women who are involved in sex work. The first group comprises Chinese women who entered Taiwan as Chinese spouses and either consented in advance or were deceived into becoming involved in sex work; the other group includes Chinese marriage migrants who later became sex workers for varied reasons. The term “migrant sex workers” also indicates that these Chinese immigrants were capable of moving among different immigration categories, and indicates that the boundary between transnational marriage and transnational prostitution is fuzzy.

Based on in-depth interviews with eighteen Chinese migrant sex workers and thirteen officers of Taiwan’s National Immigration Agency (NIA), I argue that these mechanisms of border control exclude not only national and class others but also those who transgress gender and sexual norms. Moreover, the interviews conducted by the NIA involve a substantial

investigation of possible “fake marriage” and usually subject migrant women’s sexuality and intimate life to close scrutiny. It is not surprising that it is Chinese women who engage in sex work or fail to live up to the social expectations of a good wife who are kept from crossing the border. The state’s concern goes far beyond whether a cross-strait marriage is “real” or “fake” by actually controlling Chinese migrant women’s bodies and sexuality per se, and by attempting to determine the appropriate place for their unpaid reproductive labor in proper Taiwanese households.

### **Making Chinese Migrant Sex Workers Visible**

As subfields of sociology, both the study of sex work and that of migration have received much attention. However, the complicated relations between these two fields have rarely been explored. It is widely documented that migrant women frequently drift to work in the black market or prostitution after overstaying their visas or having difficulty finding a proper job in the labor market (Kempadoo and Doezema 1998; Gülçür and İlkaracan 2002; Psimmenos 2000). However, apart from a few recent studies that aim to analyze the ways in which intimacy is commodified in globalization or transnational migration and how migrant women move among service work, domestic work, and sex work (Constable 2009; Boris and Parreñas 2010), the majority of migration studies hardly engage in the debates regarding transnational prostitution or migrant sex workers. Laura Agustin (2007) argues that the invisibility of migrant sex workers makes them a “disappearing category” in transnational migration. Moreover, she identifies a series of dichotomized ideological or migratory categories (e.g., tourism vs. work, service work vs. sex work, marriage migration vs. economic migration, etc.) that usually fail to recognize migrant women’s varied social needs and situations, rigidly confining them to a fixed category. Some scholars have pointed out that transnational prostitution shaped by global economic inequality is indeed part of

transnational labor migration and is closely linked to marriage migration due to stringent immigration regulations that make marriage one of the few legitimate ways to enter destinations (Meaker 2002; Ruenkaew 2002).

The political tensions across the Taiwan Strait makes Taiwan inclined to secure itself by applying stringent immigration regulations toward Chinese. According to the *Act Governing Relations between People of the Taiwan Area and the Mainland Area* (1992), apart from group tourism, engaging in social and cultural interchange activities, and visiting relatives who were forced to separate in 1949, cross-strait marriage was the *only* way for Chinese to enter Taiwan before 2011; this restriction was said to prevent Chinese espionage. Cross-strait marriage has therefore suffered all kinds of manipulations for the purpose of illicit migration, be it labor migration or sexual labor migration. Failing to include Chinese migrant sex workers in an analysis of cross-strait migration obscures the political economy of sex involved in this migration. One runs the risk of neglecting how border control is sexualized to the extent that Chinese migrant sex workers become scapegoats for all kinds of illicit migration; on the other hand, one might also fail to examine how gendered sexuality penetrates the immigration regime to discipline and domesticize (good) Chinese migrant women while keeping out (bad) marriage migrants who are involved in prostitution.

According to Michel Foucault ([1978] 1998), sexuality is situated at the node of the individual body and the reproduction of the population. The ways in which disciplinary power penetrates, controls, and produces bodies and sexuality are actually tantamount to the politics of populations and the issues of death or life of a nation. Women's bodies and sexuality, in particular, signify the reproduction of a nation and ethnic boundaries (Yuval-Davis 1997). Scholars have illustrated how the Taiwanese government, following this reasoning, presumes that migrant women from Southeast Asia are inferior racially (Lan 2008), and that Chinese spouses might be disloyal politically (Kung 2006).

Taking sexuality seriously, research shows that the infamous U.S. Page Law (1875–1882) not only operated against prostitutes but also forbade all Chinese women from entering America, resulting in a bizarre phenomenon in which all Chinese migrant workers were automatically defined as bachelors (Peffer 1986). Sexualized border control therefore shapes the mode of gendered migration. Eithne Luibhéid (2002, 2008) further argues that heteronormativity underlines the immigration control of the United States and serves to exclude those who dissent from sexual norms, such as sex workers and homosexuals. In Taiwan, the case of the *dalumei* (literally “mainland sister”) is illustrative of this worldwide subjugation of migrant sex workers who become stigmatized due to the nature of their work and their being from the so-called enemy state of China.

### ***Dalumei*: A Stigma Constructed at the Intersection of Sexuality and Ethnicity**

Ke-Jeng Lan, Wen-chyi Jou, and Ruey-ming Huang (2002) claim that Chinese women have constituted a considerable portion of the sexual labor force in Taiwan’s sex industry since the late 1990s. The use of the term *dalumei* to describe these women spread rapidly in the media in the late 1980s. It generally referred to undocumented Chinese women with poor manners and taste in clothing who came from rural areas, and it was linked in particular to “forced prostitution.” Nonetheless, Melody Lu (2008) claims, the social imaginings of *dalumei* and Chinese women in general have been deeply embedded in the unsettled socioeconomic and political tensions between Taiwan and China and accordingly subject to changes in the cross-strait political situation.

In the late 1980s, the majority of newspaper stories about *dalumei* usually involved pitiful young Chinese girls who were stowed in fishing vessels (*tou du*) and transported to Taiwan by their traffickers for prostitution. Nonetheless, the idea that “we are all Chinese” held sway, with public opinion sympathetic toward these poor Chinese girls. For example, the

*United Daily* published an article titled “Dalumei” claiming that “trapping or forcing young girls to prostitute themselves is committing the most heinous crime; trapping Chinese girls should be cursed” (*United Daily*, June 24, 1989, p. 9). Thereafter, as Melody Lu (2008) documents, the rising pro-independence movement in Taiwan and China’s missile tests in 1996 served to sharpen Taiwan’s antipathies toward China. The conflicts between Taiwan and China did not, however, obstruct the prevalence of marriage or other kinds of social interchanges across the water. However, following the removal of the quota system in 2002, smuggling Chinese women into Taiwan gradually lost its attraction for both Chinese women and Taiwanese traffickers. Chinese women could now travel with proper documents and enter Taiwan legally for the purpose of cross-strait marriage. This phenomenon was quickly reflected in official statistics issued in the early years of the twenty-first century. According to the NIA, the number of undocumented Chinese women detained in illegal immigration centers was 155 in 1992 and gradually reached its peak in 2003, when 2,920 women were detained. Thereafter, the number of undocumented women detained declined dramatically; 177 women were detained in 2005, and only 5 in 2012.<sup>3</sup> On the other hand, cross-strait marriages increased remarkably between 2000 and 2003. In 1998, one out of every twelve marriages registered in Taiwan was a cross-strait marriage. In 2003, this figure was up to one in 4.9. After introducing the mechanism of marital interview, however, the number dropped back to one in every 12.4 registered marriages in 2004 and one in every 11.9 marriages in 2012.<sup>4</sup>

The increasing visibility of (undocumented) Chinese migrants has made both Taiwanese individuals and the Taiwanese government more hostile to *daluren* (mainland people) in general and *dalumei* in particular. Around the turn of the century, the *dalumei* began to be portrayed as “mainland gold-diggers” who are promiscuous and come to Taiwan expressly to engage in prostitution. Headlines such as “Pink Army for Gold-Digging” and

“Concentration Camp of Mainland Gold-Diggers” dominated the mass media. The earlier sympathetic attitude of ordinary people toward *dalumei* was replaced by loathing and discrimination. Furthermore, not only Chinese sex workers but Chinese women in general were labeled *dalumei*. Chinese migrant women who are called *dalumei* are seen as “whores” because of their Chineseness—that is, they are perceived as poor, greedy, cunning, promiscuous, and uncivilized.

In this study, with the exception of a few who felt it was “all right” to be called *dalumei*, most interviewees felt that the term conveyed discrimination and hostility against Chinese women. Confessing that a broker had hired a “fake husband” so that she could enter as a Chinese spouse in order to work (*da gong*) in Taiwan, Wang Tong reported that

one day I went shopping in Xin-Jue-Jiang [in downtown Kaohsiung]. I was calling a friend, and saying, “Could you hurry up?” Two [Taiwanese] girls stood in front of the shop, and whispered quietly, “Oh, another da-da.” It means *dalumei*. Although they said “da-da,” I knew what it meant. I feel...they looked down upon us. Discrimination, you know? Probably in their eyes, *dalumei* come for making this kind of money. (Wang Tong, 21, Jiangxi Province)

Similarly, Xaio-Jun talked about her experiences of being called a *dalumei*: “Why do you call us *dalumei*? It seems that we are inferior to Taiwanese. We come to make a living. We don’t rob or steal.... We’re looked down upon by Taiwanese” (Xaio-Jun, 26, Fujian Province).

For Wang Tong, the term *dalumei* is not only an ethnic category use to differentiate “us” and “them” but also a label with a strong sexual connotation—in Taiwanese eyes, an obscene connotation—since “*dalumei* come for making ‘this kind of money.’” So a *dalumei* is no longer envisioned as an innocent sexual victim, but rather as a whore who makes money by selling her body and soul. Wang Tong clearly identified the sexualized connotation of

*dalumei*, while Xiao-Jun defended sex work: “We come to make a living. We don’t rob or steal.” Like many other Chinese interviewees, Xiao-Jun had never heard the neutral term “sex work” and always planned to leave this job, because it is “shameful” and “keeps your head down.” However, each transaction is counted as a *gong* (work), which is similar to leaving the home village to *da gong* (go to work) in other provinces. The difference is that sex work is criminalized; it thus not only erases women’s status as downtrodden migrant workers but also makes them criminals. While the ostensible purpose of interviewing Chinese spouses is to consolidate the border, it has also contributed to a sexualized and stigmatized conception of all Chinese spouses as *dalumei*, making it even more difficult for Chinese migrant sex workers to defend themselves in Taiwan.

### **The Sexual Politics of the “Fake Marriage” Investigation**

#### *Doing Intimacy under the State’s Gaze*

In September 2003, the Mainland Affairs Council cooperated with the NIA to launch an interview mechanism intended to identify and reject requests from Chinese women who come to prostitute themselves under the disguise of fake marriages. Accordingly, Chinese marriage migrants must be interviewed by agents of the NIA at the airport upon landing in Taiwan. Chinese migrants who fail to pass the interview are immediately deported back to China. Migrant women who pass the interview but remain suspected of engaging in fake marriage are issued a six-month visa and required to undergo a second interview at a local branch of the NIA. The mechanism of marital interviews and the investigation of fake marriages are considered methods successful in tackling the issue of “trafficking in persons.” According to the newest NIA statistics, 18.9 percent of Chinese marriage migrants failed the second interview in 2014.

Most of the NIA officers I interviewed said they thought that the mechanism indeed serves to suppress the incidence of fake marriages. Nonetheless, since the NIA has failed to set up proper criteria to examine the authenticity of cross-strait marriages, and most of the interviewing officers lack proper training, the NIA is frequently accused of violating sexual privacy and intervening in marriage. Furthermore, before September 2011, Chinese spouses in particular were deprived of their right to work during their first two years in Taiwan. Those who did work during this period were accused of engaging in “illicit work” (*fei fa da gong*) and risked being deported and denied reentry for up to three years.

Most of the NIA officers interviewed for my study reported that whether husbands and wives could verify “the fact of living together” was the key issue of the whole investigation. Officer Chen, who is in charge of the anti-trafficking project, reported that “the point is to check out whether husbands and wives are living together, how they knew each other, and see whether they are familiar with each other’s families. If you are married to someone, it’s impossible that you never know about his family, right?” (Officer Chen, Squad A). Officer Chao, who holds a master’s degree in criminology from the United States, is the only officer who pointed out that most cross-strait marriages are supported with formal legal papers, and hence that the term “‘fake marriage’ is problematic.” He said:

The original idea is using an interview to screen [for fake marriage]. Yes, many couples got married nominally. We found that there is an appearance of a marriage but no substance. Firstly, they [husband and wife] are not so familiar with each other, and their accounts regarding their daily life are far from the same, something like that. But I cannot say it’s a “fake marriage.” They indeed get married with legal papers and even spend hundreds of RMB to take standard photos for a court wedding. All the papers are genuine. (Officer Chao, Squad B)

Although these two officers reflect differently on their investigations of “fake marriage,” they agree on the importance of investigating the daily lives of husbands and

wives in cross-strait marriages, from how they met each other, fell in love, kept in touch, and got married, to how they organized trips to Taiwan for reunions. In order to make sure that couples under investigation live together, Officer Chang told me that he would interview husbands and wives separately and demand that the couple describe every object that they could see clearly when entering their apartment, and then he would compare the similarities and differences in their answers.

Ken Plummer (2003) argues that pursuing intimacy in the modern world in some ways signifies a free and meaningful lifestyle and the expression of an authentic self. Although the pursuit of intimacy is aided by the democratization and informalization of modern life, it is nonetheless still shaped by greater forces, such as bureaucratization, commercialization, and globalization. According to Plummer, people pursue intimacies under complicated and even contradictory power webs and “do intimacy” to express inner feelings and emotions. Applying Plummer’s idea of “doing intimacy” to this study, when the state apparatus mobilizes huge resources to detect the “truth” of cross-strait marriages, it means the couples have to perform proper heterosexual intimacy to convince the interviewer.

Many NIA officers reckoned that “the Chinese are well trained before they come here.” Some officers even reported that confronting “fake marriages” is “more challenging” than examining ordinary cross-strait couples and “demands intelligence” due to “snake heads” who are well prepared for the interview. I interviewed seven “snake heads” who organized fake marriages for Chinese women and Taiwanese men, and they reported having trained the husbands and wives to pass the interview. Some well-organized “snake heads” even develop question-and-answer booklets to help those attempting to buck the system to deal with the interview. Since the interview officers tend to demand details of how the couples built their intimate relationship to prove that the marriage is based on “free love,” these “snake heads” always arrange a tour to China for Taiwanese husbands in order to create a romantic

encounter in which the husband and wife appear to meet and fall in love with each other “naturally.” After coming back to Taiwan, the husband is told to keep in touch with the Chinese woman either by telephone or email, in order to create a “record of romantic love” to pass the interview. In this “training” process, both husband and wife have to manage themselves in order to create a proper narrative of romantic encounters and evidence of truly performing the labor of love. Pei-chia Lan (2008) observed that a Vietnamese migrant woman called her Taiwanese husband and managed to squeeze a smile on her face when she was interviewed in Ho Chi Minh City. Similarly, I witnessed a Chinese woman (who had been kept in a detention center for four months) and her “fake” husband talking very intimately under police supervision. According to the police, the “husband” was a taxi driver, and he had visited the woman every day since her arrest. The police told me, “The ‘husband’ is very responsible. He comes every day between 2:00 and 2:30 P.M. All these meeting records are positive evidence” of their love and marriage, which will be used “to convince the court sooner or later.”

### *Sex as the Core Element of “Real Marriage”*

The fact that the actions considered to be signs of intimacy can be so well imitated makes the investigation of “fake marriage” especially hard to carry out. Obviously, inner and deeper intimacy is difficult to identify. It seems that the more difficult the couples’ inner feelings or level of intimacy is to identify, the more the government tries to frame or grasp it in terms of objective, visible signs. As sex is considered to be the embodiment of love or intimacy (Seidman 1991), the investigation of whether a husband and wife are “living together” is frequently used as an excuse to investigate whether or not they are having sex. As a result, NIA agents check out Chinese migrants’ bedrooms when they carry out family visits.

From January to May 2008, I accompanied Agents Chien and Chang on four family visits (*jia ting fang shi*) aimed at determining whether Chinese migrant women's marriages were real or fake. On these trips, a total of nine marriage couples were interviewed. On the first trip, we visited a fifty-two-year-old Chinese woman and her seventy-year-old veteran husband, who were on the waiting list for their second interview. During the visit, agent Chang politely reminded the woman when she should turn up for the second interview and to remember to bring financial and other documents. Later on, Chien tried to set her at ease by asking whether she had been married before and whether she had any children. After chatting with the woman for a while, Chien began to act more like an NIA agent. He asked the husband if he could check out the couple's bedroom. Both husband and wife looked embarrassed, but obviously they could not say no. The agents and I followed the old man into their tiny bedroom, which had one single bed and one double bed. The man pointed to the double bed, saying, "She sleeps there, and I here [in the smaller one]." Agent Chien demanded to inspect their closets. The old man replied, "Oh, okay. It's full of her clothes." After checking out the bedroom, we all went back to the living room. Chang talked to the woman nicely, reminding her that she could not work during her first two years in Taiwan. The woman did not reply but looked at me with an embarrassed smile.

The scenario described here is typical procedure for a family visit. Agent Chen seemed hesitant about using state power to check out private households. He said, "Sometimes it's not convenient to go inside people's places and look at all those details carefully. So, to be honest, the 'family visit'... sometimes really depends on... personal feeling." This account not only shows that the investigation is based on agents' arbitrary judgments but also suggests that even the state's own agents question the legitimacy of state power. Chen's colleague, Lin, drew on his own marital experiences to develop his criteria for "living together":

The more messy the home you see, the more true the marriage is. It's husband and wife anyway, so there is a lot of stuff piled up everywhere. It's messy, right? [*He laughs.*] We judge from our ordinary family life. If the place is spotless, it's problematic. For example, I open their closets and find that those clothes do not fit with the season. It's summer, but it is full of winter clothes. Sometimes there are only a few clothes inside [the closet], you then know it's impossible [that they live together]! You know the truth when you get there. (Officer Lin, Squad A)

The way Lin distinguished real from fake marriage is not an exception. Many agents interviewed for this project consistently reported a “wrong suitcase” story, or how the clothes in the closets didn't fit the season. By checking out bedrooms and closets to determine whether a couple was truly “living together” or not, the NIA presumed Chinese migrant women to be potential criminals in this practice. Moreover, whether a couple is “living together” is frequently equated with whether sex is detectable in migrant women's beds. When prompted with the observation that it seems difficult to know whether a marriage is real or fake, even if you check out a couple's bedroom, Agent Chien noted, “You have to check it, so you could know whether they are together.... The old veteran is too old, so we could not tell. But some foreign spouses are very young, so checking out bedrooms is very useful.... I feel it's very useful. You probably would know whether they live together in this way” (Officer Chien, Squad B).

Although agents interviewed frequently reported that the NIA forbade them from asking questions considered too “sensitive” or “private” during investigations, it seems obvious that many agents use sex as an indicator of a real marriage. Chien was one of the few agents who was taciturn and shy, and who hardly used the word “sex” during the interview. However, his account points out the legitimacy of checking out the bedroom of the old veteran and his wife to try to ascertain whether “they are together.” Ken Plummer (1995) argues that people do not have sufficient language to talk about sex; moreover, sexual

language is always embedded in gendered and racialized social structures (Cameron and Kulick 2003). In Taiwan, “being together” in many cases refers to a sexual relationship between a man and a woman. Although “being together” is different from “living together,” by comparing the old veteran’s sexless bedroom with other young foreign spouses’ bedrooms, Chien’s account singled out the importance of sex in family visits. Sex therefore appears to be the key proof of true marriage.

Bedrooms, closets, bathrooms, and lifestyles become not only contested sites of true marriage but also battlegrounds in the struggle for national security. Although the definition of “national security” is never clarified, many border control agents draw on it to justify their techniques of border control (Chao 2005). Agent Chao was rather unhappy when asked whether checking closets violates a person’s right to privacy; he offered the “advanced country” of Japan as an example to justify how state power can enter private areas to keep migrants under strict surveillance:

At this point, you have to ask whether national security is more important than personal privacy. Advanced countries like Japan would raid private households at midnight to see whether they [husband and wife] sleep on the same bed. What’s the big deal if we check out the closet? (Officer Chao, Squad C)

Officer Lee’s response to the question “What is the point of preventing ‘fake marriage?’” is also notable. Lee, the chief of an NIA service station, asked with a smile and a laugh: “Do you ever think what would happen if one day our presidential candidate is a ‘son of Taiwan’ who was the son of a Chinese spouse?”

Agent Chao thought that fake marriage was an issue of national security. Chief Lee went further to define “national security” in terms of pureness of blood and political loyalty. Migrant women put Taiwan in danger either immediately or in the future. Juxtaposing the two quotations above, it seems that once the state is able to verify that migrant women are

sleeping with their husbands, the marriage becomes truthful and, consequently, not a threat to the safety of the state. On the other hand, because Chinese spouses' bodies and sexuality are reproductive, the child of a Chinese spouse, considered polluted and dangerous, could pave the way for political uncertainty. As Nira Yuval-Davis (1997) argues, women's bodies are the marker of nationhood. By practicing good sex (i.e., sleeping with her husband), a migrant woman could be included as one of "us." Nonetheless, her reproductive body and sexuality are also contaminated, which constitutes a threat to "us." Hence, once migrant women fail to follow heterosexual norms it is very likely that they will be excluded from society.

### *The Priority of Besieging Sex Workers*

The investigation of "fake marriage" is actually sexualized nationalism, in which discrimination or different treatment based on nationalism emerge in a sexual sense, or is tinged with a sexual connotation. Moreover, degraded national status and stigmatized sexual status constantly refer to each other and serve to provide justification to exclude sexualized national others. Most importantly, the NIA does not carry out its investigations indiscriminately. The investigation of fake marriages is embedded in gendered and heterosexual norms.

NIA agents frequently complained about things such as "the shortage of human power," "huge workloads," and "regulations that are not well-equipped." Hence, it is likely that investigations could not always be carried out carefully. With regard to family visits, for example, the number of immigrant households each agent has to cover varies in terms of the degree of urbanization of administrative areas. Agents who work in prosperous cities may be in charge of forty-five hundred immigrant households, while those who work in rural areas are only in charge of eight hundred. As the workload of each agent differs, the quality of fake marriage investigation is far from uniform. Indeed, some agents did not hesitate to report that

they did not have enough time to do their jobs and thus carried out investigations selectively. Agent Wang of Squad D reported that between 2001 and 2003 he served as a policeman in charge of mainland affairs for a city. According to him, there were 139 call-girl services that pimped *dalumei* to engage in commercial sex in the city, and there was no way to stop them. As there were so many *dalumei* involved in prostitution, he processed 187 cases of deportation, which averaged deporting a *dalumei* back to China every two days. He confidently reported, “If you just stood on the street and stopped a taxi, you could find a *dalumei* working in this job. Too many *dalumei* come to prostitute themselves. I don’t even bother to look for those Chinese migrants who either come for work or overstay their visas.” As prostitution is still stigmatized and criminalized, migrant women who commit “fake marriage, real prostitution” are considered to be “breaking social order” and cannot be tolerated.

As the visit to the old veteran showed, the main purpose of the fake marriage investigation always defaulted to excluding migrants who engaged in sex work. After that visit, I asked the agents what they thought about the marriage. Chang quickly responded:

This obviously is a fake marriage. See, the veteran is already seventy-something, and the woman is fifty-two. She definitely comes for work. But women who come to work for making a living won’t do much harm to our society; it’s impossible for her to prostitute herself. In addition, the old man needs someone to take care of him. It seems not good to fail him, right? If the woman really has any problems, it must be political [i.e., she must be a spy], but it is impossible. (Officer Chang, Squad B)

The veteran and his wife were later interviewed by another agent and passed the second interview. Two months later, Chang told me that our family visit “worked.” The Chinese woman had gone back to China because she could not work during her first two years in Taiwan. He reported that, for the veteran, “marriage is in fact meaningless. What he needs is to get a person to take care of him.... If you fail his case, then he lacks someone to take care

of him, but if you let him pass [the investigation], then you worry whether he would be fooled.” In other words, whether the Chinese woman used cross-strait marriage to mask her economic migration was not the issue; the point was whether she could provide unpaid domestic labor to care for and accompany the old man. In contrast, Chinese women who entered Taiwan in the name of cross-strait marriage and then engaged in prostitution were deemed intolerable.

It should be noted that Agent Wang’s claim that the streets are full of *dalumei* is an exaggeration. According to NIA statistics, between 2000 and 2008 approximately 1.5 million Chinese came to Taiwan with proper documents. Of them, nearly fifteen thousand (1.02 percent of the legal entrants) were discovered working without a work permit; approximately six thousand (0.42 percent of the legal entrants) were accused of fake marriage; about nine thousand (0.62 percent) committed prostitution; and roughly 0.55 percent and 0.03 percent, respectively, overstayed their visas or claimed fake relatives. The percentage of Chinese women who engaged in prostitution is actually much lower than the percentage who worked without a permit; nonetheless, *dalumei* who engaged in prostitution attracted public attention out of scale relative to other kinds of illicit Chinese migrants. The state’s disproportionate attention to *dalumei* in itself expresses the politics of sexualized nationalism. Chief Lee talked about the ways in which people frequently draw on a double standard to comment on migrant sex workers:

To be honest, not many women come for prostitution and they haven’t caused serious problems. The problem is that our people are more...sensitive, because it is a sensitive issue. It’s nothing when you see our women prostitute themselves, but when you see foreigners prostitute themselves you would think, “Hey, she just comes for prostitution.” In fact, it is not so serious. She also got married. Some of them prostitute themselves simply to help out their families or to raise the “sons of Taiwan,” their children. (Chief Lee, Service Station in city T)

Lee's account shows that the sexual double standard concerning migrant sex workers is actually a product interweaving the stigma of the whore with the politics of nationality. Although prostitution is criminalized, Taiwanese people are sympathetic or tolerate women who come to this job due to poverty or filial piety (McCaghy and Hou 1994). The prostitutes' rights movement that has grown in the past two decades has, to some extent, served to reduce hostility toward sex workers. Moreover, migrant sex workers from Russia and Ukraine are very popular in the Taiwanese sex industry. The media frequently report that Taiwanese male clients tend to find these white women sexy and desirable. On the other hand, local male clients tend to use terms such as "rude," "low (cultural) standard," "good service," and "would do anything to make money" to describe *dalumei*. Similarly, the most frequently reported terms used to describe Vietnam sex workers are "very dark," "cannot communicate," and "good at playing" (to indicate they are sluts). The hierarchical statuses of migrant sex workers constructed by local sexual consumers confirms Joane Nagle's (2003) claims that the boundaries of race, ethnicity, and nationality are the boundaries of sexuality.

*Dalumei* who enter Taiwan via a cross-strait marriage and engage in sex work were ranked as the primary target of fake marriage investigations by all NIA agents interviewed. However, these agents responded differently when talking about Chinese migrant women who committed "fake marriage, real work." Among the agents, Chief Lee was more capable of thinking about the investigation procedure independently, but when asked about "illicit work" he expressed reservation, due to the fact that it might decrease local people's employment opportunities. He responded:

"Illicit work" in fact would have an impact on our people's employment opportunities. The government should take care of our own people in the first place, and then take care of you foreigners. So, as to the right to work, you cannot get it when you [first] come here.... Our people are unemployed, and you say we are giving them [migrants] employment opportunities, it's not right. (Chief Lee, Service Station in City T)

In contrast to Lee, some agents felt sympathetic to migrants who come to “make hard money,” but whether “illicit work” could be tolerated mainly depended on whether or not it benefitted (fake) Taiwanese husbands. For example, migrant women might help generate stable income for their fake husbands by paying them regular fees, or might take care of them. On the contrary, if migrant workers fail to do so or are involved in “cheating” on Taiwanese husbands, vulnerable old veterans and disabled men in particular, their “illicit work” will not be tolerated. Another agent went further in linking the tolerance of “illicit work” directly with the social care of the elders: “If a Chinese spouse only uses marriage as a façade, and does not bother to take care of the old man and just uses him as a way to go out to work, then we could arrest her. We could say that since you did not live together [with your husband], we want you to go back to the mainland” (Agent Lin, E squad).

The standard for prohibiting “illicit work” stated above is not an exception. To some extent, “illicit work” can be tolerated, but only if Chinese spouses’ (re)productive labor aligns with gender norms that benefit husbands. On the contrary, if Chinese spouses pay attention only to work and neglect their responsibility for taking care of their husbands, “illicit work” could turn out to be the evidence of a “fake marriage.” Most agents felt sympathetic to so-called “caring marriages” (*zhao gu hun yin*); some even argued that “taking care of each other is the nature of marriage.” Agent Wang was the only exception. He shared details about how a restaurant owner in his fifties was “cheated out of money” by two Chinese spouses, respectively. He angrily told me, “I would definitely fail those women who try to steal property and don’t take care of their husbands.” In other words, Chinese spouses are expected to behave as good women during the first two years of their stay in order to prevent deportation.

Indeed, before obtaining Taiwanese nationality (which usually takes six to eight years), Chinese migrant women always suffer from the possibility of their husbands’ abuse

and the threat of deportation. In this study, some Chinese women arrested on the grounds of “illicit work” were reported to the authorities by their husbands, because the women failed to live up to their husbands’ expectations. Some interviewees also mentioned that Chinese women who either engaged in prostitution or met lovers in hotels were deported immediately. Generally, as Antonia Chao (2004) argues, the prolonged waiting period for obtaining Taiwanese nationality creates an imbalance in the power relations between Taiwanese husbands and Chinese spouses. Lin Ping provided a typical story of a Chinese spouse who was mistreated in a cross-strait marriage and thus drifted into the sex industry for survival. She married her husband in 2001 and gave birth to a child. She had been granted a work permit, but when her husband refused to renew it, Lin Ping took matters into her own hands. She found illegal work as a caretaker, cleaner, and helper of vendors in small shops before eventually ending up in sex work. She talked about her marriage in this way:

My husband is twenty years older than me. It’s very difficult to communicate with him. We quarreled with each other a lot. But it was okay, it was not so terrible, because I had a work permit and worked in a factory. Later, the work permit was due and had to be renewed, and I needed his documents to go through all the paperwork, but he did not want to give me those documents. It means you cannot work [legally] without the work permit.... It’s like, “I just don’t want to help you to renew the work permit. If you go back, I won’t apply for a visa to let you come over.” Because everything depends on him, and he always uses this [to control me]. (Lin Ping, 43, Guangxi Province)

Similar stories were frequently reported among interviewees. In these cases, turning to work in the sex industry meant not only struggling to make a living, but also escaping from their husbands’ control and managing to live independently. Nonetheless, as another interviewee reported, “Many of us came with fake marriages, but some actually got married with Taiwanese. But... people who do this job [sex work], even if it is a real marriage, they won’t believe you!” (A-Jin, 33, Fujian Province).

In other words, the immigration regime subjected Chinese spouses to their husbands' control, and thus frequently led to them being mistreated in cross-strait marriages. Nonetheless, once they drifted to sex work for survival or as part of their struggle for an independent life, they were immediately categorized as *dalumei*, whores who are unworthy of being trusted.

## Conclusion

The borders of a nation-state and the determination of who can become one of "us" are always contested sites of power struggles. Taking Taiwanese border control as an example, this article reveals how sexuality is interwoven with racialized border control, as well as how the exclusion of and hostility toward Chinese sex workers were simultaneously linked with a gender regime that excludes Chinese spouses who deviate from Taiwanese gender and social norms. The border therefore turns out to be an intersection of the politics of gender, sexuality, and nationality.

Differing from other analyses of the Taiwanese immigration regime, this article argues that the border signifies not only the embodiment of nationalism, which is used to discriminate against Chinese immigrants in particular, but also a sexualized regime that presumes that all Chinese immigrants are whores. In the name of "national security," the rigid border control justifies itself in terms of screening out illegal activities (e.g., "illicit work," overstaying) and all kinds of Chinese espionage. However, this research shows that the fake marriage test is not carried out indiscriminately; the border is far less seamless than might be expected. In many cases, NIA agents use their own discretion, based on gender norms and sexual hierarchy, to determine who is able to cross the border and become one of "us." Since prostitution is criminalized and stigmatized, Chinese spouses who are involved in sex work are the primary target of the fake marriage test, while Chinese spouses who engaged in "fake

marriage, real work” are sometimes tolerated. Hence, although cross-strait marriages suffer from all kinds of manipulation by multiple parties, it is Chinese migrant sex workers who pay the greatest price.

It is important to note that the success of these border control techniques relies significantly on a series of unexamined dichotomous categories—that is, the dichotomies of real versus fake marriage, good women versus bad women, Chinese spouses versus *dalumei*, travel versus work, decent work versus sex work, marital migrants versus economic migrants, and so on. These categories doubtlessly shape our daily practices and imagination regarding marriage and intimacy as well as our sense of who we are. However, transculturally and transhistorically, these categories are hardly consistent or static. Given the differentiation of economic migration from marriage migration, poor Chinese immigrants are deprived of their right to work and must depend on their husbands and be confined to private households. Furthermore, the prolonged period of naturalization puts Chinese spouses at the mercy of their Taiwanese husbands. The fake marriage test ends up serving not only to exclude Chinese migrant sex workers but also to discipline Chinese spouses to align with the social norms of good women. Similarly, the dichotomy of decent work and sex work serves to reconsolidate the boundary between good Chinese spouses and bad *dalumei*. Nonetheless, the two categories are interlinked under the rigid border control. The deployment of the discourse of “fake marriage, real prostitution” subjects *all* Chinese women at both ends of the dichotomy to the sexual stigma of *dalumei* and prostitution.

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**Notes**

- 1 Marriage migrants who are not from China are officially categorized as “foreign spouses.” However, the term “foreign spouse” is very much embedded in a global economic hierarchy that refers only to marriage migrants from Southeast Asia; marriage migrants from the West or other developed countries are not included in this category.
- 2 Interview data presented in this article was collected between 2005 and 2008; however, official statistics have been updated. Although regulations regarding migrant women’s right to work and the process of naturalization were amended in 2009 and 2011, the practices regarding the investigation of “fake marriage” remain the same.
- 3 See the official site of the National Immigration Agency (<http://www.immigration.gov.tw/lp.asp?ctNode=29699&CtUnit=16434&BaseDSD=7&mp=1>), accessed May 25, 2015.
- 4 See the official site of the National Immigration Agency (<https://www.immigration.gov.tw/ct.asp?xItem=1291286&ctNode=29699&mp=1>), accessed May 25, 2015.

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