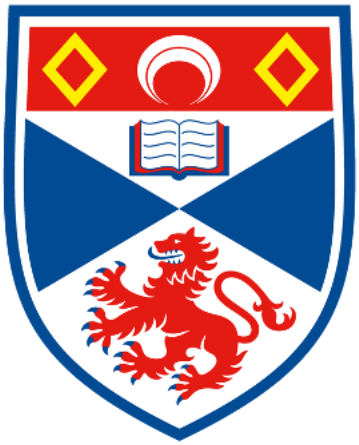
QUEER LIVES OF ASIA: BRIDGING THE PAST AND PRESENT OF SOUTH AND EAST ASIAN LGBTQ+ COMMUNITIES



By Gitika Sanjay
gs258@st-andrews.ac.uk

Supervised by Dr. Elise Watson

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"Translation means doing violence upon the original, means warping and distorting it for foreign, unintended eyes. So then where does that leave us? How can we conclude, except by acknowledging that an act of translation is then necessarily always an act of betrayal?" ― R.F. Kuang, *Babel, or the Necessity of Violence: An Arcane History of the Oxford Translators' Revolution*[1]

When British forces first arrived in India, they encountered communities completely unknown to them - hijra, aravani, kothi - and labelled them "eunuch."[2] They viewed the aforementioned communities as "effeminate, sexually deviant, and impotent"[3] and systematically attempted to erase them through translation and law.[4] The relationship between identity, definition, and preservation is complicated within the colonial archive,[5] which was "created[...]especially unevenly" to favour colonial and postcolonial actors.[6] Despite a growing decentralisation of colonial historiography, archives are still viewed as the primary source of knowledge about the colonial past – especially in discussions of the nineteenth century, when imperial power intensified.[7]

This paper bridges the impact of colonial and decolonial experiences with the present-day lives and perception of non-heteronormative individuals within Asia. How have differences in colonial and foreign pressures affected queer communities in south and east Asia? Can we bridge the study of decolonial sexuality with regional social, political, and cultural experiences to view Asian queer communities within their own, distinct context, rather than a Western narrative? I will address these questions through a comparison of India and Japan, countries with starkly different experiences during the colonial era.[8]

This paper will first discuss pre-colonial and colonial history. It will then analyse the social, political, and

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[1] R.F. Kuang, *Babel, Or, The Necessity of Violence: An Arcane History of the Oxford Translators' Revolution*, (2022, New York), pp.43-44.

[2] Jessica Hinchy, 'The eunuch archive: Colonial records of non-normative gender and sexuality in India', *Culture, Theory and Critique*, 58:2, (2017), pp.127-146, at p.132.

[3] Ashitha Mary Christopher and Unni Krishnan Karikkat, 'From colonial violence to decriminalisation and recognition: An interdisciplinary appraisal of perspectives on Indian LGBTQ+ community's encounter with law', *Journal for Cultural Research*, 27:1, (2023), pp.105-119, at p.108.

[4] Raagini Bora, 'Desi Genderqueerness: The Mystery and History of Gender Diversity in India', *The Feminist Press*, 51:3/4, (2023), pp.172-177, at p.175.

[5] Louise Craven, 'From the Archivist's Cardigan to the Very Dead Sheep: What are Archives? What are Archivists? What do They Do?', in Louise Craven, (ed.), *What are Archives? Cultural and Theoretical Perspectives: A Reader*, (2008, Hampshire), pp.7-30, at p.8.

[6] Aaron M. Hyman and Barbara E. Mundy, 'The colonial archive and its fictions', *Colonial Latin American Review*, 32:3, (2023), pp.312-344, at p.314.

[7] Anjali Arondekar, 'Without a Trace: Sexuality and the Colonial Archive', *Journal of the History of Sexuality*, 14:1/2, (2005), pp. 10-27, at p.15-27.

[8] To clarify, in this paper, I am using the term "non-heteronormative" to refer to any sexual orientation or gender identity that is not strictly cisgender (gender identity aligning with assigned-at-birth sex) or heterosexual (romantically and sexually attracted solely to the opposite sex).

cultural attitude of Indian and Japanese societies towards non-heteronormative communities before considering current and future progress.

This paper comprises source-based research and interviews. In the case of pseudonymisation, I will refer to interviewees with the name of a Roman deity, a technique used in similar studies. All interviewees are over 18.

PRE-COLONIAL AND COLONIAL HISTORY

"The moon is clear / and I am with my lovely boy / frightened by a fox" ― Matsuo Bashō[9]

Both Japan and India encompass rich and ancient queer cultures evident in literary, artistic, and religious tradition.[10] In Japan, homosexuality evolved from the premodern era along three distinct codes. The most prominent, *nanshoku* (男色), gained concrete expression in Edo period monasteries.[11] Japan was strikingly open towards male homosexuality, surprising both European and East Asian delegations.[12] While non-heteronormativity in premodern India was less defined by structure, it was no less present. Across India, art and literature acknowledged diverse gender identities and sexualities.[13] The inclusion of non-heteronormative identities in art and religion specifically implies an acknowledgement of non-heteronormativity. The third-gender Hijra community, for instance, are associated with Lord Shiva, a Hindu deity who "has various gender nonconforming forms of existence."[14]

Foreign influence on both India and Japan increased significantly in the mid-nineteenth century. During the Meiji Era in Japan (1868-1912), another wave of Europeans, viewed as harbingers of superior civilisation, encouraged restrictions on sexual freedom.[15] The Japanese Ministry of Justice consequently criminalised homosexuality in 1872 with the *keikan* (鶏姦) code.[16] The growing desire for Westernisation

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[9] Matsuo Bashō, 'Tsuki sumu ya' in Gábor Terebess (ed.) and Tim Chilchott (trans.), *Matsuo Bashō's haiku poems in romanized Japanese with English translations* (Hungary), p.153.

[10] N. Takashino, R.J. Davidson, and M. Keeni, 'Traditional family system, local government recognition and citizens' perceptions of homosexuality in Japan: an exploratory study', *Equality, Diversity and Inclusion,* 43:4, (2024), pp. 693-710, at pp.694-695.

[11] Furukawa Makoto and Angus Lockyer, 'The Changing Nature of Sexuality: The Three Codes Framing Homosexuality in Modern Japan', *U.S.-Japan Women's Journal English Supplement*, 7, (1994), pp.98-127, at pp.99-100.

[12] Hiroaki Sato, 'Forbidden Colors', *World Policy Journal*, 35:1, (2018), pp.49-53, at p.52.

[13] Lovepreet Kaur, 'Exploring LGBTQ+ equality in India: A comprehensive examination from anthropological and legal perspectives', *Sexuality, Gender, and Policy*, 7:2, (2024), pp.2-18, at p.9.

[14] Bora, 'Desi Genderqueerness: The Mystery and History of Gender Diversity in India', p.172.

[15] Sato, 'Forbidden Colors', p.52.

[16] Chinese influence may have also influenced the creation of the *keikan* code; Furukawa Makoto and Angus Lockyer posit that the "idea of criminalizing sodomy" may have been introduced by Ch'ing law into Japan's

encouraged a third code of homosexuality,[17] *hentai seiyoku* (変態性欲), which framed homosexuality as sexual perversion.[18] The criminalisation of homosexuality in India, by contrast, began earlier and ended later. The British Raj, which controlled India from 1858 to 1947, criminalised homosexuality under Section 377 of the Indian Penal Code.[19] Section 377 did not require a court order for arrests, enabling the police to make arrests with ambiguous interpretations of indecency.[20] The imposition of Victorian values severely altered the legal and socio-cultural landscape of India to alienate non-heteronormativity; consequently, Section 377 was only reversed in 2018, decades after the end of the British Raj.[21] By contrast, Japan saw decades of LGBTQ+ representation through the mid-twentieth century. In 1971, Tōgō Ken ran for office as an openly gay activist; numerous LGBTQ+ support groups emerged around the same time.[22] During the early twenty-first century, although legal progress was stagnant, the social mindset in Japan began to change greatly. In India, it was the opposite; the country has seen recent legal progress, but little change in the socio-cultural landscape.

EDUCATION: THE PROBLEM

> "In this city, no one talks. Everyone guards their sanity against the grief of strangers." — Amruta Patil, *Kari*[23]

"It's always the fear of the unknown. You know, they may not have anything personal against you, but it's more the fear of the unknown. They really don't know what's there in store for them," says Jupiter, a middle-aged man from Mumbai.[24] His sentiment is echoed by most of my interviewees in Mumbai - there is little to no education about queer communities across India. Decades of colonial oppression and colonial hangover have silenced cultural queer awareness and local knowledge of India's queer history.

Shirakawa Prefecture, an area known for its study of Ch'ing and Ming dynasty law. However, most scholars, such as Ruth Benedict in *The Chrysanthemum and the Sword*, suggest a desire for Westernisation.

[17] Gregory M. Pflugfelder, 'The Forbidden Chrysanthemum: Male-Male Sexuality in Meiji Legal Discourse', Gregory M. Pflugfelder, (ed.), *Cartographies of Desire: Male-Male Sexuality in Japanese Discourse, 1600-1950*, (2000, Oakland), pp.146-192, at p.147.

[18] Makoto and Lockyer, 'The Changing Nature of Sexuality', p.99.

[19] Shivam Sharma and Prerna Badhana, 'Overview of LGBTQ+ in India', *Indian Journal of Law and Legal Research*, 5:2, (2023), pp.1-11, at p.3.

[20] Christopher and Karikkat, 'From colonial violence to decriminalisation and recognition', p.107.

[21] The British Raj did not only target homosexuality; third-gender and transgender communities also came under fire. The Criminal Tribes Act of 1871 explicitly criminalised the Hijra community, allowing the police to arrest members of the community without evidence.

[22] Kazuyoshi Kawasaka and Stefan Würrer, 'Introduction: A new age of visibility? LGBTQ+ issues in contemporary Japan' in Kazuyoshi Kawasaki and Stefan Würrer (eds), *Beyond Diversity*, (Berlin, 2024), pp.1-20, at p.2.

[23] Amruta Patil, *Kari*, (2008, Uttar Pradesh).

[24] Jupiter, interview by Gitika Sanjay, 19 May 2024, interview 7, transcript.

It became increasingly clear to me throughout my interviews that school curricula in India rarely discusses non-heteronormative gender and sexuality. “I was not really exposed all that much,” says Apollo, a university student.[25] He shares that his main exposure came through online sources. Prakash, a mental health professional, responds similarly when asked about his exposure to non-heteronormative identities: “In my school? Absolutely not. My medical college? Absolutely not.”[26] Until 2018, it was an issue of legality; there has been a consequent lack of research concerning non-heteronormative orientations, especially amongst mental health professionals.[27]

In Japan, queer education is neither absent nor widespread - yet compared to India, it is a growing field. Euan, a university professor, tells me about recent developments. “In the last fifteen or so years,” he says, “LGBT issues have gone from being something that nobody really talks about to a standard topic that everybody is aware of. There’s that huge, huge change.”[28] He also addresses progress within universities, sharing that several have begun to produce gender diversity guidelines. This change is not only at a university level: Kat, a journalist, teacher, and drag queen, recounts teaching at a public school outside Tokyo. According to them, students were "learning the difference between sex, gender, and sexuality” through various sources, including educational manga.[29]

However, while some Japanese schools and universities have adopted queer-friendly policies, education is a recent and inconsistent development. Koichiro Hoshi, a middle-aged man, says that he “didn’t learn about [queerness] in school until [he] got to college.”[30] His partner agrees: “We knew what the word ‘gay’ meant, of course, but I feel it was viewed more as a psychological illness and something to eradicate and get rid of.”[31] “Nowadays,” says Machiko, a middle-aged woman, “even though the current generation is 70% supportive of the LGBTQ+ community, the elder generations in Japan, born during World War 2 or in the postwar period, are still majorly against it completely. They think it is a psychological illness; there is nothing to do except not focus on it too much.”[32] The association between queerness and illness emerged from the Western field of sexology; Richard Krafft-Ebing's *Psychopathia Sexualis* equated homosexuality with “feminine timidity, frivolity, obstinacy, and weakness of character.”[33] In India as well, elder generations are the least educated about queerness since they grew up during the

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[25] Apollo, interview by Gitika Sanjay, 11 May 2024, interview 1, transcript.
[26] Shiva Prakash Srinivasan, interview by Gitika Sanjay, 16 May 2024, interview 2, transcript.
[27] Ketki Ranade, *Growing up Gay in Urban India*, (Mumbai, 2018), p.11-12.
[28] Euan McKay, interview by Gitika Sanjay, 24 May 2024, interview 10, transcript.
[29] Kat Joplin, interview by Gitika Sanjay, 22 May 2024, interview 8, transcript.
[30] Koichiro Hoshi, interview by Gitika Sanjay, 23 May 2024, interview 9A, transcript.
[31] Koichiro Hoshi (Partner), interview by Gitika Sanjay, 23 May 2024, interview 9B, transcript.
[32] Machiko Nojiri, interview by Gitika Sanjay, 26 May 2024, interview 12A, transcript.
[33] Richard Krafft-Ebing, *Psychopathia Sexualis*, (1862).

criminalisation of homosexuality. Aruna works to bridge this gap: “It’s not their fault,” she says, “because they grew up in a generation where they knew only heterosexuality and the relationship between man and woman – for them, it’s a new concept.”[34]

Education and awareness also spread through local communities, especially in India, where large, multigenerational families are common. Generational divides are apparent: Meghna often sees “young children having exposure and training their adults – their parents and other adults around them – to be more open-minded.”[35] Rural areas especially “struggle with acceptance and legal protections” for queer individuals due to deeply ingrained values concerning family structure.[36] “As long as you have reached a marriageable age,” Jupiter shares, “you’re in your 20s, you get a job, you have a house to stay – you should get married, no questions asked...so when I was around 20, 25, my entire extended family used to force me to get married, and I used to resist.” In Japan, family acceptance is more variable, as Kat says: “Oftentimes a person or a family will be very tolerant of queer people – they'll be okay with manga or educational materials in the school – but if it’s their own personal kid who comes out as queer, then sometimes there’s a problem.”

Popular media is also crucial to a discussion of sexuality and gender, and it is here where India and Japan are most divided. India has incredibly little positive media about queer identity, as Rit tells me. “My only orientation for sexuality and gender identity was through media,” they say, “and Bollywood cinema used to represent it pretty stupidly. So originally, I used to think that being gay is just – like a bad thing. Or not bad – a laughable thing.”[37] Aruna says the same: a gay character is a “laughable character.” Negative media representation leads to negative social perception, a trend clear in Indian society. Although there has been a recent increase in queer-led cinema, it is an insular growth, enjoyed primarily by a wealthy subsection of the queer community.[38]

In Japan, by contrast, manga depicting romantic homosexual relationships was widespread by the start of the twenty-first century.[39] Queer media primarily evolved into the *yaoi* (やおい) genre,[40] but has since

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[34] Aruna Desai, interview by Gitika Sanjay, 18 May 2024, interview 3, transcript.
[35] Meghna Kulkarni, interview by Gitika Sanjay, 18 May 2024, interview 6A, transcript.
[36] Kaur, ‘Exploring LGBTQ+ equality in India’, p.13.
[37] Rit Kulkarni, interview by Gitika Sanjay, 18 May 2024, interview 6B, transcript.
[38] There are a few examples of positive non-heteronormative representation that does exist in Indian cinema; for instance, *Aligarh* (2015) is a true story about Professor S.R. Siras, who was found engaging in private same-sex activity. As discussed by Mohit Manderna and Kritika Vatsa, the movie attempts to humanize Siras and draw attention to the massive societal prejudice Siras faced.
[39] Sae Shimauchi, ‘“It is universal love beyond homosexuality and gender difference”: critical media discourse analysis of boys’ love dramas in Japan’, *Feminist Media Studies*, (2024), pp.1-15, at p.4.
[40] Also referred to as BL (boys’ love)

evolved from being solely about gay men, although that remains a primary focus. Publications now also focus on women; the *yuri* (百合) genre,[41] lesbian-centric media, challenges the "androcentric and heteronormative – that is, often sexualised and pathologising – representations of samesex desire."[42] Queer Japanese media, albeit flawed, has been crucial in spreading awareness, as is especially clear when contrasted with India.[43] It challenges homophobia and misogyny, often by portraying a society without them. Euan affirms that because "[queerness] is a lot more visible on TV, people are now more aware that we [the queer community] exist.[...]There are people who are LGBTQ+."

Much of the difference between visibility and education in India and Japan goes back to colonial and Western impact, or lack thereof. India was largely unable to represent homosexuality positively until recently because of legal and societal restrictions. Although homosexuality is now legalised, the deep-set social taboo resulting from British value and influence often hinders education and media representation. Research is rare, and relies mostly on Western knowledge, ignoring, as Prakash says, the unique context and history of South Asia. Japan, on the other hand, has not faced criminal threat towards homosexuality since 1880. Despite periodic emulations of conservative Western values throughout the Meiji era and the World Wars, education and representation have grown over the past hundred years.

AGGRESSION AND DISCRIMINATION

> "Why are we all burdened with the duty to destroy everything, change everything, entrust everything to impermanency? Is it this unpleasant duty that the world calls life?" ― Yukio Mishima, *Confessions of a Mask*[44]

"What we've seen is that – like any other country, the microaggressions are the main form of challenge that people face," says Euan, who studies the experiences of LGBTQ+ students. He defines microaggressions as "constant little niggling things that [LGBTQ+ students] are told, that they experience." It is essential to understand how different levels of awareness in each country affect societal attitudes towards non-heteronormativity. Individuals from both countries share experiences of microaggressions within the workplace or family settings; individuals from India also share stories of outward aggression. Interviewees emphasised the lack of education and understanding as a cause for

[41] Also referred to as GL (girls' love)
[42] Kawasaka and Würrer, 'Introduction: A new age of visibility?', p.4.
[43] Tianqi Zhang, 'Male homosexuality in Japan from the perspective of the younger generation: a case study of students at a National University', *Journal of LGBT Youth*, 18:4, (2019), pp.360-393, at p.361.
[44] Yukio Mishima, *Confessions of a Mask*, Meredith Weatherby (trans.), (1958).

aggression; Japanese interviewees specifically described the growing awareness in Japan as essential to the growing acceptance of LGBTQ+ individuals.

In India, aggression is, concisely put, loud. Rit reflects on their experiences as a visibly nonbinary person: "If you are obviously visibly queer," Rit says, "yeah, a few men will probably tease you or try to harass you, but mostly you will get a lot of stares." The practice of othering – stares, comments, and attitudes that alienate non-heteronormative individuals – is frequent. Deeply ingrained societal prejudices manifest themselves in the harassment, violence, and exclusion of non-heteronormative individuals.[45] Apollo shares his experiences from university. "For our first years we share rooms, two people per room," he recounts, "and usually you don't know your roommate - you are assigned a roommate from your year, but you don't know them. And sometimes people are there who will not want to be roommates with a particular person because they are from the [LGBTQ+] community [...] this is something which we see a lot."

Most adult interviewees in Japan recounted experiencing similar discrimination as children. Machiko and her partner were both uninformed about the LGBTQ+ community when they were younger, only becoming aware because of "slurs [they] heard 20 or 25 years ago." "I think the last three or four years have brought about big change[...]," says Machiko's partner, "[an understanding of] LGBTQ+ has been a development of the last five or ten years."[46] Koichiro recalls facing "bullying" and "isolation" in school. Discrimination often targeted young boys, especially until 2006, when the first LGBTQ+ youth support group in Japan was formed.[47] However, in the present day, rising education in both rural and urban areas has led to an increased understanding of non-heteronormativity, as Machiko shares. When enrolling their child in school, Machiko and her partner were "very transparent about everything[...]we told as many people as we could, including the school principal and teachers. They understood that in the modern world, there are so many various kinds of family situations, and this was just one of them. We were told it was no problem."

However, individuals still face systemic discrimination. Recounting his move to Kobe, Euan shares that the "university only refunded a certain portion of [the moving costs] because they treated me as moving as an individual, because they don't recognise same-sex partnership." Kat speaks about the experience of their LGBTQ+ friend: "She was working at a rather conservative language centre and a number of the clients gave her low ratings, and the reasons for it were very coded - my teacher is too youthful, my

[45] Kaur, 'Exploring LGBTQ+ equality in India', p.5.
[46] Machiko Nojiri (Partner), interview by Gitika Sanjay, 26 May 2024, interview 12B, transcript.
[47] Zhang, 'Male homosexuality in Japan from the perspective of the younger generation: a case study of students at a National University', p.362.

teacher is too lively – it's really because she's very, very clockable as effeminate and gay." Workplace discrimination is a persistent issue; according to a 2020 survey, only 17% of cisgender LGBTQ+ workers and 15% of transgender workers worked within organisations that provided antidiscrimination statements.[48] A thorough anti-discrimination law does not exist, as Euan tells me: "I would like to see a proper anti-discrimination law," he says, "for all minorities."

While India and Japan encompass varying levels and forms of aggression, in both countries, non-cisgender individuals face greater discrimination than cisgender individuals. "Trans people need employment," says Apollo. "Right now, they're very much discriminated against already in employment situations." Hijras, and other third-gender communities, are visibly queer in ways that transgress socially acceptability and are therefore excluded from normal society.[49] In Japan, as Natsuko shares, "backlash against transgender individuals has especially been prominent recently."[50] Since same-sex attraction is now increasingly accepted, conservative organisations have "increasingly targeted trans people," especially transgender women, who are labelled a threat to women's safety.[51]

Largely, individual discrimination and everyday aggression is more common in India than in Japan, but discrimination at a systemic and industry level exists widely within both countries. It all traces back to education and awareness; increased education leads to increased understanding, which over time influences the attitude of society towards queer individuals and communities. This itself, as discussed in the previous section, is a result of colonial hangover and colonial impact; Western power in India did not just influence educational systems, but also societal attitude. In Japan, the legal status of homosexuality and the increased education of the last decade have recently lessened the frequency of individual targeting; however, systemic discrimination still exists throughout the country.

SOCIOCULTURAL PROGRESS VS LEGAL CHANGE

"A world is not given / But made" - Hoshang Merchant, *The Man Who Would Be Queen*[52]

Both India and Japan have seen recent progress concerning the aggression and discrimination against queer communities – in differing, and nearly opposing, spheres. Prakash speaks to me about the growing

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[48] Ueno, K., Ritter, L.J., Kane, M.D. et al., 'LGBTQ Young Adults' Attitudes Toward Workplace Antidiscrimination Policies: A Cross-National Analysis Between the USA and Japan', *Sex Res Soc Policy 21*, 21, (2024), pp.177-192, at p.179.
[49] Bora, 'Desi Genderqueerness: The Mystery and History of Gender Diversity in India', p.173.
[50] Yamada Natsuko, interview by Gitika Sanjay, 25 May 2024, interview 11, transcript.
[51] Kawasaka and Würrer, 'Introduction: A new age of visibility?', p.10.
[52] Hoshang Merchant, *The Man Who Would Be Queen*, (2011, New Delhi), p.158.

"legal and governmental protections" within India. The 2014 case *National Legal Services Authority v Union of India* held that third-gender communities are guaranteed various rights by the Constitution of India.[53] The 2016 Transgender Persons Bill recognises non-cisgender people and prevents discrimination in education, employment, and healthcare.[54] Most notably, the 2018 case *Navtej Singh Johar v Union of India* decriminalised consensual homosexual relationships.[55] Progress and support vary across states; Tamil Nadu, for instance, is one of the most transgender-friendly states in India. "I think it's one of the first states in our country where gender-affirming procedures, both medical and surgical, for trans individuals, are available in government hospitals," says Prakash.

However, socio-cultural issues arise. Nilakshi tells me about the struggle for individual support: "The courts are very supportive, but the man on the street has no clue what's happening. And the police, by and large, are uneducated."[56] A lack of awareness has caused most individuals to turn a blind, and often judgmental, eye towards non-heteronormative communities. There are few accessible and positive ways for the general public to learn about queer individuals, and legal protections, although granted by the courts, are rarely implemented. Rit shares that "more than the law, [they] want to see the implementation...[they] want to see the lawmakers and the stakeholders feel that this is important enough for them to enforce the law...[they] want it to trickle down" from the courts to the grassroots movements.

In Japan, the situation is nearly reversed. While India has seen significant recent legal progress, Japan has one of the "lowest legal standards for LGBTQ+ equality."[57] Euan confirms that "on the political front, there's been nothing, really...the LDP, the government, has basically just stonewalled on it, blocked it for decades."[58] Japan, nationally, does not recognise same-sex marriage. In contrast to India, there has been little growth in support for transgender individuals. The late 1990s saw a growing criticism of "gender-free education," a style of education designed to break down traditional gender roles. Conservatives believed gender-free education would erase biological differences between the sexes,[59] turning children into *chūsei ningen* (中性人間) - genderless beings.[60] Kat shares the struggles of legally transitioning in

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[53] Prerna Lepcha, 'Role of Persuasive Legal Instruments for the Recognition of LGBTQ Rights in India', *Indian Journal of Law and Justice,* 14:1, (2023), pp. 254-264, at p.256.
[54] Nivas Gunda, 'India's LGBTQ rights, Legal obstructions to society and cyberbullying', *Jus Corpus Law Journal,* 2:3, (2022), pp.164-174, at p.168.
[55] Lepcha, 'Role of Persuasive Legal Instruments for the Recognition of LGBTQ Rights in India', p.259.
[56] Nilakshi Roy, interview by Gitika Sanjay, 18 May 2024, interview 4, transcript.
[57] Annika Clasen and Harald Conrad, 'Rainbows and Ratings: Assessing indices of LGBTQ+ inclusivity in the Japanese workplace', *Contemporary Japan,* (2024), pp.1-27, at p.5.
[58] Euan McKay, interview by Gitika Sanjay, 24 May 2024, interview 10, transcript.
[59] To clarify, "sex" refers to biological sex, while "gender" refers to gender identity. Conservatives in Japan believed gender-free education would break down biological differences between biological sexes.
[60] Kawasaka and Würrer, 'Introduction: A new age of visibility?', p.6.

Japan. “Because of the family registers, and having to appear heterosexual in any family marriage,” they share, “if you’re a transgender person, you can’t legally transition if you have any children who are minors, because it would be like – wait, what? This person has two mothers, this person has two fathers. You can’t be married because it would become a same-sex marriage. Up until recently, you had to be sterilised, especially in the case of trans men.” Although sterilisation is no longer required, people must still present as their intended gender full-time, which can be challenging due to workplace discrimination.

On an individual level, however, Japanese society is increasingly supportive of queer communities. Euan shares that the last several years have “changed the general attitude of everybody towards the community, [making] it a lot easier to hold events that promote same-sex marriage of promote supportive minorities.” Kat also describes society as quite “tolerant,” especially within Tokyo; in cities, queerness is part of the everyday landscape. A 2018 Dentsu poll suggests up to 70% of Japanese respondents support same-sex marriage,[61] compared to 53% of individuals in India.[62] And while same-sex marriage is not yet legalised, several Japanese wards issue partnership certificates for same-sex couples. Although these certificates are different from marriage certificates, they offer certain benefits such as hospital rights and housing considerations.[63]

Overall, India and Japan appear to occupy different, and notably opposing, spheres of progress. Where Japan is nationally conservative, India is nationally and legally progressive; where India struggles with social conservatism, Japan has seen an increase in societal acceptance. We can once again look back to colonial and decolonial experience to explain this difference.

Let us look first at Japan. It is essential to understand that although Japan was not formally colonised, it underwent significant transformation during a postwar period of Allied occupation.[64] The Japanese Constitution, while not an American replica, was written under the supervision of General Douglas MacArthur.[65] Conservative American ideals bled into Japanese politics, and three years after the end of Allied occupation, the two conservative parties in Japan joined together to form the Liberal Democratic Party (LDP). Supported by the traditionalist Unification Church, the LDP has obstructed LGBTQ+ rights movements since its creation. On an individual level, however, society reflects a growing acceptance of

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[61] Takashino, Davidson, and Keeni, ‘Traditional family system, local government recognition and citizens' perceptions of homosexuality in Japan: an exploratory study’, p.695.
[62] Sneha Gubbala, Jacob Poushter, and Christine Huang, ‘How people around the world view same-sex marriage’, *Pew Research Center*, (2023).
[63] Takashino, Davidson, and Keeni, ‘Traditional family system, local government recognition and citizens' perceptions of homosexuality in Japan: an exploratory study’, p.696.
[64] Yong Wook Lee, ‘The Origin of One Party Domination: America’s Reverse Course and the Emergence of the Liberal Democratic Party in Japan’, *The Journal of East Asian Affairs*, 18:2, (2004), pp.371-413, at p.375.
[65] Lynn Parisi, ‘Lessons on the Japanese Constitution’, *Japan Digest*, (2002), pp.1-2, at p.1.

non-heteronormativity. By comparison, foreign influence in India was more extensive, but had a greater social impact. The Constitution of India, although written post-independence, echoed certain colonial rules, including Section 377. However, the newness of the Constitution and India's independent state fostered rapid legal change through the late twentieth and early twenty-first century. Cases affirming the legal status of third-gender individuals and legalising same-sex relationships reflect an evolving and complex framework concerning the rights of non-heteronormative communities.[66] While legal change in India is not comprehensive, it is ongoing in comparison to the largely static LDP. India instead faces gaps in social acceptance; due to a lack of awareness, Victorian-era values remain prominent within society. While Japanese advocacy prioritises legal progress, India has shifted its focus to social change. Both countries are working to bridge the gap between people and government.

EDUCATION: A POSTLUDE

"I pray that this prejudice will be eradicated from every corner of the globe. To that end, it will be critical to spread awareness to everyone, everywhere." - Ryousuke Nanasaki, *Until I Meet My Husband*[67]

When British forces arrived in India, they encountered communities completely unknown to them. They did not know how to identify these people within the boundaries of Western knowledge, and identified them as "eunuch". Colonial power hinged on control, and control hinged on the absence of abnormalities. Over time, processes of foreign influence have led to gaps in awareness concerning non-heteronormativity. Consistent, implemented education about queer identity is essential to improve the lives and perception of non-heteronormative individuals. Machiko's partner encourages this: "It is all about redefining 'normal'. What is the meaning of 'normal'?"

In Japan, increased media visibility and school-based education on gender and sexuality has, according to interview participants, already made a significant difference within society. Natsuko recalls thinking she was "psychologically ill" in high school. Now, she says, there is "more recognition of the LGBTQ+ community in educational and professional institutions. Machiko says the same: "With the newer generation, there's less resistance to the concept of LGBTQ+ marriage. It's heartwarming to see it, since we were treated as sick people before. It is something we are born with, and it cannot be changed, so it is great that the awareness of that fact is being spread."

Although awareness has not spread as extensively throughout India, progress is clear. "There used to be a time when we were just three or four of us – who would be there to talk to the media about ourselves

[66] Kaur, 'Exploring LGBTQ+ equality in India', p.13.
[67] Ryousuke Nanasaki, *Until I Meet My Husband*, (2019, Tokyo).

openly," says Jupiter. "Today, you will find hundreds of people who are willing to talk to people and talk to the media as well, you know. There has been a change." School and universities remain the largest gap: "I definitely want to see a proper queer [...] Kind of a queer-based or other community-based education module in schools and colleges, in a graded level. Right from the beginning, that would solve all the problems, if you have proper training in schools," says Nilakshi. Education must stem from regional history and culture; it must acknowledge the context within which it is being used. Prakash emphasises this: "Most of the information that we do have is transposed from the West," he says, "Just trying to pick it up and stick it here is not going to work." While it is impossible to ignore the ongoing impact of colonial narratives, education must acknowledge regional context, rather than assigning Western understanding to Asian cultures, histories, and traditions.

At the end of each interview I conducted, I asked each participant what change they hoped to see over the next ten years. Answers included marriage equality, transgender rights, anti-discrimination laws, and systemic educational programs. Machiko hopes to see her country and her community continue to move towards acceptance. "I hope things will always continue to change," she says. "To drive change, I think the best thing is not to hide and to be open and true to ourselves."

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