

TOWARD AN ETHNOGRAPHY OF LEGAL GENDER RECOGNITION AND THE JAPANESE “KOSEKI” SYSTEM

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ARTICLE INFO	ABSTRACT
<p>Article History:</p> <p>Received 15.08.2025 Accepted 15.10.2025 Published 25.11.2025</p> <p>Keywords:</p> <p>transgender, koseki (Japanese family register), legal gender recognition, ethnography</p>	<p><i>This paper offers a preliminary ethnographic exploration of how transgender individuals in Japan engage with the “koseki” (Japanese family registry) system during legal gender transition. While recent legal reforms and court rulings have challenged the bodily requirements for gender change, little attention has been paid to what changes within the koseki itself. Through a case study of a Japanese transgender man residing in Thailand, based on fieldwork conducted in Bangkok in 2025, this paper examines the material, legal, and affective roles that the koseki plays in trans lives. It highlights both the human rights critiques of the current system—particularly the forced removal from one’s original registry and the visibility of gender change history—and the practical ways in which the koseki enables social recognition and legal access. The analysis reveals the ambivalence of the koseki as both a tool of bureaucratic governance and a means for affirming one’s gender and life trajectory. Drawing on anthropological approaches to documents, the study argues for a more nuanced understanding of the koseki not merely as a legal artifact, but as a lived, circulating object that shapes identity, recognition, and belonging. The paper calls for a new direction in transgender studies that centers the documentary practices surrounding gender transition in Japan and foregrounds the voices and emotions of those navigating its institutional frameworks.</i></p>

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1. Introduction

In recent years in Japan, a series of judicial decisions have effectively invalidated two of the requirements for legal gender change under the “Act on Special Cases in Handling Gender Status for Persons with Gender Identity Disorder,” which came into force in 2004. Between 2023 and 2024, a series of judicial rulings effectively invalidated the so-called “requirement of infertility” — requiring the relinquishment of reproductive capacity — and the “appearance requirement” —

requiring external genitalia to be modified to approximate those of the desired sex — both of which essentially demanded surgical intervention in order to be satisfied. As a result, transgender bodies have drawn increased attention. While, of course, opinions are divided, this turning point—allowing gender change without undergoing irreversible surgical procedures—has led to increased media coverage of transgender-related discourse. It is worth noting that transgender bodies have long been a topic of journalistic fascination during gender transition processes.

On the other hand, little attention has been paid to the actual content of what changes in the so-called “legal gender change.” Often referred to as a “change of gender in the family register,” this refers to rewriting one’s gender within the uniquely Japanese registration system called the “*koseki*.” However, aside from those directly involved—transgender individuals themselves, municipal clerks, lawyers, and legal scholars—the reality of this change is largely unknown to the public. Given that the *koseki* is, right after the gender change was legally approved, the only official document by which individuals can visually confirm and publicly prove that their gender status has truly changed, understanding the actual conditions of “legal gender change in the *koseki*” and how transgender people view the *koseki* is essential for grasping the transition process in a more multifaceted way. This paper is an anthropological attempt to examine the gender transition process in Japan from the perspective of the *koseki* as a document. It also aims to incorporate a materiality distinct from the body into the field of transgender studies.

2. Methodology

This paper first provides a literature review and an overview of the Japanese *koseki* (family register) system, drawing on legal scholarship to explain the systematic changes that occur in the register during gender transition. It then presents and analyzes a case study: the *koseki* of a transgender man (called by pseudonym “Mr.Y” hereafter) whom the author met during fieldwork conducted in Bangkok, Thailand, in February 2025. By incorporating this individual’s testimony alongside a copy of his *koseki* (Image 1), the paper seeks to enrich and concretize existing discussions. The empirical data about Mr. Y derives from six semi-structured interviews of approximately ninety minutes each were carried out via Zoom. These interviews focused on his experiences of gender transition, the administrative and legal implications of the *koseki* changes, and his broader life course following legal gender recognition. All interviews were recorded, transcribed, and supplemented with contemporaneous note-taking, which together form the basis of the analysis. Throughout the research process, the purpose and scope of the study were explained repeatedly to the participant, and informed consent was obtained both orally and in writing. This included explicit permission to reproduce a copy of his *koseki* document for academic analysis. To protect his anonymity, all identifying details have been removed. The author engaged with Mr. Y both as an anthropological researcher and as a Japanese national and man, sharing aspects of social identity while also maintaining a scholarly distance. This dual positioning shaped the fieldwork relationship and the interpretive lens of the study, and it is acknowledged here as part of the ethnographic process.

Ultimately, the paper argues for the often-overlooked significance of documents in the gender transition process and proposes the development of anthropological ethnography centered on such materials.

3. Japanese “Koseki” System

The “*koseki*” is a personal status registration system that genealogically records each Japanese citizen’s identity and changes in familial relationships for the purpose of state management. Registration in the *koseki* also serves as proof of Japanese nationality. Typically, a single *koseki* register consists of a married couple and their children, forming a “family” unit. The system is based on the principle of “*ikka isseki*” (“one family, one register”) (Endō 2024: 33). Notably, each *koseki* must designate a “*hittōsha*” (“head of household”), who is overwhelmingly likely to be the husband in a heterosexual marriage. This is because all members recorded in a single *koseki* are required to share “*sei*” or “*uji*” (“the same family name”). Under Japanese law, a married couple must adopt a single surname, and in practice, it is most often the wife who takes the husband’s surname. Consequently, the husband is typically listed as the head of household in the newly created family register. In recent years, there has been growing momentum—including from within the business sector—for the institutional implementation of an optional separate surname system for married couples. This trend reflects a rising demand for serious debate and concrete steps toward its realization (Terahara M. & Miura T 2024).

Unlike the Western system based on individual registration, the *koseki* is structured around the family unit. Individuals are represented in relation to their family members, which includes an entry for “*tsuzukigara*” (“relationship to the parents”). This means that children are labeled as “*chōnan*” (“first son”), “*jinan*” (“second son”), “*chōjo*” (“first daughter”), “*jijyo*” (“second daughter”), and so on, based on their gender and birth order. This practice, a remnant of past inheritance laws, still influences perceptions of hierarchy in Japanese society. Notably, as discussed later, a legal gender change on the *koseki* refers specifically to a change in this gendered relationship descriptor.

Let us elaborate further on the functions of the *koseki*. It records events such as birth, marriage, divorce, and death under the category of “*mibun jikō*” (“status matters”), making it possible to track an individual’s status history. Even when individuals move between different *koseki* registers, their previous records remain traceable. For example, when a couple legally marries, a new *koseki* is created for them. Meanwhile, their prior *koseki* entries (typically shared with parents) are annotated with the marriage, and the new *koseki* will list the heads of their prior registers. This allows officials to trace where individuals have moved from. In this way, the *koseki* functions as an “index,” capturing both the diachronic (longitudinal) changes in an individual’s legal status and the synchronic (present) structure of familial relationships, serving the state’s needs for citizen management (Endō 2024: 35).

Importantly, the *koseki* is regarded by the state as a public document that certifies the “truth” of a person’s legal and familial identity (Endō 2024: 34–35). In that sense, the contents of the *koseki* represent the state’s language of truth regarding families. However, it is necessary to

acknowledge that the state's construction of "truth" often clashes with individual desires and intentions, at times even leading to human rights violations and discrimination. This has long been discussed in relation to the issues of "illegitimate children" and "stateless individuals" (Endō 2017, 2024). From the perspective of transgender people—who have recently begun to gain visibility in Japan—this system also presents significant challenges. The following section will explore the nature of those problems.

4. Legal Gender Change in the "*Koseki*": A Human Rights Approach

The handling of legal gender change within the *koseki* system has not been free from critique—particularly from the perspective of human rights. Legal scholars have spearheaded such criticism, most notably Ninomiya (2014: 177–183), whose work identifies two primary issues: (1) the creation of a new *koseki* for the individual who changes gender, resulting in their removal from the original *koseki*, and (2) the fact that the history of gender change remains legible in both the new and former *koseki* entries. Under the 2004 Special Act, when a person changes their legal gender and there are other members listed in their current *koseki*, a new registry must be created with the individual as the head of household, and they are removed ("*joseki*") from their original *koseki*. This policy is justified as a way to avoid confusion in cases, for instance, a family originally includes both an "first son" and an "first daughter", and the first son undergoes legal gender change—resulting in two individuals designated as "first daughter" appearing in the same *koseki* (Nakamura 2004: 20). To prevent this, the relationship to the parents (e.g., "first son") in the original *koseki* remains unchanged, while it is updated only in the newly created registry to reflect the individual's affirmed gender identity.

However, the validity of this procedure has been questioned. Ninomiya (2014: 179) argue that it constitutes an excessive and discriminatory intervention by the state. It can indeed be seen as a form of violence to systematically remove a gender-transitioning individual from the *koseki* where they were previously listed as part of a family, such as with parents or siblings.

Additionally, both the former and new *koseki* include legal references to the gender change, citing the application of the "Act No. 111 of 2003, Article 3," making the change clearly identifiable. In many cases, even the original "relationship to the parents" is preserved in the "former record" section of the new *koseki*. While this may be justifiable under the logic of the *koseki*, which exists to record changes in familial relationships over time, it also raises privacy concerns. As Ninomiya (2014: 181–182) points out, even though access to the *koseki* is legally restricted, many administrative and private entities still require it for identity verification, and thus the disclosure of gender transition history remains a risk.

It is evident that Japan's *koseki* system, in relation to legal gender recognition, raises serious concerns from a human rights perspective. However, what this paper aims to pursue through ethnographic examination is, while keeping such institutional problems in view, to shed light on the more complex relationship that transgender individuals maintain with the *koseki*—a document that functions as a crucial lifeline by serving as an official tool for certifying one's gender.

5. Discussion Through a Case Study of Japanese Transman

Here, I will concretize the argument raised in the previous section by presenting the voice and experiences of a Japanese transgender man, Mr. Y, whom I already mentioned in the first section of this paper.

5.1 Mr. Y’s Life and Migration

For those living abroad, situations such as visa applications, passport renewals, and marriage often require submission of a *koseki* to the Japanese embassy. Mr. Y moved to Thailand after legally changing his gender in Japan and later married a local Thai woman. To obtain the documents necessary for marriage registration in Thailand, he submitted his *koseki* to the Japanese embassy. Although he currently resides in Thailand on a work visa—which does not require the *koseki*—he keeps a copy of his family register (Image 1), sent by his mother in Japan, at his home in Bangkok for purposes such as renewing his passport. Thus, the *koseki* continues to serve as a usable document even across national borders.

5.2 Mr. Y’s *Koseki* Feeling

Mr. Y’s “relationship to the parents” represents “first son” (see Figure 1-①). However, his own *koseki* contains, as previously discussed, the legible record of his gender change (see Figure 1-②&③). It is a newly created *koseki* in which Mr. Y is listed as the head of household, having been removed from his previous *koseki*. The topic of his *koseki* emerged during an interview, when he expressed discomfort with how quickly the legal change was approved compared to the lengthy time it took to meet the requirements for gender transition. He found the systemic nature of legal gender status unsettling. His discomfort extended to the logic of *koseki* reorganization: while seeing “first son” written in his new *koseki* gave him a sense of recognition—“Ah, I’ve finally been acknowledged”—he also remarked, “It felt a bit lonely to be removed from my parents’ *koseki*. It was as if I had become isolated, rather than having formed a new family” (from author’s fieldnotes). This illustrates how deeply the “*ikka isseki*” (one household, one registry) principle has permeated people’s consciousness, while also highlighting the sense of alienation caused by unnecessary exclusion. Moreover, the fact that his original designation as “first daughter” remains in the new *koseki* as a “former record” led him to note, “My past remains as ‘first daughter,’ unchanged.” This suggests that the *koseki* can evoke lingering traces of gender dysphoria.

These accounts underscore that the current legal handling of gender change within the *koseki* system poses human rights concerns, as argued by Ninomiya (2014: 177–183). There is a need for fundamental reform of the *koseki* system. However, focusing solely on human rights and privacy risks may cause us to overlook other important dimensions. Despite internal contradictions, a *koseki* that reflects one’s affirmed gender can tangibly transform a transgender person’s life. The *koseki* functions as a document that legitimizes the rights of post-transition transgender individuals; this is precisely why many seek to update it. In other words, the *koseki* is an ambivalent artifact.

5.3 Global Circulation of *Koseki*

Let us revisit Mr. Y's case. As noted in his *koseki*, he married a Thai woman in 2022 (see Figure 1-④). The registry includes a notation that the marriage was performed under Thai legal procedures, confirming its formal registration in Thailand (see Figure 1-⑤). While Thailand legalized same-sex marriage in January 2025, it has yet to implement legal gender recognition (Knight 2021). Thus, transgender individuals still cannot marry based on their affirmed gender. Against this backdrop, Mr. Y—having already changed his legal gender in Japan—was able to achieve a family configuration that remains inaccessible to many transgender people in Thailand. Notably, Mr. Y underwent all major gender affirming surgeries, including mastectomy, hysterectomy, oophorectomy, and phalloplasty, in Bangkok. His family was thus shaped not only through his gender transition but also through the transnational legal dynamics that allowed him to circumvent restrictions facing local transgender populations in Thailand. This could be estimated as a strong example of navigation of uneven global landscape of legal gender recognition.

The *koseki* itself plays a pivotal role in this transnational navigation. For example, it was essential in acquiring a new passport after his gender change. By submitting his updated *koseki* to the municipal office, Mr. Y obtained a passport with the male gender marker and then migrated to Thailand as a legally recognized man. The *koseki* was also used for marriage. Allow me to elaborate: when a Japanese national marries a Thai citizen under Thai legal procedures, the Japanese applicant must submit various documents to the Japanese Embassy in Thailand in order to obtain a “Certificate of Legal Capacity to Contract Marriage” and a “Certificate of Single Status” (*kon'in yōken gubi shōmei-sho*) (Embassy of Japan in Thailand 2014b). To issue the latter, one must submit a copy of their *koseki* that lists any past marital history. This document must be obtained from a municipal office in Japan within three months of submission. Mr. Y appointed his parent in Japan as proxy to obtain the document and had it mailed to him in Thailand. Interestingly, the sample form for the Certificate of Single Status on the embassy's website (Embassy of Japan in Thailand 2014a) clearly states—in English—that the document is based on the applicant's official family register. Though the form omits a gender marker, it includes a section called “Relationship to the Parents,” listing an example such as “First Son.” In short, this certificate—despite being submitted to Thai authorities—is based on the *koseki* format. Thus, the *koseki* can be reshaped and circulated in adapted forms. That said, because the document includes no detailed status information, a transgender person is not compelled to disclose their gender history. Mr. Y was thus able to “pass” as a man within Thailand's legal system.

In this way, the *koseki* is a document that moves across borders, sometimes transforming in form, yet always certifying identity and status. Thanks to this, Mr. Y was able to build a family in Thailand as a man—and now lives with his wife and her two children. He had long wanted to leave Japan, which he found stifling, and through his gender transition encountered people and atmospheres in Thailand that felt more suitable for him. His decision to migrate was also shaped by the emotional distance he felt from a Japan that had been difficult for him as a transgender person. The *koseki*—a bureaucratic document—helped realize his wishes and desires.

6. Conclusion

As I already mentioned, the *koseki* is an ambivalent, material object that is both a tool of state control, which could bring about the negative emotional results to the social minorities, and a crucial vehicle for recognition and life-making. Also, we now understand that it applies exactly to the case of Mr. Y.

Mr. Y’s narrative clearly supports the existing human rights-based critiques of how legal gender change is handled within the *koseki* system. At the same time, however, focusing solely on criticizing the *koseki* risks overlooking other important dimensions. As shown in the latter part of the previous section, the *koseki* is not merely a bureaucratic artifact; it is materially circulated between officials and citizens, and between institutions and individuals, playing a deeply embedded role in the construction of people’s lives and relationships. For transgender individuals who have changed their legal gender, it is both a lingering reminder of their past—e.g., being once labeled “first daughter” or “first son”—and a tangible certification of their current existence. Moreover, it is a tool that grants social rights and enables the realization of dreams and desires, namely the future. The affective and ambivalent attachments that individuals hold toward the *koseki* emerge only within the narrative contexts of their lived experiences. This paper has attempted to show why it is important to interpret these diverse and often contradictory emotions and experiences from the perspective of the *koseki* as a material document.

Regarding this point, let me close by briefly discussing several directions for future research. While acknowledging the importance of rights-based critiques, we must also look beyond them—to the concrete, embodied relationships that transgender individuals form with *koseki*. This calls for a new kind of transgender ethnography, one that centers on documents as material objects and is grounded in the voices of those directly affected, which have long been invisible or illegible. Recently, a nonbinary individual in Japan filed a lawsuit seeking to change their “*Tsuzukigara*” (the relationship to the parents) in the *koseki* to a gender-neutral term such as “child” (Tokyo Shimbun 2025), which suggests that genderqueer individuals may hold a range of complex feelings toward the registry system. Given the *koseki*’s unique structure—where an individual’s identity is defined relationally within a family network—it seems likely that deeply rooted tensions exist between individual identity politics and the *koseki* system. One would expect more public expression of these sentiments. That this is not the case may indicate a broader invisibility, which itself warrants further investigation. Understanding how people who have legally changed or who eager to change their gender perceive and relate to the *koseki* is essential for a more multifaceted comprehension of transgender transition. Through such an approach, we can better understand transgender experiences of gender transition in their full complexity. This paper has taken a first step toward that goal through the testimony of one individual I met during my fieldwork. Of course, the study’s scope is necessarily limited, and Mr. Y’s experiences cannot be generalized. Ongoing research will be needed to gather a broader range of perspectives from transgender individuals.

Moreover, research on transgender individuals through the lens of the *koseki* also requires scholars to critically examine their own positionality within the production of knowledge. As Riles (2006: 7) noted, to “*study documents, then, is by definition also to study how ethnographers*

themselves know.” Even when granted the rare opportunity to view a transgender person’s *koseki*, researchers may end up treating it merely as a demographic resource. Yet doing so risks uncritically reproducing the state’s own classificatory technologies and thereby becoming complicit in its governance apparatus. What is needed is a reflexive ethnographic awareness of how this document is exchanged, interpreted, and used between various actors, and how it shapes and is shaped by their thoughts, feelings, and desires. As ethnographers, we must continuously reflect on how we engage with personal documents that contain sensitive information. In this sense, an ethnography of the *koseki* and its role in gender transition is also a critical re-examination of how we come to know and speak about transgender experience.

By maintaining this perspective and centering ethnographic practice on the *koseki* document and the lived experiences of the individuals involved, it becomes possible to extend and advance existing research on gender change among Japanese transgender individuals.

(1の1) 全部事項証明書	
本籍 (Registered Domicile)	東京都 [redacted]
氏名 (Full Name)	[redacted]
戸籍事項 戸籍編製	(Date of Registration) 【編製日】平成22年11月18日
戸籍に登録されている者 (Registered Member)	【名】 [redacted] (Given Name) 【生年月日】昭和62年4月19日 【配偶者区分】夫 【父】 [redacted] 【母】 [redacted] ① 【続柄】長男 (Relationship to the parents: First Son)
(Status Items) 身分事項 出生 (Birth)	【出生日】昭和62年4月19日 【出生地】東京都 [redacted] 【届出日】昭和62年4月30日 【届出人】父 【送付を受けた日】昭和62年5月6日 【受理者】東京都 [redacted]
名の変更 (Change of Given Name)	【名の変更日】平成20年5月1日 【送付を受けた日】平成20年5月12日 【受理者】千葉県 [redacted]
② 平成15年法律第111号第3条 (Act No. 111 of 2003, Article 3)	【平成15年法律第111号第3条による裁判発効日】平成22年11月16日 【記録嘱託日】平成22年11月18日 【従前戸籍】 [redacted] ③ 【従前の記録】 (Prior Entry) 【父母との続柄】長女 (Relationship to the Parents: First Daughter)
④ 婚姻 (Marriage)	【婚姻日】令和4年2月9日 【配偶者氏名】 [redacted] 【配偶者の国籍】タイ国 【配偶者の生年月日】 [redacted] ⑤ 【婚姻の方式】タイ国 (Form of Marriage: Thailand) 【証書提出日】令和4年4月27日 【送付を受けた日】令和4年5月18日 【受理者】在タイ大使
配偶者の氏名変更 (Change of Spouse's)	【記録日】令和4年5月26日 【変更後の氏名】 [redacted]
Family Name)	以下余白

発行番号 [redacted]
これは、戸籍に登録されている事項の全部を証明した書面である。
令和5年1月13日
東京都 [redacted] 松原 俊雄 [redacted]

Image 1: A Copy of Mr. Y's Koseki (Provided by Mr. Y)

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How to cite this article:

Imai K. (2025) ‘Toward an Ethnography of Legal Gender Recognition and the Japanese “Koseki” System’, *International Multidisciplinary Research Journal*, Volume:IV; November 2025; Page 29-37. DOI: <https://doi.org/10.47722/imrj.2001.63>