

# Secondary Pathology: 'Cisgender Fragility' and the Pandemic Body Politic

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**Abstract** The ongoing COVID-19 pandemic has seen an international explosion of anti-transgender sentiment being elevated to the level of law. Legislatures from Idaho to Hungary have banned transgender student athletes from competing as their true genders; revoked existing protections for trans people; and mandated the addition of 'sex assigned at birth' to state-issued ID cards. This spike in anti-transgender laws would be alarming in any year, but carries extra force and urgency as the Coronavirus pandemic continues to unfold. The fact that so many different municipalities worldwide have used the opportunity of COVID-19 to enshrine anti-trans animus in law, or to propose its enforcement, or to prolong its effects, is not accidental. This raises the question of why now? I propose that transphobia and the concomitant championing of 'traditional gender roles' are intended to function not only as a distraction from mismanagement of pandemic responses, but as an attempt to create national cohesion by casting transgender people as subverters of the natural health and order of the body. Drawing both on the particular vulnerability of transgender people as a demographic in times of crisis, and on the critical concept of 'cis fragility', I argue that these anti-transgender policies function as attempts to reaffirm the ontological securitisation of the body politic.

**Keywords** Ontological securitisation. Moral panics. Fragility. Precarity. COVID-19. Transgender.

**Summary** 1 Introduction. – 2 Tracking Transness in Japan and the Anglosphere 2011-22. – 3 Trans Precarity, Cis Fragility. – 4 Conclusion.



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## 1 Introduction

This article has been two years in the making. During the early months of the COVID-19 pandemic in Spring 2020, I was stranded in Kyoto, where I was finishing the fieldwork for my doctoral dissertation on transgender lives in contemporary Japan. From my apartment and my laptop screen, I was glued to daily case trackers, death statistics, and updates from the US Centers for Disease Control and Prevention, as many people were worldwide. Soon, however, I noticed distinct alarm bells ringing internationally on a single theme within responses to the disease.

On 1 April 2020, less than a month into the global reach of COVID-19, the Republican-controlled state legislature of Idaho officially banned transgender athletes from participating in high school or varsity athletics as their identified gender, mandating that all athletes must be entered according to their “biological sex assigned at birth”. A day later, Hungary’s Prime Minister Viktor Orbán submitted a draft bill to Parliament that included a proposal to reverse the country’s policy on gender recognition. The law in place at the time permitted transgender Hungarians to change the gender listed on certificates of birth, marriages, and deaths. Orbán’s proposal, which passed and is now in effect, mandates all such certificates to list “sex at birth” and now forbids them to be changed after social/medical transition.

That same week in the United Kingdom, the Tory government announced that potential proposed reforms to the Gender Recognition Act (GRA) will be tabled indefinitely, claiming that Coronavirus preparedness must take priority. Not content to merely delay the promised review of the GRA, Liz Truss, the then-Equalities Minister for the United Kingdom, announced a set of proposed reforms to transgender healthcare access. These would completely ban medical transition (including the use of reversible, temporary puberty blockers) for anyone under 18; introduce new gatekeeping restrictions on medical transition in adulthood; and potentially remove transgender people’s already-existing rights of access to single-sex or sex-specific services. Truss’ proposals did not come into force, and indeed Truss herself is no longer the Minister for Women and Equalities,<sup>1</sup> but a stream of

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**1** Truss was promoted from Equalities Minister to Prime Minister of the United Kingdom shortly after the first writing of this article (September 2022), stepping down equally

attempted or actual bills targeting transgender youth, transgender athletes, and transgender people as a demographic have been introduced in legislatures worldwide during the era of COVID-19.

Even in places where actual legislative change has not been proposed, including Japan, the level of anti-transgender animus by politicians and other elected officials has seen a marked increase since 2020. Prior to the onset of the novel Coronavirus, transgender-related legislation in Japan had reached something of a plateau: provision for the legal recognition of a change of gender was first established in 2003 and revised in 2008, the latter with little public discussion. The legal standards for transition as stipulated by the Act are invasive and highly medicalised, but – at the time of its revision – not accompanied by overt animosity or false claims about transgender people as a demographic.

What has changed in the intervening time is the sudden introduction of malicious misinformation into the Japanese discourse on trans identity. The English-language edition of the *Mainichi Shinbun* newspaper reported on 20 May 2021 that “Misinformation on Transgender Women Spreads in Japan, Even at LDP Study Session”:

A study session under the theme “LBGT out of control” was held in Tokyo’s Nagata-chō district at noon on March 26 by a ruling Liberal Democratic Party parliamentary group promoting female lawmakers’ empowerment.

According to the article’s author, journalist Fujisawa Miyuki,

Diet members, local assembly members and other participants were apparently seen nodding while listening to a lecture that portrayed transgender women as a threat to cisgender women [...]. The lecture was given by Koji Shigeuchi, adviser to the LDP’s committee to study sexual orientation and gender identity. (2021)

I discuss this article in further detail later in this paper: suffice it for now to say that it was the first, but by no means the only, news-

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abruptly in October of the same year. A substantial portion of her campaign for leadership of the Conservative Party involved the burnishing of her transphobic credentials (on which see e.g. Hansford, A. [2022]. “How Shameless Attacks on Trans People Defined a Car-Crash Tory Leadership Race”. *Pink News*, 25 August. <https://www.pinknews.co.uk/2022/08/25/tory-leadership-race-trans>). While she is no longer in government, and this specific set of proposals may have been discarded, the UK government under Prime Minister Rishi Sunak remains committed to transphobia, to the extent of blocking the devolved Scottish government’s updated version of the Gender Recognition Act (for more on which see the Scottish Trans Alliance’s “Statement on the UK Government’s Blocking of the GRR Bill”, 17 January 2023. <https://www.scottishtrans.org/statement-on-the-uk-governments-blocking-of-the-grr-bill>).

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paper article I saw in both the English and Japanese-language press on inflammatory rhetoric around transgender people finding a sympathetic audience amongst politicians in the country.

As an anthropologist of (trans)gender identity and sexuality, and from my own positionality and personal investment in the topic as a transgender man, I have been tracking popular discourses around gender transition, transgender identity, and access to medical care worldwide on both formal and informal bases for more than a decade. There have been phases, fashions, and abortive moral panics within what we may loosely gloss as international 'trans discourse', much of it online or mediated through sensationalistic media coverage, as well as a burgeoning canon of transgender life-writing enabled by greater access to publication – both traditional print media and online platforms such as blogs, Twitter accounts, and writing for feminist or queer websites.<sup>2</sup> I turn now to a closer overview of how transgender lives and experiences have been reported in the Anglophone and Japanese press over the last decade, including the 'trans boom' of 2014-17 and the onslaught of negative coverage post-2017. I begin my analysis proper with this quantitative overview of trans-related media coverage leading up to the COVID-19 pandemic, followed by the application of a qualitative lens to two inherent threads of tension within trans-cis relations: 'trans precarity' and 'cis fragility'. I then examine why the conditions of the ongoing COVID-19 pandemic have provided such an incubatory environment for anti-trans animus on every social level from national legislatures to interpersonal hate crimes, through the lens of ontological security studies (OSS). I conclude with a discussion of the crisis point at which we now find ourselves.

I approach this topic from the specific positional standpoint of being a Japanologist, a person with dual British-American citizenship and community ties, and a transgender person who navigates his daily life in an atmosphere of worsening anti-transgender movements worldwide. Much of the qualitative data in this article, furthermore, was drawn from discussions with my respondents on the ground in Kansai, a group of roughly thirty trans people of varying gender identities, ages, and occupations. This has two main effects on the thesis of this article. One is its regional focus on Japan and on the US-UK Anglosphere, with reference to specific cases elsewhere (Hungary, Russia, etc.) when appropriate. The other is that much of my data and their analyses are quantitative but not neutral. I do not believe that ethnographic objectivity or 'true neutrality' are achievable, and in the case of organised hate groups galvanised by a global pandem-

<sup>2</sup> For which see e.g. Chii 2016; Faye 2021; Dawson 2014; 2017; Hale 1997; Jacques 2015; Kamikawa 2007; Lester 2017; Mock 2014; Nömachi 2009; Stein 2019; Thom 2016.

ic to intensify stochastic terrorism against a community to which I belong, any pretence of neutrality would be inauthentic. I have collated the data and offered my best analysis, in which I am satisfied that I am contributing to a chorus of raised alarms with merited urgency and seriousness.

## 2 Tracking Transness in Japan and the Anglosphere 2011-22

While there have been publications produced by and for queer/trans people in German since the 1920s and English since the 1950s (among them *Transvestia*, *Chrysalis*, *Drag*, *Fag Rag*, and Lou Sullivan's *FtM Newsletter*),<sup>3</sup> mainstream Anglophone media commentary on transgender civil rights and social existence was sparse prior to the turn of the twenty-first century, excepting high-profile cases of celebrities (Roberta Cowell, Christine Jorgensen, Jan Morris, Tracey 'Africa' Norman) transitioning or being outed against their will; particularly high-profile hate crimes, such as the murders of Brandon Teena, Gwen Araujo, and Marsha P. Johnson; or titillating depictions of transgender people in popular culture, as in Neil Jordan's *The Crying Game* (1992), Kimberley Peirce's *Boys Don't Cry* (1999), and other weeping-based narratives.

The first decade of the twenty-first century saw some significant gains in transgender rights, especially in Japan, where a procedure for legally affirming gender transition was first implemented with the Act on Special Cases in Handling Gender Status for Persons with Gender Identity Disorder (Act No. 111 of 16 July 2003), discussed briefly above.<sup>4</sup>

The first transition memoirs in English were written by Michael Dillon and Roberta Cowell, in 1946 and 1954 respectively, with their first Japanese-language counterparts appearing in the 1980s and 1990s. In the twenty-first century, however, the advent of popular memoirs and autobiographical narratives about transition actually began a few years earlier in Japan (early 2000s) than it did in the UK (mid-2010s): Yonezawa Izumi's *Toransujendarizumu sengen* トランスジェンダリズム宣言 (Transgenderism Declaration) and Torai Masae's *Toransujendā no jidai: seidōitsusei-shōgai no ima* トランスジェンダーの時代・性同一性の今 (The Transgender Age: Gender Identity Disorder

<sup>3</sup> Many of which are accessible online via the Simmons College Transgender Periodicals Guide: <https://simmonslib.libguides.com/transgender-history/periodicals>.

<sup>4</sup> A full English translation of the Act's text can be found online here: <https://www.japaneselawtranslation.go.jp/en/laws/view/2542/en>. For more on the law itself, see Ako et al. 2001; Itani 2011; Fujimura-Fanselow 2011; and Taniguchi 2003.

Today) were both published in 2003; the politician Kamikawa Aya's memoir *Kaete yuku yuki: 'seidōitsusei-shōgai' no watakushi kara* 変えてゆく勇氣:「性同一性障害」の私から (The Courage to Change: 'Gender Identity Disorder' from My Perspective) in 2007; and Nōmachi Mineko's humorous blog-turned book *Okama dakedo OL yattemasu* オカマだけどOLやっています。 (Even Though I'm an Okama I Became an Office Lady) in 2009.

However, media interest in transgender coverage steadily gained speed over the course of the 2010s, with peak positive coverage hitting between 2014 and 2017. Those three years saw the publication of multiple memoirs and non-fiction books by trans writers in English (Dawson 2014; 2017; Lester 2017; Mock 2014) and Japanese (Chii 2016; Yasutomi 2015). They received generally favourable reviews and were part of a boom in trans-interest popular culture alongside trans-positive articles in major magazines, such as Katy Steinmetz's award-winning *TIME* magazine feature "The Transgender Tipping Point" and the *National Geographic* magazine's January 2017 special issue *Gender Revolution*, with accompanying documentary by Katie Couric. The transgender journalists Juliet Jacques and Paris Lees were still writing regular features for the *Guardian* newspaper; transgender actors were breaking into major television and film roles, like Laverne Cox on *Orange is the New Black*; and breathless newspaper reports on supposed 'trans firsts' – such as the 'first trans man to get pregnant'<sup>5</sup> – were, if not free of sensationalism, at least generally positive in tone.

It is difficult to pinpoint exactly when the shift from positive coverage to full-blown moral panic occurred in the Anglosphere. In Japan, there was a distinct trigger point (or at least an event consistently identified as such by my respondents in the field): the decision by Ochanomizu University, one of the oldest and most prestigious single-sex women's colleges in the country, to admit undergraduate students on the basis of self-declared gender rather than the gender listed on their family registry (*koseki* 戸籍). Tsuda University, a similarly prestigious women's college, soon followed suit.

The backlash from some cisgender feminists and from Japan's reactionary right wing was immediate. Its vitriol and the apparent strength of its feeling were shocking to my respondents, many of whom were long-term veterans of various Japanese feminist move-

5 Trebay, G. (2008). "He's Pregnant: You're Speechless". *The New York Times*, 22 June. <https://www.nytimes.com/2008/06/22/fashion/22pregnant.html>; Pilkington, E. (2008). "Childbirth: Transgender Man Has His Baby, Naturally". *The Guardian*, 5 July. <https://www.theguardian.com/lifeandstyle/2008/mar/28/familyandrelationships.healthandwellbeing>; *The Deccan Herald* (2023). "Pictures of First Trans Man's Pregnancy Go Viral". 4 February. <https://www.deccanherald.com/dh-galleries/photos/pictures-of-first-trans-mans-pregnancy-go-viral-1187761>.

ments, as those movements in the post-war period have been accepting of anyone who would 'volunteer' to take on gender-related oppression and lend their solidarity to organised struggle.<sup>6</sup> The explosion of online anti-trans sentiment in Japan, which came in April 2018 and positioned itself as a backlash to Ochanomizu and Tsuda Universities' trans-inclusive acceptance policies, had three unusual elements. Firstly, it was constrained to Japanese-language Twitter. My respondents were unanimous in their agreement that these sentiments were not repeated at any of their various in-person activist meetings or social events; nor was it widely evident across other social media platforms, e.g. Facebook or LINE. Secondly, the accounts pushing this rhetoric were all anonymous: no-one was willing to put their name to the dissemination of anti-trans hatred, which led my respondents to speculate that the vast majority of these accounts may have been bots or sock puppets (multiple fake accounts run by one person). Thirdly, most of the accounts spreading transphobic hate speech in Japanese repeat derivative talking points copied and pasted from English trans-exclusionary rhetoric, all clustered around the same themes: bathrooms, 'single-sex spaces', women's athletics, and so on. None of these talking points are original and all of them have been debunked many times over across English-speaking social media.

It would be one thing if malicious misinformation about transgender people remained constrained to the grassroots level in Japan. Unfortunately, these talking points have begun to capture the attention of members of the ruling political party, the Liberal Democratic Party of Japan. It is at this point that I would like to return for a deeper commentary on the *Mainichi Shinbun* article quoted in the "Introduction". The quotations are lengthy, but I believe that it is worth close reading, as it both summarises the main talking points currently deployed by Japanese transphobes and indicates the level of audience this hate speech now enjoys.

A study session under the theme "LBGT out of control" was held in Tokyo's Nagata-chō district at noon on March 26 by a ruling Liberal Democratic Party parliamentary group promoting female lawmakers' empowerment. The group is co-headed by former Defence Minister Tomomi Inada.

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<sup>6</sup> The genderqueer activist Tanaka Ray published their book *Toransujendā feminizumu* トランスジェンダー。フェミニズム (Transgender Feminism) as early as 2006; their consciousness-raising collective Rockdom of Sexuality has been active since the mid-1990s on issues of gender diversity and queer sexuality. This is not to imply that either the feminist (*feminisuto* フェミニスト) or militant 'Women's Lib' (*ūman ribu* ウーマンリブ) movements have not had histories of violence, volatility, and exclusion; for more on which see Shigematsu 2012.

Diet members, local assembly members and other participants were apparently seen nodding while listening to a lecture that portrayed transgender women as a threat to cisgender women (those registered as female at birth and identifying as women). The lecture was given by Koji Shigeuchi, adviser to the LDP's committee to study sexual orientation and gender identity. [...]

Shigeuchi, who is male, apparently said if the LDP's bill does not pass, "I could say that I'm a woman from today and be able to enter women's bathhouses". His explanation seemed to suggest that men could participate in sports as women and enter women's bathhouses simply by saying they were women. His theory was that this kind of environment "is dangerous for women", and that trans women pose a threat to cis women and their empowerment, according to participants [...]. Shigeuchi is the representative director of the Association for the Promotion of LGBT Understanding. The general incorporated association's website describes him as having been active in advising the government to gain further understanding of LGBT issues. In 2016, he received the Japan Pride Award from Fruits in Suits Japan, another LGBT-related general incorporated association, along with Inada. [...]

Regarding the view that trans women pose a threat to women-only spaces, Yuriko Iino, a project research associate on the study of feminism at the University of Tokyo, says posts that exclude or attack trans women began to stand out online in Japan around July 2018, when Ochanomizu University - a women's university - announced it would accept transgender women as students. Similar movements occurred in the U.K. after a bill to allow people to legally change their gender status by self-declaration was proposed in 2018. Some opponents of the bill deliberately spread misinformation, saying, "men can enter women's bathrooms if they say they are women", to evoke anxiety and make the existence of trans women seem dangerous. (Fujisawa 2021)

One notable difficulty in analysing reports such as this one is finding sources for the kind of rhetoric Shigeuchi is peddling here. Where is this discourse coming from, and who benefits from it? Yamaguchi (2009), Hori (2019), and Shimizu (2020) offer what I consider to be the most plausible analysis: it is a combination of ultra-nationalist reactionary politics coupled with international circulation of anti-LGBTQ narratives from American and British anti-transgender organisations such as Focus on the Family, the Family Research Council, and Fair Play For Women. Shimizu in particular identifies a willingness on the part of some minority groups (in her case, 'mainstream' cisgender feminists, mostly heterosexual) to ally with conservatives in order to gain what they see as strategic advantage over other minority groups they perceive as a threat to the limited privilege they can possess.



While the current anti-transgender backlash in Japan has a relatively short history and an isolatable trigger moment, the same cannot be said for the organised transphobic movement in Great Britain (frequently referred to by its preferred nomenclature of the 'gender-critical' movement). A full summation of twenty-first-century British anti-trans hysteria is far beyond the scope of this article. I strongly encourage interested readers to consult Barker (2017); Gill-Peterson (2018); Gupta, Pearce, Steinberg (2019); Hines (2013); Moore (2019); and Pearce, Erikainen, Vincent (2021) for thorough and wide-ranging analysis of the last ten years in British trans and anti-trans life. I have taken the liberty here of quoting a portion from the "Introduction" to Pearce, Erikainen, Vincent (2021), which I believe is a comprehensive account of the political timeline:

In the UK context in which we write, a significant upsurge in public anti-trans sentiment has taken place since 2017, when Prime Minister Theresa May announced the Conservative government's plans to reform the Gender Recognition Act 2004 (GRA); a proposal that was also supported by other major UK political parties. While the GRA enables trans people to change the sex marker on their birth certificates from 'female' to 'male' or vice versa, the process involved is frequently experienced as unduly medicalised, bureaucratic, invasive and expensive (Hines 2013). This is because changing one's birth certificate sex marker requires, among other things, living in one's preferred gender for two years and having a medical diagnosis of gender dysphoria (or homologous older term such as 'transsexualism'). [...]

In 2018, the UK government held a public consultation on GRA reform. The effect, however, was a backlash against the proposed changes. Leading up to the consultation, multiple campaign organisations were founded to specifically resist self-determination as the mechanism by which birth certificate sex marker can be changed. Organisations including A Woman's Place UK (WPUK), Fair Play For Women (FPFW), Mayday4Women, We Need To Talk and the Lesbian Rights Alliance held meetings across the UK, building a new trans-exclusionary feminist movement that also rapidly expanded online through digital platforms, such as Twitter and the Mumsnet 'feminist chat' message board. The activities and views of these groups have also been widely reported by the media. (Pearce, Erikainen, Vincent 2021)

If 2014-17 were peak years for pro-trans publications across the UK and the US, academic year 2020-1 was the year that a flurry of transphobic *soi-disant* nonfiction hit the shelves (Howard 2020; Joyce 2021; Shrier 2021; Stock 2021). Anti-transgender, or 'gender critical' rhetoric, as Pearce, Erikainen, Vincent (2021) observe, had been stak-

ing out increasingly aggressive positions in the town squares of public opinion, with Twitter, Facebook, and 'feminist' fora being particularly vulnerable to the dissemination of hate materials and targeted harassment of high-profile transgender public figures. A common tactic employed by anti-transgender activists on Twitter, for example, is known as 'dogpiling': dozens of accounts, many of them fake, gang together to tweet relentless harassment at a selected target, often involving the use of anti-trans slurs; misgendering; and accusations of paedophilia, misogyny, and rape apologism on the part of the person targeted. These harassment campaigns can also have real-life consequences. For example, the transgender model Munroe Bergdorf was removed from her role as an ambassador for the National Society for the Prevention of Cruelty to Children (NSPCC) in 2019 after a coordinated hate campaign.<sup>7</sup> The online trans advocate and Twitch streamer Clara Sorrenti was 'swatted' in August 2022,<sup>8</sup> resulting in her having to flee first her home, then the country.<sup>9</sup>

There are two essential points to note about this groundswell of harassment and moral panic within the British social context. The first is that it began exclusively as an online phenomenon, with almost no interaction between anti-transgender obsessives and the infrastructure of actual feminist activism (i.e., rape crisis centres, migrant and refugee support, anti-forced-marriage initiatives, etc.). The second is that it has no direct link to actually-existing changes to any laws. The Gender Recognition Act has not yet been reformed in either England or Scotland. There has been no meaningful reform to adult transition care on the National Health Service. There are no plans to provide any legal recognition of non-binary identities.

If anti-transgender hysteria is still nominally restrained to the public rather than political sphere in Britain, the same cannot be said for the United States and several EU countries, including Poland, Hungary, and (with the election of Giorgia Meloni) potentially Italy as well. The three examples of chronologically significant transphobic legislation with which this article opened all happened before I presented the panel paper version of this article at the PhD Sympo-

<sup>7</sup> Perraudin, F. (2019). "NSPCC Apologises Over Decision to Cut Ties with Trans Activist". *The Guardian*, 12 June. <https://www.theguardian.com/world/2019/jun/12/nsppcc-apologises-over-decision-to-cut-ties-with-trans-activist-munroe-bergdorf>.

<sup>8</sup> A fake emergency call was placed to the police in her hometown in Canada claiming that she presented a violent threat or potential terrorist attack. An armed police crisis squad was dispatched to her residence, although she was able to prove that the call had been a malicious false report.

<sup>9</sup> Sung, M. (2022). "Trans Twitch Streamer Keffals Says She Was Swatted and Arrested by Police in Ontario". *NBC Online*, 11 August. <https://www.nbcnews.com/pop-culture/pop-culture-news/trans-twitch-streamer-keffals-says-was-swatted-arrested-police-ontario-rcna42533>.

sium on *Fragile Selves* at Ca' Foscari University of Venice in March 2022. Events have, however, moved with an alarming swiftness since.

While I was redrafting this paper exactly a week ago, the Governor of the American state of Texas announced an immediate, sweeping ban on all transition-related healthcare for transgender children and teenagers, including support by families, teachers, and doctors for social transition. Adults who affirm trans kids' identities in Texas are threatened with convictions for child abuse should they not act as mandated reporters for trans children. Some families of transgender children have already fled the state. (Gamberton 2022)

The quotation immediately above was, in its original form, a portion of that panel paper from one year ago. In the intervening twelve months, the situation in Texas has developed as follows: the governor of Texas, Greg Abbott, directed the state's Department of Family and Protective Services (DFPS) to investigate the supportive families and parents of transgender children on allegations of child abuse, beginning 22 February 2022.<sup>10</sup> A legal contest was launched, denied, appealed, and finally granted in September.

At the present time of writing, more than a dozen families with transgender children have been investigated by the DFPS. As of 16 September 2022, the DFPS has been officially blocked by the Texas Supreme Court from any further investigation of trans-affirming parents.<sup>11</sup> Whether this latest injunction will hold remains to be seen; there is a significant risk that it will be reversed or simply ignored.

The state of Virginia delivered a fresh attack on transgender children and students from another angle in August 2022, implementing guidelines that would force trans children to be addressed by their deadnames,<sup>12</sup> made to use the bathrooms of the sex they were as-

<sup>10</sup> Letter from Greg Abbott to Jaime Masters, Commissioner of the Texas Department of Family and Protective Services, 22 February 2022. <https://gov.texas.gov/uploads/files/press/0-MastersJaime202202221358.pdf>; Bouranova, A. (2022). "Explaining the Latest Texas Anti-Transgender Initiative". *Boston University Today*, 3 March. <https://www.bu.edu/articles/2022/latest-texas-anti-transgender-directive-explained>.

<sup>11</sup> Yurcaba, J. (2022). "Our State Is Terrorizing Us': Texas Families of Transgender Kids Speak Out". *NBC News*, 9 March. <https://www.nbcnews.com/nbc-out/out-news/state-terrorizing-us-texas-families-transgender-kids-fight-investigating-many-more-parents-of-trans-teens>; Klibanoff, E. (2022). "Texas' Child Welfare Agency Blocked from Investigating Many More Parents of Trans Teens". *The Texas Tribune*, 16 September. <https://www.texastribune.org/2022/09/16/texas-trans-teens-investigation-child-abuse>.

<sup>12</sup> 'Deadname' refers to the name that a transgender person was given at birth or was known by prior to their transition. While some trans people keep their previous names after transition, most prefer to change their names as a rite of passage, especially if the previous name was strongly associated with the gender they were assigned at birth.

signed at birth, and to wear clothes 'suited to their biological sex' - in other words, to institutionalise anti-trans discrimination in schools for the new academic year 2022-3.<sup>13</sup> There have been so many anti-transgender bills introduced in the legislative sessions 2020-2, in multiple states across America, that I recommend interested readers consult Freedom for All Americans' online anti-transgender legislation tracker for a full account.<sup>14</sup>

It was already clear by June of 2020 that the COVID-19 pandemic, from its very earliest stages through to our current 'post-pandemic' era, was seeing non-contingent but non-coincidental anti-transgender sentiment being elevated to the level of law, through the mechanism of a manufactured moral panic. The fact that so many different municipalities worldwide have used the opportunity of COVID-19 to enshrine legalised anti-trans animus, or to propose its enforcement, or to prolong its effects, is not accidental. While trans lives and communities worldwide are rich in their diversity of experiences, an unfortunate international constant is that we have very few allies in positions of political influence. This was true before the pandemic began: it has been thrown into pointed relief by the current surge in anti-trans legislation. This raises the question of 'why now'?

I propose three lenses to analyse this phenomenon: 'trans precarity', 'cis fragility', and 'ontological securitisation'. I believe that the first of the three requires the second - that cis fragility is in fact dependent upon trans precarity to justify its continual reification. I argue furthermore that what we are seeing here is the weaponised deployment of cis fragility in the service of ontological securitisation worldwide. That is: transphobia should not simply be understood as a weapon of mass distraction from leadership failures around the COVID-19 pandemic, but rather as a key tool of the rising global right wing in this historical moment.

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**13** Pendharkar, E. (2022). "What One State's Transgender Student Policy Could Mean for Students". *Education Week*, 21 September. <https://www.edweek.org/leadership/what-one-states-transgender-student-policy-could-mean-for-students/2022/09>.

**14** <https://freedomforallamericans.org/legislative-tracker/anti-transgender-legislation>.

### 3 Trans Precarity, Cis Fragility

At this point a few definitions are in order. I use the term 'cis fragility' as coined by Morgan Potts in 2016, drawing on 'white fragility' in Critical Race Theory: cisgender fragility is discomfort or defensiveness on the part of cis (non-trans) people when confronted with information about transphobia and the realities of anti-trans discrimination. Zachariah Oaster observes that:

Cisgender people [...] are socialized in an environment that shields them from gender-identity-based stress. Like the construct of white fragility, cisgender persons exhibit defensive behaviour in response to encountering any gender-identity-based discomfort. Once triggered, defensive acts and false claims are deployed in an attempt to return to a state of comfort and normalcy. The stress that cisgender persons feel, and the defensive actions that they take upon encountering such gender-identity-based discomfort is what I refer to herein as Cisgender Fragility. (2019, 1)

We might summarise it thus: the term 'trans precarity' is the observation that trans people are vulnerable in ways cis people are not; 'cis fragility' is the defensive reaction to that observation; and 'ontological securitisation' is the mechanism for soothing cis fragility by increasing trans precarity.

Trans precarity as an observable phenomenon manifests in many ways, from housing discrimination, to employment difficulties, to familial and social rejection. LGBTQ people in general are a known vulnerable population in terms of healthcare, refugee status, disaster aftermath, and other critical circumstances. Trans happiness - transgender people's experiences of joy and pleasure in the everyday - are also heavily mediated by the precarity of transgender existence. As B. Lee Aultman challenges us to ask:

I use shudder quotes around "happy" to point toward the normative perils of assuming that happiness extends from accepted healthy attachments to things, life-activities, and people. My aim is not to argue that happiness is impossible to achieve or that the things we enjoy will always disappoint us, but to question happiness' solidity across different ways of life [...]. Is this sense of happiness most crucial to a person when life is patterned around a constant state of exhausting vigilance - whether about one's own sense of belonging in the world, a sense of local safety or ordinary mutual recognition and reciprocation? (2019)

Within the broader LGBTQ population, transgender people are also uniquely vulnerable to the structural violence committed both

by private actors (though hate crimes, social exclusion, sexual/gender-based harassment, etc.) and by mechanisms of the state, which gatekeep access to medical; legal personhood; the right to reproduction and family life (Czechia, Latvia, Romania, Turkey, Kazakhstan, South Korea, and Japan, amongst other countries, require sterilisation as a precondition for recognising a trans person's gender in law);<sup>15</sup> and other transition-related needs. Spade (2011) and Fogg Davis (2017) have written extensively on the administrative nature of violence against transgender people and the to-date relative futility of traditional civil rights frameworks in protecting trans communities. What I and they mean by 'administrative violence' is the precarity caused and aggravated by not having access to legal documents that all match one's gender and real name. Incongruent identity documents mean trans people are often challenged and harassed based on any discrepancies.

For people who live at the intersections of trans and other minority identities (disabled trans people; trans migrants and refugees; Black/Indigenous trans people, and other trans People of Colour; trans people living below the poverty line, or experiencing homelessness; etc.), the precarity, and thereby the danger, they face is amplified.

Despite this fact - that LGBTQ precarity in healthcare provision and crisis situations is a known quantity -, LGBTQ-specific needs and the necessity of culturally-competent care and support are routinely overlooked, ignored, or dismissed as irrelevant, or unconnected to the nature of the unfolding catastrophe *du jour*. To take one particular catastrophe as an example: transgender survivors of the Great East Japan Earthquake (*Higashi nihon daishinsai* 東日本大震災) and meltdown of the Fukushima Daiichi Nuclear Power Plant in March 2011 reported challenges and shortcomings in the disaster responses they experienced, including a lack of access to essential medication, being forced to use gendered facilities according to birth sex, misgendering by emergency personnel, and other issues.<sup>16</sup>

In the specific context of COVID-19, across Britain, America, and Japan, the stakes were higher across the board for LGBTQ people than for most of their heterosexual and/or cisgender counterparts. Trans colleagues in the UK reported complete abandonment of trans people seeking treatment at official Gender Identity Clinics (GIDs). Appointments were cancelled without notice or moved to Zoom without notifying patients. While this was a shared experience for many people across the healthcare service, it was particularly dangerous

<sup>15</sup> For more on the coercive sterilisation of transgender people as a prerequisite for legal recognition of their genders, see Carasthesis 2015 and Honkasalo 2018.

<sup>16</sup> For a comprehensive account of these survivor narratives, see Yamashita, Gomez, Dombrowski 2019.

for trans people: as a matter of policy, the UK GIDs do not have public telephone numbers or email addresses, where other NHS departments uniformly do. The only medium of communication the GIDs employ with patients is the postal service. With waiting times currently standing at an average of seven years from referral to first appointment, and with a single missed appointment counting as reason to dismiss a patient from the waiting lists, this represented a disproportionate stress and level of gatekeeping access to healthcare which did not affect cisgender patients in the same way. Nor was this sudden helplessness unique to the UK and its centralised National Health Service. For example, a headline on the US news website *Slate* on 24 April 2020 read: "If I Get Sick with COVID-19, Don't Tell My Doctor I'm Transgender",<sup>17</sup> and I heard similar stories from American friends of out-of-state surgeries being cancelled, medication supplies being interrupted, and psychological distress skyrocketing.

An essential and shared element of all these legal efforts and institutionalised medical discriminations is that they do not affect cisgender people. There is real pain involved, but none of it lands on the majority: those affected are a minority of all populations worldwide. Why, then, is trans antagonism such an urgent task 'now'? I propose that the answer may be most usefully viewed through the lens of ontological securitisation, to which I now turn.

Although it will be most familiar to many readers as a term from International Relations theory, the term 'ontological security' was first coined in 1960 by the psychiatrist R.D. Laing to describe the schizoaffective patients he was attempting to treat in his clinical practice. In the words of the scholar Anthony Giddens, ontological security is

[a] sense of order and continuity in regard to an individual's experiences, which relies on people's ability to give meaning to their lives.

Meaning is found in experiencing positive and stable emotions, and by avoiding chaos and anxiety. (1991)

Crucially, Giddens observes that ontological security can also be *unmade* by critical situations, by emergencies, or by "a set of circumstances which - for whatever reason - radically disrupt accustomed routines of daily life" (1991).

The 'security' under consideration in studies of ontological securitisation works on two levels, the symbolic and the material. As Gustafsson and Krickel-Choi (2020) summarise:

<sup>17</sup> Urquhart, E. (2020). "If I Get Sick with COVID-19, Don't Tell My Doctor I'm Transgender". *Slate*, 24 April. <https://slate.com/human-interest/2020/04/transgender-health-care-covid-Coronavirus-privacy.html>.

IR research on ontological security relies on a sharp distinction between security as traditionally understood in IR, i.e. as physical security or survival, and ontological security (cf. Mitzen 2006; Rumelili 2015b; Steele 2008), and existentialist psychologists have a similar distinction in mind when they discuss "security". While the descriptor "ontological" is not used, distinctions between physical needs and the need for (ontological) security are made. For example, existentialist psychologist Harry Stack Sullivan differentiates between "satisfactions" and "security". Bodily activities such as eating, drinking, and sleeping are satisfactions, while security is related "more closely to man's [sic] cultural equipment than to his bodily organization" (Sullivan 1946, 6 in Gustafsson, Krickel-Choi 2020)

The process of making (and unmaking) ontological security, known as ontological securitisation, is therefore intrinsically a double-edged sword: in order for a community, a people, or a nation to be secured and protected, there must be a threat against which such protection is asserted. Securitisation is a non-teleological process. There is not, and cannot be, a terminal point at which safety and security are ensured on a permanent basis; as such, anxiety is essential to the project.

One classic example of ontological securitisation in the twenty-first century would be Vladimir Putin's heavy-handed response to the feminist punk band Pussy Riot on charges of "hooliganism motivated by religious hatred" in 2012. It hardly needs to be said that a guerrilla performance art piece presents no material threat to the Russian people or the Russian state. However, punishment of a pro-LGBTQ, anti-fascist, and anti-Orthodox Church activist collective acted as reinforcement of Orthodox gender norms and as a promise of protection against the 'corrupting, foreign' influences of feminism and human rights. Another example is that of Israeli state policy towards the West Bank and the Palestinian people, which uses violent military provocation to justify ever more funding for the Iron Dome. In both cases, the threat is perpetual and the state the only actor which can intervene.

Ontological security requires the maintenance of a consistent identity: securitisation, or the process of maintaining and reinforcing security, requires an 'Other' against whom this stable identity is contrasted. Crises in ontological security such as those provoked by pandemics, warfare, or natural disasters are perfect conditions for the emergence of identity-based moral panics, defined by Cohen (1972, 1) as the process by which "a condition, episode, person or group of persons emerges to become defined as a threat to soci-



etal values and interests".<sup>18</sup> These panics are often centred on a supposed 'enemy within': child abusers, stealth trans people (who are figured as threats to both childhood innocence and adult heterosexuality), 'Big Pharma', 'diabological Jews', or others who can pass undetected at a casual first pass.

Moral panics and ontological security crises are not interdependent on one another: a moral panic may occur at a time of relative social or political stability, not necessarily contingent on perceived or actual threats to a nation's security. Rohloff and Wright disambiguate the relationship between the two:

While decivilizing processes are described by Jonathan Fletcher (1997) as likely to occur where there is an actual increase in levels of danger (and an increase in the incalculability of danger), along with a decrease in the state's monopolization of the means of violence, with moral panics there need only be a perceived increase in danger, with a perceived failure of the state to reduce those dangers. Elias (2000, 532) describes how "the armour of civilized conduct would crumble very rapidly if, through a change in society, the degree of insecurity that existed earlier were to break in upon us again, and if danger became as incalculable as it once was". And so, during moral panics, 'civilized' conduct may be affected. Here, we may witness a decrease in mutual identification between the 'folk devils' and the 'rest of us', with a corresponding increase in cruelty and the potential for the re-emergence of violence into the public sphere. (Rohloff, Wright 2010, 411-12)

Trans people are sometimes presented as a physical menace through claims that we are 'transing children' or 'forcing kids through experimental, untested medical procedures',<sup>19</sup> but I argue that this is set-dressing for the real fear, i.e., that we are threats to 'traditional values', the 'normal family', the 'healthy body', the 'innocence of childhood', and the 'rights of parents' to define their children's gender identity, and the 'rights of the state' to regulate sexuality and gender. It is not an accident that the intensification of anti-transgender moral panics since 2019 has coincided with increased attacks on, and hand-

**18** "[P]anics are not like fads, trivial in nature and inconsequential in their impact; they do not come and go, vanishing, as it were, without a trace. Even those that seem to end without impact often leave informal traces that prepare us for later panics. A close examination of the impact of panics forces us to take a more long-range view of things, to look at panics as social process rather than as separate, discrete, time-bound events. Moral panics are a crucial element of the fabric of social change. They are not marginal, exotic, trivial phenomena, but one key by which we can unlock the mysteries of social life" (Goode, Ben-Yehuda 1994, 229).

**19** Howard 2020; Shrier 2021; Joyce 2021; Stock 2021.

wringing about, transgender boys and young trans men, symbolised most succinctly by the cover and title of Abigail Shrier's 2021 polemic *Irreversible Damage: The Transgender Craze Seducing Our Daughters*, which features an illustration of a cherubic young girl with a circle cut out of the binding where her uterus and ovaries would be. It is evident in fearmongering articles about the increasing number of trans boys receiving transition care and social support, and in trans-antagonistic fixations on trans men's future fertility, their supposedly natural roles as mothers, and their 'healthy breast tissue'.<sup>20</sup> Anti-transgender activists frequently use the term 'gender ideology' as a catch-all term for transition, feminism, and LGBTQ rights, implying that their discontent comes from a symbolic aetiology rather than a material one. However, Gustafsson and Krickel-Choi point out:

[W]hat is actually meant by 'gender ideology' (along with anti-feminist uses of terms such as 'genderism' and 'gender theory') has not been clearly defined: as Korolczuk and Graff (2018, 799) argue, "these terms have become empty signifiers, flexible synonyms for demoralization, abortion, non-normative sexuality, and sex confusion". This makes them an effective tool in conjuring a moral panic around the breakdown of conventional notions of sex/gender, as evidenced for example in the increasing visibility of the trans liberation movement. (2020)

Two observations are critical here. The first is, as Horney ([1930] 1999) observes, that security and hostility are inextricably interlinked; when people feel insecure or threatened in some way, they often react with hostility towards those they perceive to be the source of the threat. The other, from May (1977, 11), is that "fascism is born and gains its power in times of widespread anxiety".

There are unmistakable echoes here of Umberto Eco's insight, in his essay "Ur-Fascism" (2020), that the enemy - the Other - is both pathetic and superhuman. Trans people in this situation are too small and hysterical a minority to take seriously in public health provision, while also representing a grave and existential risk to the health of

<sup>20</sup> Prominent British anti-transgender activist Allison Bailey, who co-founded the anti-trans hate group LGB Alliance, used a portion of her keynote speech at the organisation's October 2021 general conference to lament that: "Up and down the country, and around the world, girls are removing breasts that have never known a lover's caress". As with much of the 'gender critical' movement in the United Kingdom, discourse around this assertion has arisen almost exclusively online. I have assembled a selection of representative critical commentary both from the blogosphere (<https://ephromjosine.medium.com/allison-baileys-loving-caress-6383d4e81c88>) and from a court deposition in favour of Mermaids, Britain's leading charity for transgender children and families (<https://mermaidsuk.org.uk/wp-content/uploads/2022/09/2022.01.31-Witness-Statement-of-Belinda-Bell-1.pdf>). Readers of a sensitive disposition are advised.

the body public. That is: selective emotional and political mobilisation against trans people is being used to make life 'seem' safer for majority populations who feel themselves to be under threat from multiple fronts - Coronavirus, certainly, but economic crises, geopolitical crises, secularism, progressive politics, and other sites of reactionary anxiety. Nor indeed is the physical anxiety experienced by so many people worldwide an unreasonable fear. As of current writing, an estimated 6,811,869 people have died from COVID-19 worldwide.<sup>21</sup> Many of these deaths were avoidable, made unavoidable by deliberate policies of denial, corruption, and neglect.

Transgender people make easy targets for ontological securitisation in a time of medical crisis: enshrining a binary model of gender and 'complementarian' gender roles in law serves as a 'common-sense reaffirmation' of conservative, traditional social values. Additionally, the appeal to the supposed objectivity of 'scientific' models of sex and gender (using language such as 'biological sex', 'sex based on chromosomes', etc.) provides a veneer of medical authority: it may not be aimed at the right targets, but it strikes the right note in a worried populace. The frequently incoherent messaging around Coronavirus safety, coupled with the intensity of anti-vaccination sentiment worldwide, is proving to be rich ground for anti-transition disinformation.

#### 4 Conclusion

I said above that the chronological duration of research for this article lasted two years, from April 2020 to September 2022. Within that block of time, I feel it is essential to disambiguate three discrete phases within the research and its analysis, each cumulatively more alarming than its predecessor. As stated in the "Introduction", I first began to track anti-transgender responses to COVID-19 and collate my data, both qualitative and quantitative, from the week that a national State of Emergency was declared in Japan (late March/early April 2020); gave the initial conference paper which became this article two years later in early March 2022; and submitted this article for review at the end of September 2022.

There was what seems like a long tail between the initial data that piqued my interest and the completion of this article, but between March and September of 2022, the worldwide state-endorsed atmosphere of intimidation and harassment against transgender persons became exponentially more volatile and more overt. One significantly alarming change in expressions of anti-transgender animus

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<sup>21</sup> Numbers for the afternoon of Sunday 12 March 2023. <https://www.worldometers.info/Coronavirus/Coronavirus-death-toll>.

involved a shift in attention to a specific demographic, one both historically overlooked as part of trans community and at the heart of many moral panics: transgender children.

Although the increase in trans-antagonistic rhetoric has not (yet) translated into an increase of physical violence in Japan, the United Kingdom and United States have seen a spike in intensity of stochastic terrorism against transgender children and adults since August 2022. In America, a wave of bomb threats against children's hospitals that offer gender-affirming care, including Boston Children's Hospital, St. Jude Children's Research Hospital in St. Louis, and Lurie Children's Hospital in Chicago made headlines.<sup>22</sup> Proposed or actual bans on changing birth certificates jostled with proposals for forced social detransitioning, forced exclusion of transgender student athletes from their sports, forced birth for trans men and gender-queer people as a result of the *Roe v. Wade* reversal on 24 June 2022. In late February 2023, the US state of Florida introduced two separate bills proposing to ban transition care for children and adults; ban discussion of trans identity in schools; and place transgender children or the cis children of trans parents into state custody.<sup>23</sup> A 16-year-old transgender schoolgirl, Brianna Ghey, was murdered in the UK on 11 February 2023; the inquest is ongoing at time of writing, but is widely believed to have been a hate crime.<sup>24</sup> Relevant to the discussion of symbolic versus actual threat in situations of ontological destabilisation, there is a fresh insistence that one pandemic (COVID-19) is "over" while the moral panic surrounding trans people only continues to ramp up.

This is not to say that the only international news for transgender people in the era of COVID-19 is negative. On 3 March 2023, the Finnish Parliament removed the sterilisation requirement from their legal transition pathway.<sup>25</sup> The fourth annual Kyoto Rainbow Pride Parade took place in April 2023, as I was finishing corrections to this article. Nor can the acute stage of a moral panic be suspended infi-

<sup>22</sup> Gingerich, M. (2022). "Right-Wing Media Figures Claimed that a Bomb Threat Against Boston Children's Hospital Was a False Flag Up Until the FBI Named a Suspect". *Media Matters for America*, 16 September. <https://www.mediamatters.org/libstiktok/right-wing-media-figures-claimed-bomb-threat-against-boston-childrens-hospital-was>.

<sup>23</sup> Equality Florida (2023). "Bill to Criminalize Gender-Affirming Care Filed in Florida Senate". *Equality Florida*, 3 March. <https://www.eqfl.org/Anti-Trans-Care-Bill-Filed-Senate>.

<sup>24</sup> Kolirin, L. (2023). "Brianna Ghey: Boy and Girl Charged with Murder of Trans Teen in English Park". *CNN Online*, 15 February. <https://edition.cnn.com/2023/02/15/europe/brianna-ghey-murder-charge-gbr-intl-scli/index.html>.

<sup>25</sup> Reuters (2023). "Finland to Allow Gender Reassignment Without Sterilisation". *Reuters*, 3 March. <https://www.reuters.com/world/europe/finland-allow-gender-reassignment-without-sterilisation-2023-03-03>.

nately: cis fragility, in common with racial, heterosexual, and other forms of fragility, is epistemologically unsustainable. The bad news is that securitisation's recycling of cis fragility into the chronic mode of trans precarity seems to be an infinitely renewable resource. The intervention I have aimed to make in this article is to make explicit the roots of the intensifying global anti-transgender crisis and its role as ontological securitisation in the COVID-19 pandemic. Moral panics are not spontaneous, having discernible aetiologies, but their danger lies in their capacity for trajectory overshoot: as COVID-19's presence on the global stage recedes, the frequency and inhumanity of proposed anti-transgender laws are not receding in kind. What happens next will be a matter of significant concern for us all.

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