

5-2018

# On the politics and conceptualization of gender non-conformity : exploring Thailand's kathoey population.

Macey E. Mayes  
*University of Louisville*

Follow this and additional works at: <https://ir.library.louisville.edu/honors>

 Part of the [Asian Studies Commons](#), [Buddhist Studies Commons](#), [East Asian Languages and Societies Commons](#), [Human Rights Law Commons](#), [International Law Commons](#), [International Relations Commons](#), and the [Lesbian, Gay, Bisexual, and Transgender Studies Commons](#)

---

## Recommended Citation

Mayes, Macey E., "On the politics and conceptualization of gender non-conformity : exploring Thailand's kathoey population." (2018). *College of Arts & Sciences Senior Honors Theses*. Paper 208.  
Retrieved from <https://ir.library.louisville.edu/honors/208>

This Senior Honors Thesis is brought to you for free and open access by the College of Arts & Sciences at ThinkIR: The University of Louisville's Institutional Repository. It has been accepted for inclusion in College of Arts & Sciences Senior Honors Theses by an authorized administrator of ThinkIR: The University of Louisville's Institutional Repository. This title appears here courtesy of the author, who has retained all other copyrights. For more information, please contact [thinkir@louisville.edu](mailto:thinkir@louisville.edu).

**On the Politics and Conceptualization of Gender Non-Conformity: Exploring Thailand's  
Kathoey Population**

By

Macey Mayes

Submitted in partial fulfillment of the requirements

for Graduation *summa cum laude*

and

for Graduation with Honors from the Department of Political Science

University of Louisville

Lay Summary

*This thesis investigates gender in Thailand, specifically with regard to the Thai kathoey—a population of individuals in Thailand which generally encompasses all third gender categories, referring to “all non-normative gender presentations and sexualities beyond heterosexual male and female.”<sup>1</sup> Through analyzing the work of several scholars, this thesis considers the increasing visibility of kathoey and includes a historical overview of this population, its contribution to shifts in Thai nationalism, and how it fits into the ever-shifting genderscape<sup>2</sup> in Thailand. This work also compares Western theories/categories of sexuality and gender with Eastern theories/categories of sexuality and gender, specifically with regard to Thailand’s unique political climate, social and moral standards, and culture. I conclude by offering an argument against transnational advocacy and by extrapolating on the dangers of viewing the kathoey from a Western theoretical lens, specifically with regard to the ways in which the implementation of “universal” goals can delegitimize, reduce, and endanger the Eastern queer experience.*

Abstract

*The purpose of this thesis is to investigate the politics and conceptualization of gender in Thailand, drawing specifically on the Thai understanding of sex and gender with regard to the kathoey population. This work considers the solidification of a third-gender category and looks to the ways this solidification can inhibit the fluidity of gender and sexuality. It also analyzes the dangers of transnational advocacy and the superimposition of Western queer advocacy and theory on Thai gender identities. I approach this issue from an interdisciplinary framework that seeks to include historical, cultural, and theoretical perspectives. In examining anthropological research, critiques of queer colonialism, and public discourse with regard to the kathoey, I conclude by offering an argument against transnational advocacy and by extrapolating on the dangers of viewing the kathoey from a Western theoretical lens.*

*Keywords and concepts: Thailand, Kathoey, Transnational Advocacy, Gender*

---

<sup>1</sup> Dredge Byung’chu Kang, “Kathoey ‘In Trend’: Emergent Genderscapes, National Anxieties and the Re-Signification of Male-Bodied Effeminacy in Thailand,” *Asian Studies Review* 36:4 (2012): 475–494.

<sup>2</sup> Dredge Byung’chu Kang coined this term in his work “Kathoey ‘In Trend’: Emergent Genderscapes, National Anxieties and the Re-Signification of Male-Bodied Effeminacy in Thailand,” and defined it as, “the terrain of gender and sexuality.”

On the Politics and Conceptualization of Gender Non-Conformity: Exploring Thailand's  
Kathoey Population

**Introduction**

This work investigates the politics and conceptualization of gender in Thailand, drawing specifically on the Thai understanding of sex and gender with regard to the kathoey population. Analyzing the research of several scholars, I consider the increasing visibility of kathoey and male effeminacy. As part of this process, I offer a historical overview of this population, its contribution to shifts in Thai nationalism, and its place in the ever-shifting genderscape in Thailand. This work compares Western theories/categories of sexuality and gender with Eastern theories/categories of sexuality and gender, specifically with regard to Thailand's unique political climate, social and moral standards, and culture.

After discussing the local understandings of the genderscape in Thailand, I then turn to how transnational advocates interact with Thailand's local culture in particular. I offer criticisms regarding transnational advocacy, specifically taking issue with the ways in which some forms of Western activism do not respect the identities and desires of non-Western LGBTQ persons through acts like assigning identifiers or labels, such as "transgender," to populations like the kathoey who may not adopt these labels themselves. Moreover, I argue that the pursuit of "universal" goals are likely to reinforce other social inequalities in the form of societal backlash, including further discrimination in housing, in the workplace, in health care facilities, and in the school systems. Oftentimes, as international advocacy groups implement these "universal" goals, they inherently superimpose what Western people desire to identify if it could also work in the East—which delegitimizes, reduces, and endangers the Eastern queer experience.

## On the Politics and Conceptualization of Gender Non-Conformity

Ultimately, I argue that, as a person from the West, the best way to be an effective transnational advocate is to communicate with the population one wishes to assist and take direction from that population. Organizing and legislative efforts should be tailored to meet the needs of specific populations in an intentional manner, which focuses on understanding the unique factors that certain populations face and crafting creative solutions to those problems. Treating individual groups with this much attention may take far more work and time, but in the long run this system of transnational advocacy is much more effective and is more likely to promote organic change in regions that will be far more lasting and appropriate.

### **Literature Review on the Thai Kathoey**

Thailand, informally known as “Asia’s Gay Capital,” has a reputation of LGBTQ inclusion. Media outlets have assisted in creating this image, specifically within Bangkok, Thailand’s capital city—known as a queer-friendly tourist destination for those seeking everything from gay bars to pageants and shows that feature kathoey.<sup>3</sup> The country is especially known in its role as a “global hub” for sexual reassignment surgery (SRS), also referred to as gender confirmation surgery. In Thailand, there are currently six major private groups that perform this surgery, the largest of which has performed nearly three thousand gender confirmations surgeries for “male-to-female” transgender individuals in the last 30 years.<sup>4</sup> Though many of these surgeries are performed on patients coming from abroad, estimates from

---

<sup>3</sup> Witchayanee Ocha, “Rethinking Gender: Negotiating Future Queer Rights in Thailand,” *Gender, Technology and Development* 17 (2013): pp. 79-104.

<sup>4</sup> Prayuth Chokrungruanon, “The Development of Sex Reassignment Surgery in Thailand: A Social Perspective,” *The Scientific World Journal*, 19 March 2014.

## On the Politics and Conceptualization of Gender Non-Conformity

2002 predicted there were roughly 300,000 Thai people that have undergone gender confirmation surgery.<sup>5</sup>

In 2015, Thailand was the first country in Southeast Asia to enact legislation to protect individuals on the basis of gender expression. Thailand's Gender Equality Act specifically prohibits discrimination against someone "of a different appearance from his/her own sex by birth."<sup>6</sup> However, as is true in many other countries across the globe, discrimination against Thai LGBTQ individuals still exists in housing, in the workplace, in health care facilities, and in the school systems. Though Thailand decriminalized homosexuality in the 1950s, there are still no laws or policies in place protecting LGBTQ people on the grounds of sexual orientation in Thailand, and there is no legal recognition or protection for same-sex partnerships.<sup>7</sup> Additionally, without a legal union, adoption processes become much more difficult for this population. Kathoey individuals face unique challenges in Thailand as members of the LGBTQ community, including mandatory participation in a "lottery day," in which every citizen listed as a male may be randomly selected to enlist in the army for two years.<sup>8</sup> Though katoey can receive exemption certificates, Thai law currently bans citizens from changing their gender on identification documents.<sup>9</sup>

Employment also poses an issue for Thai LGBTQ individuals, as it can be difficult to find an employer willing to hire someone without a set of matching documentation or who is

---

<sup>5</sup> Witchayanee Ocha, "Rethinking Gender: Negotiating Future Queer Rights in Thailand," *Gender, Technology and Development* 17 (2013): pp. 79-104.

<sup>6</sup> Dominique Mosbergen, "Two-Faced Thailand: The Ugly Side of 'Asia's Gay Capital,'" *The Huffington Post*, 20 October 2015.

<sup>7</sup> Ibid.

<sup>8</sup> Kelly McLaughlin, "Transsexuals are forced to stand in line for army conscription in dresses and skirts as 100,000 21-year-old men are drafted into the Thai military," *Daily Mail Online*, 7 April 2017.

<sup>9</sup> Ibid.

## On the Politics and Conceptualization of Gender Non-Conformity

willing to combat potential difficulties with co-workers and customers when dealing with individuals in this community. After experiencing this discrimination within the job industry, many kathoey are forced to enter the sex work industry for a better standard of living, including the ability to afford gender confirmation surgeries or hormones, as well as food and housing.<sup>10</sup>

Discrimination like this has only perpetuated the stereotypical view of the Thai kathoey, making this population one of the most illustrious within the Thai LGBTQ community. Their roles as sex workers and their involvement in popular tourist attractions such as the “Ladyboy Cabarets” has not only fueled such reductive recognition, but has also informed on the ways in which scholars have researched this population. The majority of current anthropological research on the kathoey has been fetishistic or exoticizing, and focuses little on understanding how these individuals negotiate their queer identities in Thailand. Drawing from the work of other scholars, my work challenges these notions of understanding the kathoey in this fetishistic way and aims to redefine the way individuals approach theory and research on this population.

### ***Who are the Kathoey?***

The conceptualization of the kathoey has shifted and changed with the rise and fall of the historical and political climate of Thailand, and the understanding of this population can be separated into two categories of thought: the traditional understanding and the contemporary understanding. Peter Jackson confirms this in his work, “Performative Genders, Perverse Desires: A Bio-History of Thailand's Same-Sex and Transgender Cultures,” which juxtaposes the two categories. The “cross-dressing transgender” kathoey is considered a “traditional”

---

<sup>10</sup> Witchayanee Ocha, “Rethinking Gender: Negotiating Future Queer Rights in Thailand,” *Gender, Technology and Development* 17 (2013): pp. 79-104.

## On the Politics and Conceptualization of Gender Non-Conformity

component of Thai culture and, for many that view kathoey this way, this understanding exists outside of issues of sexual orientation. The “modern” kathoey, on the other hand, is a recent conceptualization that has emerged alongside “modern” gay (same-sex) identities. Simply put, the modern conceptualization of kathoey argues that this population is a part of a broader gender revolution in Thailand, which has emerged apart from Western influence.

During the twentieth century, Thailand experienced a dramatic increase in the public visibility of new gender/sexual cultures in Thailand—specifically, the kathoey. However, though this proliferation of transgender, transsexual, and male and female same-sex identity categories seems to emulate that of the West, this emerged in Thailand organically. Jackson’s research provides a necessary counter-example to the presumption that as communities modernize and globalization becomes more prevalent, the result will be an international homogenization of sexual cultures.<sup>11</sup> Thailand’s kathoey population exists *in addition* to increased visibility of Western LGBTQ identities, not *due to* this increased visibility.

The evolution of the conceptualization of the kathoey provides context for understanding this population in its current form and shows kathoey identities developed independently of Western influences. To provide historical context, before the 1950s, kathoey were often considered hermaphroditic or intersex—despite the fact records of these kinds of individuals are completely absent from the historical record of pre-modern Thai folk culture. After the 1950s, however, the representation of male-to-female “transgender/transsexual” kathoey in the Thai press and media grew exponentially. This coincides with the country’s shift towards more distinctive gender markers or differences under Phibun Songkhram, who institutionalized gender

---

<sup>11</sup> Witchayanee Ocha, “Rethinking Gender: Negotiating Future Queer Rights in Thailand,” *Gender, Technology and Development* 17 (2013): pp. 79-104.

## On the Politics and Conceptualization of Gender Non-Conformity

surveillance during his rule by requiring men wear shirts and trousers and women wear skirts and blouses. Though this population has always existed, record of kathoey, “transgender,” or “cross-dressing” Thai individuals would be very limited before this historical shift in gender performance.<sup>12</sup>

The shift towards gender differentiation in the 1960s catalyzed the public’s perception of the kathoey’s identity as “transgender” or “cross-dressing”—as, until that point, many Thai individuals dressed and acted similarly. For example, the “Cornell Project” study of Bang Chan in the late 1940s—the first major Western anthropological study of a Thai village—noted this “similarity of the sexes,” specifically referring to the relative lack of gender differentiation in the central region of Thailand, stating, “Thai culture in its secular aspects seems to consider all adults as simply human beings together, without major distinction of sex roles; behavior which is appropriate to one person is equally appropriate to another.”<sup>13</sup> Yet, by the 1960s, anthropologists reported that the commodification of labor in Thai cities brought about new, gendered occupations. By the 1970s and 1980s, same-sex female identities also became “gendered,” with the increased popularity of words such as *tom* and *dee*.<sup>14</sup> Today, there are at least ten gender terms commonly used in contemporary Thai discourse.<sup>15</sup>

Discussing the way in which the term “kathoey” has been used historically, both by other individuals and by kathoey themselves, can be useful in further identifying the modern

---

<sup>12</sup> Peter Jackson, “Performative Genders, Perverse Desires: A Bio-History of Thailand's Same-Sex and Transgender Cultures,” *Intersections: Gender, History and Culture in the Asian Context*, Issue 9 (2003).

<sup>13</sup> *Ibid.*

<sup>14</sup> Dredge Byung’chu Kang, “Kathoey ‘In Trend’: Emergent Genderscapes, National Anxieties and the Re-Signification of Male-Bodied Effeminacy in Thailand,” *Asian Studies Review* 36:4 (2012): 475–494.

<sup>15</sup> *Ibid.*

## On the Politics and Conceptualization of Gender Non-Conformity

conceptualization of the population. The range of names and identifying phrases also echoes a divergence of views as to the nature of the kathoey. The word *kathoey* has been historically used to describe several groups of Thai individuals, some of which include transgender women, intersex individuals, a third gender, effeminate men, and homosexual men—among others. Additionally, those that are identified as kathoey at times do not *self-identify* as such, some claiming identities such as a “second kind of woman,” or *phuying praphet song*.<sup>16</sup>

In attempting to understand the kathoey, it is most important to place the emphasis on the ways in which the kathoey speak about *themselves*. In his work, “Language and Identity in Transgender: Gender Wars, Anatomania, and the Thai Kathoey,” author Sam Winter looks to Thai linguistic features, including the ways certain vocabulary is gendered, and discusses different word forms that are used based on gender—specifically first-person pronouns. When one speaks Thai, one must include one’s own preferred pronoun. For example, the way in which one greets someone is contingent upon the gender identification of the speaker: “sawadee ka” for females and “sawadee khruap” for males. Winter’s research explains that the kathoey typically use female pronouns and particles, which allows them to take advantage of this “gender feature” of the Thai language so that they may express how they identify in a direct, linguistic way.<sup>17</sup> A study that included 190 kathoey found that some respondents started using female pronouns almost as soon as they could speak, and concluded that female word-forms were some of the earliest ways kathoey expressed their gender.<sup>18</sup> However, while it is crucial to recognize the way kathoey understand themselves, one must also consider that the negotiation of their identities

---

<sup>16</sup> Sam Winter, “Thai Transgenders in Focus: Demographics, Transitions and Identities,” *International Journal of Transgenderism*, Vol. 9, No. 1 (2006): 15–27.

<sup>17</sup> *Ibid.*

<sup>18</sup> *Ibid.*

occurs within the context of everyday life in Thailand—and the kathoey continue to face several issues with regard to Thai public perception and understanding of the population.

### ***Contemporary Issues and Public Perception of the Kathoey***

The kathoey certainly hold a minority position in Thailand. Just over two percent of the northern Thai “male” youth identify as kathoey.<sup>19</sup> If this study was applied to the general population of 66 million people, there would be roughly 660,000 kathoey in Thailand.<sup>20</sup>

With regard to current kathoey visibility and acceptance in Thai society, many Thai individuals’ acceptance of kathoey stems from the relationship individuals have to the population as well as the population’s visibility. Andrew Matzner’s research, which considers how kathoey are viewed by the public, found that attitudes towards the kathoey were mostly dependent upon how the kathoey population specifically related to those students (as family members, peers, or strangers).<sup>21</sup> Matzner concluded that, with regard to this, “students’ attitudes toward kathoey are heterogeneous and context-dependent.”<sup>22</sup> Moreover, Kang’s research has found that as the number of kathoey increase and their representations proliferate, they become “socially normalized.”<sup>23</sup> Through the kathoey’s increasing representation in media and in specialized events, such as beauty pageants, both rural and urban Thai people have been exposed to kathoey and, thus, through this increased visibility and occupation of social space, more kathoey are

---

<sup>19</sup> Witchayanee Ocha, “Rethinking Gender: Negotiating Future Queer Rights in Thailand,” *Gender, Technology and Development* 17 (2013): pp. 79-104.

<sup>20</sup> Ibid.

<sup>21</sup> Andrew Matzner, “The Complexities of Acceptance: Thai Student Attitudes Towards Kathoey,” *Crossroads: An Interdisciplinary Journal of Southeast Asian Studies*, (2001): 71-93.

<sup>22</sup> Ibid.

<sup>23</sup> Dredge Byung’chu Kang, “Kathoey ‘In Trend’: Emergent Genderscapes, National Anxieties and the Re-Signification of Male-Bodied Effeminacy in Thailand,” *Asian Studies Review* 36:4 (2012): 475–494.

## On the Politics and Conceptualization of Gender Non-Conformity

empowered to be visible. However, in choosing to embrace this visibility, many kathoey individuals must still pay the price of societal and familial rejection or housing and workplace discrimination.<sup>24</sup>

It is crucial to understand the importance of public perception of kathoey, as this informs what legislation is crafted, how the population is likely to be assisted, and generally how kathoey individuals are treated in daily life, among other factors. Focusing on public perception can raise questions of inappropriate solutions to “public perception problems.” For example, in her work, “Rethinking Gender: Negotiating Future Queer Rights in Thailand,” author Witchayanee Ocha seeks to challenge Western academic discourse that focuses on a gender binary—the understanding that gender can be divided into categories of male and female—arguing instead that one should go beyond these categories to explore the marginalization of those that do not conform. While I agree with this assessment, I find Ocha’s calls for raising public “gender awareness” disconcerting. Specifically, the author discusses the ways in which one can design social policies to create more gender queer spaces to make cities safer. However, this raises several questions, as this concept of queer safe spaces is derivative of the West—where gender variance and sexual variance has traditionally been suppressed, so safe spaces now exist in response. Additionally, in calling for public “gender awareness,” this could place even more unwanted attention on the kathoey—which may only reinforce certain social inequalities. Moreover, these concerns and questions later inform my argument with regard to the appropriateness of transnational advocacy, as well as the tendency of those advocates to superimpose Western techniques and desires on Eastern populations.

---

<sup>24</sup> Dredge Byung’chu Kang, “Kathoey ‘In Trend’: Emergent Genderscapes, National Anxieties and the Re-Signification of Male-Bodied Effeminacy in Thailand,” *Asian Studies Review* 36:4 (2012): 475–494.

## On the Politics and Conceptualization of Gender Non-Conformity

But despite arguments for the growing societal “acceptance” of the kathoey, the increasing visibility of kathoey has actually incited a “gender panic,” or a “backlash in disciplinary discourses and institutional practices, which attempt to standardize two heterosexual sexes,” as Kang aptly argues.<sup>25</sup> Examples of this include attempts to prohibit educators that identify as kathoey from being allowed to teach. Similar to anti-LGBTQ rhetoric in the West, some Thai news sources link the kathoey to changing family structure as well as overall societal moral corruption. Others have shifted to investigating social causes of kathoeyness, such as, “lack of a father-figure, over-attachment to mothers and sisters, lack of warmth in the family, going to an all boys school (where romantic experimentation with other boys can occur), habituation through sex work with men, and watching too much television at a young age.”<sup>26</sup> Other sources point to “early signs of kathoeyness,” and often attribute kathoeyness to poor parenting and lack of appropriate role models.<sup>27</sup> Some of these media outlets have shifted to examining the kathoey and kathoeyness through scientific lenses, specifically seeking to address what genetic or hormonal conditions may be present in kathoey, or environmental causes that may have attributed to their lifestyle, such as toxins in the water or air pollution.<sup>28</sup>

Religion also informs the way in which the Thai public perceives, engages with, and understands the kathoey. In Thailand, nearly 95% of people identify as Buddhist, with the majority practicing Theravada Buddhism. Just as the rest of the Southeast Asian region, Thailand’s indigenous cultural traditions have brought forward non-normative gender

---

<sup>25</sup> Dredge Byung’chu Kang, “Kathoey ‘In Trend’: Emergent Genderscapes, National Anxieties and the Re-Signification of Male-Bodied Effeminacy in Thailand,” *Asian Studies Review* 36:4 (2012): 475–494.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

## On the Politics and Conceptualization of Gender Non-Conformity

categories—many Thai people recognize a third gender, often described as “male-female.” The Buddhist Vinaya text, typically used by monks, identified four main sex/gender categories: “males, females, ubhatobyanjanaka (hermaphrodites), and pandaka (males displaying a variety of other non-normative anatomies or sexual preference).”<sup>29</sup> Moreover, while ordained Buddhist monks must practice sangha (or celibacy) as a requirement for ordination, the only other control over sexuality the religion claims is a prohibition against (heterosexual) adultery.<sup>30</sup> Thai Buddhism does not regard same-sex eroticism as a sin.<sup>31</sup> Historically, both religious and legal Thai authorities have ignored same-sex and “transgender” behaviors.<sup>32</sup> While Buddhism’s focus on tolerance does play a formative role in Thai society, the Buddhist concept of karma is often used when discussing the kathoey. A standard tale regarding the kathoey is that they were “playboys” in their past lives, and, “as a result of breaking so many lovelorn hearts of women, they were imposed the ultimate punishment, making them a woman trapped in a man’s body, forever doomed to unrequited love.”<sup>33</sup> This punishment-driven folklore certainly brings into question arguments for a Buddhists society’s unyielding “tolerance.”

### **Implications on Kathoey**

Existing research leaves unanswered questions regarding the consequences of this evolving Thai conceptualization of sexuality and gender, which has prompted a reevaluation of

---

<sup>29</sup> Peter Jackson, “Performative Genders, Perverse Desires: A Bio-History of Thailand's Same-Sex and Transgender Cultures,” *Intersections: Gender, History and Culture in the Asian Context*, Issue 9 (2003).

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> Peter Jackson, “Male Homosexuality and Transgenderism in the Thai Buddhist Tradition,” *Queer Dharma: Voices of Gay Buddhists*, edited by Winston Leyland. San Francisco: Gay Sunshine Press (1998).

<sup>33</sup> Ibid.

## On the Politics and Conceptualization of Gender Non-Conformity

identity among Thai people. Moreover, as this expansion of gender identity in Thailand occurs, I consider how recognition of the kathoey as a “third sex” can actually be damaging for the future of gender expression. Such recognition necessitates “labeling” or “boxing in” ideas of sexuality and gender, which can lead to the de-legitimization of certain conceptualizations of gender rather than promoting inclusion. Generalizing kathoey, or comparing this population and its needs to those of transgender individuals in the West, can also be dangerous in the context of transnational advocacy. In attempting global rights work, universal language may well be a necessary component. However, such language produces new problems. I concern myself with the potential negative effects of such language. It is imperative that those discussing and researching the kathoey do not consider kathoey as an Asian version of transgender individuals. In talking about trans people universally, Western organizations like OutRight Action International (formerly known as the Gay and Lesbian Human Rights Commission) inappropriately generalize and assume the same issues exist across such populations that, frankly, do not. While queer theory often challenges such generalizations, it too remains rooted in the Western context from which it emerged.

### *Unpacking Queer Expression and Transnational Advocacy*

In addressing the relationship between international practices and local genderscapes in Thailand, it is important to address the terminology that is used to speak about this population—as terminology can inform the ways in which organizations and communities relate to certain populations. Moreover, with regard to terminology, I am particularly concerned about Western language and theory that, in many ways, interrupts Eastern LGBTQ populations’ organic growth. This then affects transnational advocacy—as, in speaking about these populations generally,

## On the Politics and Conceptualization of Gender Non-Conformity

individuals are “grouped together,” and so the unique challenges and factors by which they are affected often dissipate.

As the kathoey cannot be simply characterized as transgender, I make use of the word “queer” to discuss this population—though doing so has its own problems. It is impossible to completely free oneself from one’s own language, especially if that language is a globally dominant one. So, in referring to kathoey as falling “under the umbrella” of queer, I recognize that this word is problematic because it also emerged from the West rather than out of Thai culture. At the same time, with respect to current approaches to studying and lobbying for global LGBTQ rights, a clear distinction exists between a more mainstream approach and a queer one. In using the term queer, I also signal my approach to international activism and gender and sexuality. “Queer” exists as an all-encompassing, fluid term that exceeds stable terms like LGBT or even SOGI (Sexual Orientation and Gender Identity).

I use the term queer similarly to Cynthia Weber and Eve Sedgwick, and define it as a subjective conceptualization of sexuality and gender that is fluid, inclusive, and ever-shifting. Queerness simultaneously rejects and maintains both normative and non-normative elements of intimacy—it is a conglomeration of possibilities, gaps, overlaps, dissonances and resonances, lapses and excesses of meaning, and refers to situations in which the essential elements of anyone’s gender, of anyone’s sexuality, are not made to signify monolithically.<sup>34</sup>

In considering anti-monolithic sexual/gender experiences and the perception of the importance of gender and sexuality to personal selfhood, I now turn to the ways in which this terminology relates to transnational advocacy. Current literature argues transnational advocacy is

---

<sup>34</sup> Peter Jackson, “Male Homosexuality and Transgenderism in the Thai Buddhist Tradition,” *Queer Dharma: Voices of Gay Buddhists*, edited by Winston Leyland. San Francisco: Gay Sunshine Press (1998).

## On the Politics and Conceptualization of Gender Non-Conformity

more than a reaction to globalization, but instead has a vast history that has been shaped by changes in the opportunity structure of international politics.<sup>35</sup> This literature on international activism efforts also underscores the difficulties of organizing sustainable and durably networked global social movements.

A number of scholars have charted the global diffusion of LGBT rights—and as these politics travel, particular discourses, events, and symbols have become readily recognizable hallmarks of LGBT movements. LGBT transnational advocacy refers to advocacy efforts that stem from belief in a universal understanding, or certain universal identifying factors, of homosexuality/queerness, specifically with regard to the presumption that identity politics and sexual orientation/gender identity are stable, meaningful parts of human selfhood. Advocates for this framework argue that, while sexual politics have been vernacularized by activists in different contexts, they have also contributed to the perception and visibility of a “transnational LGBT movement.”<sup>36</sup>

My primary argument in contrast is that it is dangerous to assign labels like “gay,” “lesbian,” or “transgender” to those who may not adopt these labels themselves. The pursuit of universal goals further marginalizes certain groups and is likely to reinforce other social inequalities. In attempting to superimpose Western LGBTQ agendas, one emphasizes divisive identity politics—which can work against Eastern individuals that do not place as much emphasis on sexual orientation and gender identity as essential parts of one’s own selfhood, as in the West. Additionally, this superimposition of Western LGBTQ agendas also tends to replicate

---

<sup>35</sup> Sidney Tarrow, *The New Transnational Activism*, Cambridge University Press (2005).

<sup>36</sup> Ryan Thoreson, *Transnational LGBT Activism: Working for Sexual Rights Worldwide*, 98. University of Minnesota Press, 2014.

## On the Politics and Conceptualization of Gender Non-Conformity

and legitimate only particular political projects that align with Western standards of recognition and equality.<sup>37</sup>

I side with those who argue an international gay/queer agenda does exist, and organizations like OutRight Action International are direct facilitators of it. For example, in 2010, OutRight Action International contributed to forming “An Activist’s Guide” of the Yogyakarta Principles—a 35-page document about human rights, sexual orientation, and gender identity. While it is notable that such a prominent LGBT group assisted in crafting these principles, I concern myself with generalizations that come with framing LGBT issues in a global human rights context, as well as the somewhat unchecked power this group yields given its Western origin and current headquarters.

Moreover, I share this same concern regarding an international gay agenda as it pertains to briefings on LGBTQ human rights violations with the United Nations Security Council and the formation of the United Nations LGBT Core Group. To be clear, I am in no way arguing against the formation of the United Nations or attempting to invalidate the good work this organization does. Instead, I mean to consider the dangers of conceptualizing LGBTQ rights as a global concern, as well as the issues that arise when such a powerful global formation chooses to view LGBTQ rights universally. I take issue with the conceptual framework of viewing LGBTQ issues in this way, not necessarily with the fact the United Nations is attempting to use its global position to assist with human rights concerns.

OutRight International has obtained consultative status with the United Nations Economic and Social Council and it is a founding member of the UN LGBT Core Group, a

---

<sup>37</sup> Ryan Thoreson, *Transnational LGBT Activism: Working for Sexual Rights Worldwide*, 98. University of Minnesota Press, 2014.

## On the Politics and Conceptualization of Gender Non-Conformity

group of 19 countries, the Office of the High Commissioner on Human Rights, the European Union, and Human Rights Watch. According to OutRight International’s web platform, the group “works to bring visibility and support for LGBTIQ people in the UN’s political processes... Our active participation in the Core Group has been key to keeping the focus on the human rights reality for LGBTIQ people worldwide.”<sup>38</sup>

I concern myself with the vagueness of this language as, in choosing to ascribe to an international agenda for the LGBTQ population, one must also understand that this brings to light the generalizations that come with such an agenda—which can delegitimize the experience of specific LGBTQ populations like the kathoey. For example, if Thai individuals were to establish such a global organization that referred to Western individuals that identify as “transgender” as “kathoey” instead, their experience is already delegitimized by such language alone. In speaking about LGBTQ issues in such a vague way, such international organizations already “water-down” culturally and regionally specific expressions of gender and sexuality for the sake of efficiency. Moreover, as this Core Group continues to prosper and grow, it is in the perfect position to truly assess the most effective way to assist queer populations globally—through quality advocacy efforts rather than ones focused only in quantity.

Moreover, in an effort to spread an international gay agenda to promote world LGBTQ rights, the result in some cases has been increased anti-LGBTQ legislation. Globalization has not made all regions more open to homosexuality or queerness. Western pro-LGBTQ transnational advocates that set an international agenda are indeed westernizing the Eastern conception of sexuality. An all-encompassing agenda of the needs of sexual minorities across the world may

---

<sup>38</sup> OutRight Action International—UN and Regional Mechanisms:  
<https://www.outrightinternational.org/region/un-and-regional-mechanisms>

result in dangerous overgeneralizations, or the prominence of mainly Western ideals and impacts.

This “international gay agenda” is mostly dominated by white Western males that have missions that include “protect[ing] and advanc[ing] the human rights of all people and communities subject to discrimination or abuse on the basis of sexual orientation,” according to author Joseph Massad.<sup>39</sup> Though traditional arguments of this kind are specific to homosexuality, the same logic is applicable with regard to transnational advocates promoting queerness or the recognition of third gender groups. Some scholars like Massad, as well as other politicians and everyday persons, see transnational advocates that are supporters of LGBTQ rights as part of a “gay international,” which promotes a restrictive and dangerous Western view of sexuality.<sup>40</sup> Efforts to universalize the LGBTQ movement are dangerous, as some cultures do not even have words or concepts that align with the Western view of sexuality. Other countries do not experience sexuality the same way Westernized countries experience it, and Massad confirms this by specifically referring to the challenges Arab countries have faced with regard to the LGBTQ experience, going so far as to argue that Arabs who identify as homosexual only believe such as a result of colonization.<sup>41</sup> Though Thailand was not a victim of such colonization, the threat of Western imposition remains.

Others disagree, arguing instead that Western activism respects the identities and desires of non-Western LGBTQ persons. Thoreson specifically argues that while initially some U.S. based advocacy groups fought for familiar Western goals, these groups were also “conscious of

---

<sup>39</sup> Joseph Massad, “Re-Orienting Desire: The Gay International and the Arab World,” *Public Culture* 14.2 (2002) 361-385. Duke University Press, 2002.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

## On the Politics and Conceptualization of Gender Non-Conformity

the limitation of these models, and actively sought to expand them in their work.”<sup>42</sup> However, this assessment rings false. A more appropriate conclusion is also a simpler one: it is substantially more difficult to explore sexuality in an organic way when certain ideas and expectations of sexuality are forced upon a culture. Moreover, Western groups’ ability to shape non-Western states’ terminology and exploration of sexuality continues today in the way of pro-LGBTQ transnational advocacy.

U.S. based advocacy groups like OutRight Action International, which is headquartered in New York City, continue to promote Western ideals of sexuality when determining for which “human rights” to fight, asserting that the Western idea of sexuality exists everywhere and that other cultures must be educated and stabilized through transnational advocacy efforts.<sup>43</sup> According to their website, OutRight Action International’s work in Asia specifically seeks to increase access to justice and protections for LGBTQ people, and it asserts their staff is “developing ways to track and ultimately change discriminatory laws, policies and practices.”<sup>44</sup> OutRight Action International seeks to “monitor anti-discrimination bills as they are being drafted, push for inclusive language and implementation of laws prohibiting domestic violence, and develop legal and non-legal strategies to improve police responses and responses of human rights monitoring bodies.”<sup>45</sup> Again, this platform does not mention any oversight that ensures the needs of specific populations are being met, and it does not define what language would be considered “inclusive” or tackle the rationale behind discriminatory legislation. It also does not seem to have specific strategies for different countries, and instead discusses Asia in a broad,

---

<sup>42</sup> Ryan Thoreson, *Transnational LGBT Activism: Working for Sexual Rights Worldwide*, p. 98. University of Minnesota Press, 2014.

<sup>43</sup> OutRight Action International—Asia: <https://www.outrightinternational.org/region/asia>.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

## On the Politics and Conceptualization of Gender Non-Conformity

sweeping manner without respect to the differences among countries in the region. While it appears OutRight Action International is simply *responding* to discriminatory legislation, one should consider what prompted such legislation to exist in the first place. Here, I reference the way some states have attacked the gay and lesbian population—in part because Western activism called attention to those groups. Moreover, this should also make one consider the implications of such legislation with regard to political homophobia.

Political homophobia refers to a given state's conscious political strategy against the LGBTQ population. It is not necessarily born out of religious sentiment or overt provocation, but it can be used as a strategy to strengthen the state and marginalize unpopular minorities.<sup>46</sup> This can provide a “scapegoat” for states as well as a way to place blame and “unite” country against one group. Political homophobia can also be a product of transnational influence, both with respect to legacies of colonialism and independent of such legacies—as transnational advocacy affects both. While there is no current evidence that kathoey have experienced the ramifications of political homophobia by the Thai government, efforts to marginalize this group are occurring.

As Thoreson points out, critics of transnational advocacy like myself are concerned that Western activism does not respect the identities and desires of non-Western LGBTQ persons, specifically through acts like assigning identifiers or labels, such as “transgender,” to populations like the kathoey who may not adopt these labels themselves. The use of such tactics or strategies backfire, as these groups can become even more marginalized by legislation that attempts to target their population specifically. Moreover, the pursuit of “universal” goals that are not necessarily desired by queer individuals in every region of the world—such as the recognition of

---

<sup>46</sup> Meredith L. Weiss and Michael J. Bosia, *Global Homophobia: States, Movements, and the Politics of Oppression*. University of Illinois Press, 2013.

## On the Politics and Conceptualization of Gender Non-Conformity

same-sex unions or same-sex marriage—are likely to reinforce other social inequalities in the form of societal backlash, including further discrimination in housing, in the workplace, in health care facilities, and in the school systems.

### *Understanding Third Gender within the Context of Transnational Advocacy*

To properly understand the dangers of transnational advocacy and unpack those issues in a relevant way, one must also understand the kathoey's current status. In doing so, it is first important to reiterate that, though the proliferation of queer and gender expression seems to emulate that of the West, research on Thailand provides evidence to the contrary. Despite the differences in historical origins, media outlets are now examining the kathoey in a similar fashion to that of transgender individuals in the United States, viewing this population now through scientific lenses, specifically seeking to address what genetic or hormonal conditions may be present in kathoey, or environmental causes that may have attributed to their lifestyle. However, it is important to note that the kathoey did not receive such media attention prior to the proliferation of trans rights worldwide.

This comparison of the challenges that come from the media's examination of transgender individuals in the United States and kathoey individuals in Thailand is especially compelling when one considers that, in the U.S., the majority of anti-LGBTQ rhetoric stems from conservative Evangelicals. However, unlike many Christian sects that actively speak out or propose legislation against LGBTQ, Buddhism does not seem to have the same open resentment or basis in condemnation for queer individuals. Moreover, as Thai Buddhism does not regard same-sex eroticism as a sin and given that both religious and legal Thai authorities have traditionally ignored same-sex and transgender behaviors, the political and religious climate in

## On the Politics and Conceptualization of Gender Non-Conformity

Thailand is vastly different than that of the United States—and so advocacy efforts should reflect these differences. Transnational advocates must understand the significance of working within a region that recognizes a third gender, while also understanding that this does not negate examples of marginalization that the population continues to experience. As an example, OutRight Action International’s platform for Asia makes no mention of any of these specific factors that affect Thailand and its kathoey population.

Despite the fact Thailand recognizes third gender expression, it must also be noted that, in doing so, the state continues to stifle gender and sexual orientation fluidity by enforcing such categorization. It is risky to continue to “box in” gender as it grows and changes within Thailand. This labeling is surely another attempt at institutionalizing gender—here, even as institutions recognize conceptualizations other than a gender binary, in naming it they normalize it. For institutions, queerness is dangerous in its rejection of the “norm,” which often leads to instability.

In examining the implications for transnational advocacy with regard to this recognition, one must specifically look at this issue as it relates to the role of institutionalization. To do so, I examine countries that have legally recognized a third sex, in which recognition is limited, or in which recognition is its preliminary stage. These actions further solidify an international legal recognition of a non-binary or third gender and help us understand and consider Thailand’s actions within the global queer landscape.

In Austria, two lower judicial courts have already decided against the possibility of a “third gender.”<sup>47</sup> Meanwhile, in March 2017, an Australian and New Zealand community

---

<sup>47</sup> From the German Federal Constitutional Court (Bundesverfassungsgericht) and Constitutional Court (Verfassungsgerichtshof) in Austria.

## On the Politics and Conceptualization of Gender Non-Conformity

statement called for an end to legal classification of sex, stating that legal third classifications, like binary classifications, were based on structural violence and failed to respect diversity and a “right to self-determination.”<sup>48</sup> On August 31, 2017, Canada began allowing an observation to be added to passports requesting that the holder’s gender should be read as “X,” indicating that it is unspecified, though a gender of “M” or “F” had to be added as a gender for an undefined period to comply with legal requirements of other countries.<sup>49</sup> In November 2017, the Federal Constitutional Court in Germany released a press statement about its ruling from October 2017, which is in favor of a positive third gender option instead of no entry, which demands a third gender option be introduced by December 31, 2018.<sup>50</sup> India, which is known for its Hijra population, implemented a Supreme Court decision that declared “transgender” to be the third gender in Indian law, in a case brought by the National Legal Services Authority against Union of India.<sup>51</sup>

Moreover, Nepal’s 2011 census was the first national census in the world to allow people to register as a gender other than male or female and a 2007 Supreme Court decision ordered the government to issue citizenship ID cards that allowed “third-gender” or “other” to be listed.<sup>52</sup> The court also ordered that the only requirements to identify as third-gender would be the person’s own self-identification.<sup>53</sup> In Pakistan, the preferred term for those that identify as third

---

<sup>48</sup> “Darlington Statement: Joint consensus statement from the intersex community retreat in Darlington,” March 2017. Sydney, NSW. [Working Paper]

<sup>49</sup> Mattha Busby, “Canada introduces gender-neutral ‘X’ option on passports,” *The Guardian*, August 2017.

<sup>50</sup> From the official Federal Constitutional Court (Bundesverfassungsgericht) press release, “Civil status law must allow a third gender,” October 2017.

<sup>51</sup> Greeta Pandey, “India court recognizes transgender people as third gender,” *BBC News*, April 2014.

<sup>52</sup> Kyle Knight, “Nepal’s Third Gender and the Recognition of Gender Identity,” *Huffington Post*, April 2012.

<sup>53</sup> *Ibid.*

## On the Politics and Conceptualization of Gender Non-Conformity

gender or non-binary is *khwaja sara* or “khwaja sira,” as hijra and khusra are considered derogatory by the khawaja sara community and human rights activists in Pakistan.<sup>54</sup> As most of Pakistan’s official government and business documents are in English, the term “third gender” has been chosen to represent individuals (either male or female, neither, and/or both) that identify themselves as transsexual, transgender person, cross-dresser (*zenana* in Urdu), transvestite, and eunuchs (*narnbans* in Urdu).<sup>55</sup>

In the United Kingdom, the title “Mx” is widely accepted by government organizations and businesses as an alternative for non-binary people, while HESA allows the use of non-binary gender markers for students in higher education.<sup>56</sup> In January 2016, the Trans Inquiry Report by the Women and Equalities Committee called for non-binary people to be protected from discrimination under the Equality Act, for the X gender marker to be added to passports, and for a wholesale review into the needs of non-binary people by the government within six months.<sup>57</sup>

The United States has also experienced several specific cases of third gender recognition—the first of which, according to the Transgender Law Center, was in the state of Oregon. In June 2016, an Oregon circuit court ruled that one of its residents could legally change their gender to non-binary. One year later, Oregon became the first state in the U.S. to announce it will allow a non-binary “X” gender marker on state IDs and driver’s licenses, without requiring a doctor’s note to make the change. One week after the Oregon decision, Washington D.C. announced that a non-binary “X” gender marker for district-issued ID cards and driver’s

---

<sup>54</sup> Faris Khan, “Khwaja Sira Activism: The Politics of Gender Ambiguity in Pakistan,” *TSQ* 3 (1-2): 158-164.

<sup>55</sup> *Ibid.*

<sup>56</sup> “HESA parameters for SEXID,” Higher Educations Statistics Agency.

<sup>57</sup> “Legal Recognition For People Who Do Not Associate With A Particular Gender” from UK Parliament press release, January 2016.

## On the Politics and Conceptualization of Gender Non-Conformity

licenses would become available for residents without the need for medical certification. New York, California, and Washington followed suit in also recognizing a third gender category. In September 2016, an intersex California resident became the second person in the United States to legally change their gender to non-binary. Shortly after decisions in Oregon and D.C., legislation in New York was introduced to offer an “X” gender marker for residents’ ID cards. In September 2017, California passed legislation implementing a non-binary gender marker on California legal documentation such as birth certificates, drivers’ licenses, and identity cards. In December 2017, Washington followed California’s lead and filed similar legislation.

These examples are especially compelling with respect to the institutionalization of a third gender when one considers the legislative measures taken in Thailand—or the lack thereof. The most recent information released regarding Thailand’s decision to recognize a third gender in its latest constitution is from January 2015, according to a member of a panel drafting a new charter.<sup>58</sup> This section was drafted by the Constitution Drafting Committee, a group selected by the military to prepare a new constitution after the previous one was rejected following Thailand’s 2014 coup. A prominent gay activist, Natee Teerarojjanapongs, welcomed the term “third gender” in the new constitution, claiming, “It would treat all citizens equally and help to protect from discrimination in all areas including ease of doing business and also personal life.”<sup>59</sup>

However, despite the prominent role kathoey play in entertainment and business in Thailand, and despite the country’s reputation for gender non-conformity/sexuality inclusivity, Thailand is still not as progressive as other countries when considered from a legislative perspective. As mentioned previously, Thailand’s Gender Equality Act came into effect in

---

<sup>58</sup> Amy Sawitta Lafevre, “Thailand to recognize ‘third gender’ in new constitution: panel,” *Reuters*, January 2015.

<sup>59</sup> *Ibid.*

## On the Politics and Conceptualization of Gender Non-Conformity

September 2015—signaling an inclusive future for the country’s legal treatment of queer individuals. Currently, almost half of Asian countries still criminalize homosexuality. Yet, like all other Southeast Asian countries except Taiwan, Thailand still does not have legal recognition for same-sex couples, which could affect kathoey individuals that have not been allowed to legally change their sex on their identification cards.

As mentioned, the Thai government has considered the possibility of approving a law to recognize third gender individuals—however, reports say that the process has been delayed from lack of consensus among the drafting committee, which is still debating whether third gender individuals “can choose male or female as they prefer or we [the committee] set up a third category [third gender].”<sup>60</sup> Gender activist Kath Khangpiboon, co-founder of the Thai Transgender Alliance (ThaiTGA), argues that many of the conflicts within the ministry over gender recognition are partly “because they should eliminate at least a hundred acts [of the current law]” and because some officials “are still unable to see beyond the gender binary [man or woman].”<sup>61</sup>

Moreover, it is also possible this specific concern for the kathoey population within the new constitution will likely be dismissed in favor of other, more dominant issues plaguing the country—for example, the military still has not held the elections it promised to conduct after the 2014 coup. The country is also continuing to struggle with the transfer of power from the late King Bumipol, who ruled for more than seventy years, to his son, King Vajiralongkorn. Simply put, it is not likely that the country—in this specific state of transition—will be very receptive to the needs of such a minority.

---

<sup>60</sup> Ana Salva, “An LGBTI Oasis? Discrimination in Thailand,” *The Diplomat*, November 2016.

<sup>61</sup> *Ibid.*

*Unpacking Third Gender Arguments with Regard to Queer Theory*

I now turn to considering examples of the dangers of transnational advocacy within the context of Western queer theory—or conceptualized advocacy efforts within a queer definition and with respect to queer practices—specifically through assessing Witchayanee Ocha’s call for raising “gender awareness” through designing social policies to create more gender queer spaces to make cities safer. The author speaks to the emergence of queer identities, which she claims have an association with modern, urban lifestyles because cities offer more spaces for marginalized people, thus, attracting more queer people that feel free to express their identities/sexualities.

However, this concept of queer safe spaces was born from the West, where gender variance and sexual variance have traditionally been suppressed, so safe spaces now exist in response. But in a culture that already socially understands a “third gender” and that is based in a religion that does not seem to specifically take issue with queer individuals, this western formulation seems misplaced. Ocha advocates for safe queer spaces, and while the intention behind such a concept is wholesome, I argue again that calling more attention to kathoey may only reinforce certain social inequalities—as mentioned previously. For example, there are specific dangers in Thailand when attempting to establish such spaces in rural parts of the country, where great emphasis is placed on connectedness and community. Assigning such identifiers or labels to kathoey to promote such safe spaces could actually further marginalize these individuals. In implementing “universal” goals, this is inherently superimposing what Western people desire to identify if it could also work in the East—which delegitimizes, reduces, and endangers the Eastern queer experience.

*Looking Ahead*

One of the most prevalent questions this work considers is with regard to the relationship between Western and Eastern queer expression: is it appropriate to seek legislation and enact measures in Thailand that Western countries have deemed important for human selfhood? Currently, there is no “official consensus” as to what demands the kathoey have with regard to issues such as partnership recognition or non-discrimination laws. In fact, an article was recently released in which an individual that identifies as kathoey wrote, “We are happy for people to call us ladyboys, if they talk nice.”<sup>62</sup> Additionally, in entertainment, business, and fashion industries in Thailand, kathoey individuals play significant roles in leadership and management positions—so, in further calling attention to the role of kathoey in society and in forcing Western ideas of freedom and recognition into public discourse, this could endanger the positions kathoey hold now—as these individuals would be further thrust into the political spotlight.

Perhaps the most important consideration, if one finds implementing transnational advocacy is a necessary mechanism to utilize, is understanding what transnational advocacy should look like without imposing Western ideas. Above all else, one must understand how necessary it is to recognize the needs of each *specific* region or group rather than assuming the needs of the West are the same as the needs of every other region of the world. One must balance the desire that individuals are treated with decency and respect, while actively not imposing Western standards or ideals of such. I argue that, as a person from the West, the best way to be an effective transnational advocate is to communicate with the population one wishes to assist

---

<sup>62</sup> Monica, Tan. “Thai superstar cabaret: ‘We are happy for people to call us ladyboys, if they talk nice,’” *The Guardian*, 2016.

## On the Politics and Conceptualization of Gender Non-Conformity

and take direction from them. Again, organizing and legislative efforts must be directly related to uncovering the needs of populations *specifically*; this must be about understanding the unique factors that certain populations face and crafting creative solutions to those problems that are not generalized, or that do not promote “blanket statement” legislation. Groups like OutRight Action International are specifically guilty of this—especially when one looks to the organization’s generalized legislative efforts listed on its public platform regarding advocacy in Asia. Though treating individual groups with such careful attention may take far more work and time, in the long run this detail-oriented, tailored system of transnational advocacy is much more effective and is more likely to promote organic change in regions that will be far more lasting and appropriate.

Overall, this thesis has investigated the politics and conceptualization of gender in Thailand, drawing specifically on the Thai understanding of sex and gender with regard to the kathoey. Through analyzing the work of several scholars, this thesis has considered the increasing visibility of kathoey through a historical overview of this population, its contribution to shifts in Thai nationalism, and how it fits into the ever-shifting genderscape in Thailand. This work has also compared Western theories/categories of sexuality and gender with Eastern theories/categories of sexuality and gender, specifically within the framework of analyzing the dangers of transnational advocacy, the superimposition of Western queer advocacy, and Western queer theory. I conclude by considering the dangers of transnational advocacy and by extrapolating on the issue of viewing the kathoey from a Western theoretical lens.

However, there are still several future research questions one should consider regarding the kathoey. The conceptualization of this population will continue to shift as changes occur in the political climate in Thailand, and so the needs of the LGBTQ population, specifically the

## On the Politics and Conceptualization of Gender Non-Conformity

kathoey, should continually be reassessed. Moreover, one of the most crucial questions is with regard to *how* transnational advocacy can be effectively implemented without imposing Western standards or perceptions. This is especially important when considering advocacy groups that are based in the West, like OutRight Action International—as one must honestly assess and balance the beneficial work this organization does for some members of the LGBTQ population globally with the problems this causes in the future for minority populations like the kathoey. If one chooses to confront human rights issues on an international scale, what kind of language is appropriate for discussing the populations affected by issues? For example, even my use of the word “queer” is problematic because this a Western word. Will subjective theoretical and advocacy lenses always perpetuate such issues?

In concluding, one must also consider the future implications for the kathoey in light of this discussion of transnational advocacy. Kathoey will continue to face marginalization and discrimination in Thailand, as is common with most members of the LGBTQ populations globally. However, the political and cultural climate of Thailand offers a unique opportunity for this population to rise above this oppression—but only if transnational advocates take direction from kathoey individuals rather than super imposing Western standards and Western ideas of worthwhile legislative efforts.

## **References**

- Busby, Mattha. "Canada introduces gender-neutral 'X' option on passports." *The Guardian*, (2017).
- Byung'chu Kang, Dredge. "Kathoey 'In Trend': Emergent Genderscapes, National Anxieties and the Re-Signification of Male-Bodied Effeminacy in Thailand." *Asian Studies Review* 36:4 (2012): 475–494.
- Chokrungvaranont, Prayuth. "The Development of Sex Reassignment Surgery in Thailand: A Social Perspective." *The Scientific World Journal*, 19 March 2014.
- "Darlington Statement: Joint consensus statement from the intersex community retreat in Darlington." March 2017. Sydney, NSW. [Working Paper]
- Federal Constitutional Court (Bundesverfassungsgericht) press release. "Civil status law must allow a third gender." October 2017.
- "HESA parameters for SEXID." Higher Educations Statistics Agency.
- Jackson, Peter "Male Homosexuality and Transgenderism in the Thai Buddhist Tradition." *Queer Dharma: Voices of Gay Buddhists*, edited by Winston Leyland. San Francisco: Gay Sunshine Press (1998).
- Jackson, Peter. "Performative Genders, Perverse Desires: A Bio-History of Thailand's Same-Sex and Transgender Cultures." *Intersections: Gender, History and Culture in the Asian Context*, Issue 9 (2003).
- Khan, Faris. "Khwaja Sira Activism: The Politics of Gender Ambiguity in Pakistan." *TSQ* 3 (1-2): 158-164.
- Knight, Kyle. "Nepal's Third Gender and the Recognition of Gender Identity." *Huffington Post*. April 2012.
- Lafevre, Amy Sawitta. "Thailand to recognize 'third gender' in new constitution: panel." *Reuters*, 2015.
- "Legal Recognition For People Who Do Not Associate With A Particular Gender." UK Parliament press release, January 2016.
- Massad, Joseph. "Re-Orienting Desire: The Gay International and the Arab World." In *Public Culture* 14.2 (2002) 361-385. Duke University Press, 2002.
- Matzner, Andrew. "The Complexities of Acceptance: Thai Student Attitudes Towards Kathoey." *Crossroads: An Interdisciplinary Journal of Southeast Asian Studies* (2001): 71-93.

## On the Politics and Conceptualization of Gender Non-Conformity

McLaughlin, Kelly. “Transsexuals are forced to stand in line for army conscription in dresses and skirts as 100,000 21-year-old men are drafted into the Thai military.” *Daily Mail Online*, 7 April 2017.

Mosbergen, Dominique. “Two-Faced Thailand: The Ugly Side of ‘Asia’s Gay Capital.’” *The Huffington Post*, 20 October 2015.

Ocha, Witchayanee. “Rethinking Gender: Negotiating Future Queer Rights in Thailand,” *Gender, Technology and Development*. 17 (2013): pp. 79-104.

OutRight Action International—Asia: <https://www.outrightinternational.org/region/asia>.

OutRight Action International—UN and Regional Mechanisms:  
<https://www.outrightinternational.org/region/un-and-regional-mechanisms>

Pandey, Geeta. “India court recognizes transgender people as third gender.” *BBC News*. April 2014.

Salva, Amy. “An LGBTI Oasis? Discrimination in Thailand.” *The Diplomat*. November 2016.

Tan, Monica. “Thai superstar cabaret: ‘We are happy for people to call us ladyboys, if they talk nice.’” *The Guardian*. 2016.

Tarrow, Sidney. *The New Transnational Activism*. Cambridge University Press. 2005.

Thoreson, Ryan. *Transnational LGBT Activism: Working for Sexual Rights Worldwide*. University of Minnesota Press. 2014.

Weiss, Meredith L. and Michael J. Bosia. *Global Homophobia: States, Movements, and the Politics of Oppression*. University of Illinois Press, 2013.

Winter, Sam. “Thai Transgenders in Focus: Demographics, Transitions and Identities.” *International Journal of Transgenderism*, Vol. 9, No. 1 (2006): 15–27.

Winter, Sam. “Language and Identity in Transgender: Gender Wars, Anatomania, and the Thai Kathoey.” *Problematizing Identity: Everyday Struggles in Language, Culture, and Education* (2008): 119-135.